

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

#### City Council Meeting Agenda Tuesday, June 13, 2017

#### 5:30 PM - Workshop 6:30 p.m. – Dinner Meeting 7:00 p.m. – Regular Council Meeting

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

#### 5:30 PM – WORKSHOP – COUNCIL CHAMBERS

- 1. CALL TO ORDER
- 2. PRESENTATION BY AFFORDABLE HOUSING TASK FORCE
- 3. ADJOURNMENT

#### 6:30 PM – DINNER MEETING – CONFERENCE ROOM

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

#### 7:00 PM - REGULAR COUNCIL MEETING - COUNCIL CHAMBERS

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. INVITATION TO CITIZENS FOR PUBLIC COMMENT The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a topic already on the agenda; a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit the duration of these comments.
- 4. PUBLIC HEARINGS
  - a. Proposed Budget as approved by the Budget Committee.
  - b. Proposed Uses of State Revenue Sharing for Fiscal Year 2017 2018 as approved by the Budget Committee.
  - c. Public Hearing regarding vacating a portion of NE Macy Street between NE 14<sup>th</sup> Street and NE 13<sup>th</sup> Street (RV 1-17).

Kent Taylor Civic Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made a least 48 hours before the meeting to the City Recorder (503) 435-5702. For TTY services, please dial 711.

#### 5. CONSENT AGENDA

a. Consider the Minutes of the August 9, 2016 and September 6, 2016 Meetings.

#### 6. **RESOLUTIONS**

a. **Resolution No. <u>2017-36</u>**: A Resolution appointing \_\_\_\_\_\_ and \_\_\_\_\_ representatives of the McMinnville Planning

Commission.

- b. **Resolution No**. <u>2017-37</u>: A Resolution making a budgetary transfer of appropriation authority for fiscal year 2016-2017.
- c. **Resolution No**. <u>2017-38</u>: A Resolution awarding the contract for the Ford Street Sidewalk Improvements Project, Project 2015-15.
- d. Resolution No. <u>2017-39</u>: A Resolution approving Task Order No. 2 to the Personal Services Contract for the design of the Ford Street Sidewalk Improvements and Pedestrian Safety Improvements transportation bond measure projects.
- e. **Resolution No**. <u>2017-40</u>: A Resolution awarding the contract for the Pedestrian Safety Improvements Project, Project 2017-5.

#### 7. ORDINANCES

- a. **Ordinance No. <u>5025</u>**: An Ordinance Vacating A Portion Of Ne Macy Street Between Ne 14th Street And Ne 13th Street (RV 1-17).
- b. Ordinance No. <u>5022</u>: An Ordinance Approving A Zone Change From R-2 (Single-Family Residential) To R-4 (Multiple-Family Residential) On Approximately Two (2) Acres Of Land And A Zone Change From Ldr-9,000 (Low Density Residential 9,000 Square Foot Minimum) To R-4 (Multiple-Family Residential) On Approximately 2.6 Acres Of Land.
- c. Ordinance No. <u>5023</u>: An Ordinance Amending The McMinnville Zoning Ordinance Specific To Section 17.53.101(L) Land Division Standards – Street Grades And Curves) To Allow Local Street Grades Up To And Including Fifteen (15) Percent.
- d. **Ordinance No. <u>5024</u>**: An Ordinance Amending Planned Development Ordinance No. 4868 To Allow Exceptions To Current Street Grade, Block Length, Block Circumference And Lot Depth To Width Standards And To Amend An Approved Residential Subdivision And Phasing Plan On Approximately 132 Acres Of Land.
- e. **Ordinance No. <u>5026</u>**: An Ordinance amending the McMinnville Municipal Code provisions incorporating a Local Transient Lodging Tax (Ordinances No. 5003, 4994, 4974 and 4970).
- 8. ADVICE/ INFORMATION ITEMS
  - a. Reports from Councilors on Committee & Board Assignments
  - b. Department Head Reports
- 9. EXECUTIVE SESSION: EXECUTIVE SESSION UNDER ORS 192.660(2)(d) TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED TO CARRY OUT LABOR NEGOTIATIONS.

#### 10. ADJOURNMENT

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#### Public Hearing Proposed Budget as approved by the Budget Committee.

The proposed budget is located at the following link on the City's website:

http://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/city\_council/meeting/6896/city\_of\_mcminn\_ville\_budget\_document\_2017\_- 2018.pdf.

#### City of McMinnville City's Proposed Uses of State Revenue Sharing 2017 - 2018 Approved Budget

<u>Revenue</u> - State Revenue Sharing	<u>\$ 315,000</u>
Expenditures - State Revenue Sharing	
<ul> <li>Administration - Mayor and City Council</li> <li>General Fund Strategic / Long Range Financial Planning</li> </ul>	75,000
<ul> <li>Police</li> <li>Mobile/Inform RMS upgrade of e-ticketing system</li> <li>MDTs with Versus camera system/printers (3)</li> </ul>	20,000 33,000
<ul> <li>Parks &amp; Recreation</li> <li>Aquatic Center - Repaint lobby, pool decks and locker room floors</li> <li>Senior Center - Architectural specifications for re-roofing building</li> <li>Community Center - Reseal/waterproof below ground exterior walls</li> </ul>	15,000 10,000 12,000
<ul> <li>Park Maintenance</li> <li>Thompson Park playground resurfacing</li> <li>Tennis court resurfacing/pickleball conversion</li> </ul>	25,000 50,000
<ul><li>Library</li><li>Elevator modernization</li></ul>	75,000
Total Proposed Expenditures	<u>\$ 315,000</u>



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

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# **Agenda Item Summary**

DATE:June 13, 2017TO:Jeff Towery, City ManagerFROM:Melissa Grace, City Recorder/ Legal AssistantSUBJECT:Consent Agenda

There are two sets of minutes for approval on the consent agenda.

The Minutes of the August 9, 2016 and September 6, 2016 Meetings.

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

Tuesday, August 9, 2016, at 7:00 p.m.

Presiding:	Rick Olson, Mayor	
Recording:	Rose A. Lorenzen, Recording Secretary	
Councilors:	<u>Present</u> Scott Hill Larry Yoder Kellie Menke Alan Ruden	<u>Absent</u> Remy Drabkin Kevin Jeffries
	Koch, Police Chief Matt Scal	ger Martha Meeker, City Attorney David les, Planning Director Heather Richards, agary, and Tom Henderson of the <i>News</i>
AGENDA ITEM		
1.	CALL TO ORDER: Mayor ( p.m. and welcomed all in atte	Olson called the meeting to order at 7:11 endance.
2.	PLEDGE OF ALLEGIANCE Allegiance.	E: Councilor Ruden led the Pledge of
3.	INVITATION TO CITIZEN	S FOR PUBLIC COMMENT: Mayor Olson to n items not on the agenda.
	came into the planning office permit fee of \$2,500 to build Advantage, located on Adam 1,000 foot boundary around to issued a permit. The boundar Department's attention by a co youth who used the tennis co citizen, but another dispensar business plans so she could n Health Authority was informed initiating a school campus bo The Planning Commission pr	mments he made to Council on April 26. He on February 8 and paid an unexpected a wall in his medical marijuana facility, NW s Street. He was informed that there was a he tennis court property and he was not y had been brought to the Planning citizen who said she was concerned about urts. The complaintent was not a concerned y applicant who was attempting to derail his nove forward with her plans. The Oregon ed that the City of McMinnville was bundary around the tennis court property. resided over an appeal and conducted a . They concluded the tennis court property

did not qualify as a formal school campus. He shared that this lengthy and expensive situation had an impact on his family and business. He stated he had been put into an unjust situation and had scrambled to secure funding to continue this never-ending holding pattern. He had not been able to pay his bills on time and had not been able to properly provide for his family. The last time he was before the Council, Councilor Ruden had expressed a desire to find a way for Council to help him correct the damage that had been inflicted on him through this situation. Councilor Jeffries indicated this was upsetting and very bad government. Councilor Drabkin searched the high school website and discovered tennis was not offered as an athletic program at the high school. Reversing the designation had been helpful. He asked the Council to direct the Planning Director to contact the Oregon Health Authority (OHA) and let them know the designation around the tennis courts had been removed and the reasons for the removal. He also asked that the Planning Director recommend OHA follow the City's lead and delete the proposed boundary around the tennis courts so that there would be no unnecessary appeal, litigation, or hearings. His second issue was in regard to Ordinance No. 5000. He stated that this ordinance had language in it that seemed to indicate medical and recreational marijuana dispensaries could not be located within 1,000 feet of each other. He did not think the langauage in the ordinance accomplished what it intended to prevent, limiting these businesses in an effective way. There were some dispensaries that would be able to operate that had OLCC land use compatibility statements pending in the Planning Department now. He encouraged Council to review the langauge in Ordinance No. 5000 and make sure that it reflected the intent. He also recommended the City Attorney compare the language of the ordinance to other cities, such as Portland and Salem. He noted that these cities accomplished ensuring they would not be overwhelmed by dispensaries.

Mayor Olson thought since the City initiated the contact with OHA, the City should follow up with OHA and let them know about the Planning Commission decision.

Discussion was held regarding whether or not to notify OHA of the Planning Commission decision that there was not sufficient evidence to determine if the tennis courts were a school that required a 1,000 foot buffer. There was further discussion regarding making changes to Ordinance No. 5000.

City Attorney Koch said there had been discussion about a text amendment to Ordinance No. 5000 regarding buffering around preschools. The Planning Commission had some concerns regarding the term school not being well defined and determining if something was a school if it was not in a school building. Mayor Olson thought instead of making changes to the Ordinance, have the Ordinance point to the State regulations.

City Manager Meeker recommended instead of a phone call to send an official letter to notify OHA.

Mayor Olson thought the City should call OHA first, and then follow up with an official letter.

There was consensus to direct staff to make an informal phone call to OHA and follow it up by sending an official letter explaining the Planning Commission's decision. They would also be directing the Planning Commission and staff to take a look at Ordinance No. 5000 to clarify the wording in the ordinance.

City Attorney Koch clarified that the way the ordinance was written, two recreational facilities could not be within 1,000 feet of each other and two medical marijuana facilities could not be within 1,000 feet of each other. It did not indicate that a recreational facility could not be within a 1,000 feet of a medical facility.

Mr. Risdon thought the ordinance was trying to limit the number of facilities that could be located near each other. Mayor Olson said the City would review the langauge and clarify this issue.

Jared Miller, McMinnville resident, was curious about the Citizens Advisory Committee and when they met. City Manager Meeker said the committee met when there was a land use issue, and there had not been an issue in a while. There would be a future discussion on how to make the committee more functional and needed.

Mr. Miller asked if he could testify on any of the Council agenda items. Mayor Olson said yes, people were allowed to comment on agenda items as long as it was pertinent information.

4.	CONSENT AGENDA
4.a.	<b>Resolution No. <u>2016-58</u></b> : Awarding a personal services contract to the law firm of Fisher & Phillips, LLP for employment law services.
	Councilor Menke MOVED to approve the consent agenda. SECONDED by Councilor Ruden and PASSED unanimously.
5.	PUBLIC HEARING
5.a.	Implementation of an Exclusion Zone Ordinance
	Mayor Olson opened the public hearing at 7:40 p.m.

City Manager Meeker presented the staff report. This was a follow up to the May 10 City Council Work Session regarding addressing problems in the downtown area. One idea was to bring an Exclusion Zone back to the table. In 2005, in response to concerns expressed by downtown merchants, the Council approved an Enhanced Enforcement Area and authorized police officers to exclude individuals responsible for repeated nuisance behavior from the area. While the police found it to be an effective tool, it was rescinded in 2011 after Oregon state courts questioned the legality of having such areas. The City implemented alternate enforcement methods, but they did not prove to be as effective. The City would like to establish an Exclusion Zone again under different guidelines. This time it would be a smaller area than it was before, and it would be a condition of probation. It would only be enforced after a conviction. The parameters of the zone would be from 2<sup>nd</sup> to 4<sup>th</sup> and from Adams to Galloway.

Elise Hui, Housing Authority Executive Director and owner of a property on 3<sup>rd</sup> and Irvine, said the City of Bend had an Exclusion Zone that was not a unanimous decision of the Council. One of the opponents was a business owner who thought the zone would push the problem elsewhere. She asked if McMinnville had talked to other cities who had these zones. Eugene and Portland had let their zones lapse, and there had to be a reason. Businesses could enforce trespass orders already on their own properties. She was also concerned that if people were excluded from this zone, would they go to nearby areas and the Exclusion Zone would have to continually be expanded. The City was short on police staffing and she questioned how the zone would be enforced.

Police Chief Scales explained the city prosecutor's office would decide who would be excluded based on their actions. A condition of their probation was they could not enter this zone. Staff would have a spreadsheet system with those who had been excluded that would be available in police vehicles. They would not be arrested on site. The court would be notified of the violation and they would be summoned back into court.

City Attorney Koch said it was similar to other conditions of probation. There was usually a reduced or suspended sentence for those on probation based on whether or not they got in trouble again. It was used to encourage good behavior after a conviction. Unlike the City of Bend where someone could be excluded based on arrest, this would only happen after a conviction and was a condition of probation. This was not an independent crime of trespass that occurred if it was a condition of probation and they were found in the Exclusion Zone. It would be referred to the court, and the court would decide how to treat the violation. Ms. Hui asked why they were not excluding individuals from the place where the original crime happened. City Attorney Koch said if it was a crime of shoplifting or vandalising property, they might be excluded from that location for a period of time. He would let someone else explain why downtown might be treated differently.

Police Chief Scales clarified downtown was a historic district that attracted a lot of tourists. It was business dense with many residences. They wanted to protect downtown that had wrestled with nuisance type of behaviors for a number of years. When they had used this in the past, people understood that they did not go just outside of the area and cause trouble there.

Mayor Olson said there were areas with high density living, such as the Village Quarter and around the Circle K. He had seen a lot of issues at 7-11 and Circle K.

City Attorney Koch said the Exclusion Zone boundaries matched with the Zone 1 boundaries of the downtown Economic Improvement District (EID. Those property owners who were paying the highest rates of the EID matched with the Exclusion Zone. It was where most pedestrians and tourist attractions were located as well as residents living there.

Councilor Hill thought they might want to address the expansion down to Alpine Avenue.

Mayor Olson said they needed to be sensitive about the senior citizens at the Village Quarter. He thought they should expand the boundary to Johnson Street. This zone had a sunset in 2019 so Council could review it.

Jared Miller, McMinnville resident, thought there were other areas in the City where they could mimic this type of zone, especially in areas where people were trying to make improvements.

Mayor Olson closed the public hearing at 8:02 p.m.

Councilor Ruden thought it was a good tool. He liked the sunset clause that would prompt Council review of the zone. He also agreed it should be extended to Johnson Street.

Councilor Hill was comfortable approving the zone. He supported that it was for individuals who had been convicted. It would be a helpful tool.

Councilor Menke was in support as well and liked the idea of extending it to Johnson Street.

Councilor Yoder thought it was a great tool that needed to be used.

Mayor Olson thanked the staff for their work on this item.

Police Chief Scales agreed the sunset clause was a good way to review the zone to make sure it was effective. He thanked the City Attorney for writing the ordinance.

6. ORDINANCES

6.b.

6.a. **Ordinance No. <u>5006</u>**: Implementing an Exclusion Zone for the downtown area.

Mayor Olson said there was one change to the ordinance. City Attorney Koch said the change would be in Section 9.42.010, describing the boundaries of the downtown Exclusion Zone, where references to Galloway Street would be replaced with Johnson Street.

City Attorney Koch read by title only Ordinance No. 5006, implementing an Exclusion Zone for the downtown area. The title of the ordinance was read for the second time.

Ordinance No. 5006 as amended PASSED by a unanimous roll-call vote.

Ordinance No. <u>5007</u>: An Ordinance of the City of McMinnville describing the method for calculating parking time limits, repealing Ordinance No. 4985, repealing and replacing Section 32 of Ordinance No. 3629, and declaring an emergency.

City Attorney Koch said since 1972, the City had parking time limits downtown. There was a need to crack down on people who were moving their vehicles one block in order to extend the time limit. There were areas downtown that provided all day parking. Some changes were made in 2014 that the Municipal Court judge found to be vague and unenforceable. The intent was reviewed and staff worked together to come up with language that was clearer, better defined, and still maintained the intent of the existing ordinance. It would encourage people who wanted to stay in an area beyond the time limit to use the all day parking spaces rather than surf around the two hour spots.

Mayor Olson thought it was critical to do this, especially with the requirements for ADA parking that made parking more premium in downtown.

Councilor Menke thought this would address the situation.

Councilors Yoder and Hill were in agreement.

	Councilor Ruden hoped everyone would cooperate as citizens who wanted to enhance downtown. They were trying to create spots for people who did not work downtown.
	There was discussion about implementing the ordinance. City Manager Meeker said staff could write warnings for the next two days and then enforcement would be through citations.
	City Attorney Koch read by title only Ordinance No. 5007, an ordinance of the City of McMinnville describing the method for calculating parking time limits, repealing Ordinance No. 4985, repealing and replacing Section 32 of Ordinance No. 3629, and declaring an emergency. The title of the ordinance was read for the second time.
	Ordinance No. 5007 PASSED by a unanimous roll-call vote.
6.c.	<b>Ordinance No. <u>5008</u></b> : An Ordinance amending the McMinnville Municipal code provisions regulating skateboards.
	City Manager Meeker said there was an issue of skateboarders in downtown parking lots. There was already congestion in the parking lots, cars backing out, and distracted drivers, and then added to it was skateboarders coming through the lots which were hard to see and fast. There was already Chapter 10.12 in the Municipal Code that defined where skateboards were prohibited. The language would be changed to say they were prohibited on downtown sidewalks and in public parking lots.
	City Attorney Koch said there was a typo where it stated the chapter as Chapter 10.28 when it should be Chapter 10.12.
	City Attorney Koch read by title only Ordinance No. 5008, an ordinance amending the McMinnville Municipal code provisions regulating skateboards. The title of the ordinance was read for the second time.
	Ordinance No. 5008 as amended PASSED by a unanimous roll-call vote.
6.d.	<b>Ordinance No. </b> <u>5009</u> : An Ordinance adopting Public Contracting rules; repealing Ordinances 3780 and 4736; and declaring an emergency.
	City Attorney Koch said in 2003 the Oregon legislature overhauled public contracting rules and at that time there was a provision that any local public contrating rules needed to be modified to be in conformance with the state's rules. If they were not, they would be subject to the attorney general's model rules. The City of McMinnville did not modify its rules at that time and had been operating under the attorney general's model rules. This ordinance repealed the rules on the books that they were no longer following and indicated the City was following the model

rules published by the attorney general. The City could declare certain
types of contracts to be personal services contracts which the City could
enter into and establish their own procedures for awarding those
contracts. The contracts with engineers and traffic planners had to follow
the attorney general's rules.

City Attorney Koch read by title only Ordinance No. 5009, an ordinance adopting public contracting rules; repealing Ordinances 3780 and 4736; and declaring an emergency. The title of the ordinance was read for the second time.

Ordinance No. 5009 PASSED by a unanimous roll-call vote.

7.a.

8.a.

**Resolution No.** <u>2016-58</u>: Entering into an agreement to provide funds to assist in the provision of a public portable toilet facility.

City Manager Meeker said another issue the Council wanted to address was public urination. Providing funds to assist with a public portable toilet facility would help First Baptist Church and provide a small facility for those who needed it in downtown.

Mayor Olson said the agreement was \$100 per month for the rest of the fiscal year. City Manager Meeker said the church paid \$280 per month.

Mayor Olson wanted to provide a facility for all, including the handicapped, and thought the City should pay the additional cost.

Mary Martin, McMinnville resident, said there needed to be an adequate public restroom downtown. Mayor Olson said discussions regarding a permanent facility were continuing.

Councilor Menke agreed the City should pay the difference for a handicapped facility. Councilor Hill concurred. The City needed to be in compliance with the handicapped rules. He suggested contacting different companies to get a comparison on pricing.

Mayor Olson suggested the City absorb the complete cost for the facility. They could compare prices and pay the cost to the end of the fiscal year.

Councilor Hill MOVED to recommend the City pay the full amount for the downtown public portable toilet facility through the end of the fiscal year. SECONDED by Councilor Menke and PASSED unanimously.

3.	ADVICE/INFORMATION	ITEMS

Reports from Councilors on Committee and Board Assignments

None
Department Head Reports
None
Financing Update – 2016 Issuance of Debt
City County Dinner – Hosted by City of Dundee – August 18, 2016
ADJOURNMENT: Mayor Olson adjourned the meeting at 8:37 p.m.

Melissa Grace, City Recorder

#### CITY OF McMINNVILLE MINUTES OF SPECIAL MEETING Of the McMinnville City Council Held at the Kent L. Taylor Civic Hall on Gormley Plaza McMinnville, Oregon

Tuesday, Septembr 6, 2016, at 8:00 a.m. Presiding: Rick Olson, Mayor Recording: Rose A. Lorenzen, Recording Secretary Councilors: Present Absent Remy Drabkin (by phone) Larry Yoder Kevin Jeffries Kellie Menke Alan Ruden Scott Hill Also present were City Manager Martha Meeker, City Attorney David Koch, Information Systems Director Scott Burke, Nicole Montesano and a member of the News Media. Dave Adams. AGENDA ITEM CALL TO ORDER: Mayor Olson called the meeting to order at 8:02 1. a.m. 2. NEW BUSINESS 2.a. **Organizational Issues** The City Manager evaluation was completed last Friday. Councilor Hill shared over the last two weeks he had the opportunity to do interviews for the City Recorder/Legal Assistant position. He was excited to have a very qualified person to be City Recorder/ Legal Assistant. The process went well. Earlier in the year the Council had discussion around staffing and felt strongly that the City had grown to a size that they needed to have a full time Human Resources position. After consideration, it was determined that Rose Lorenzen was going to fill that role. This facilitated the opportunity to have a City Recorder. Discussion ensued regarding bringing a better review process to review City employees. It was noted that in some communities the City Attorney reports directly to the Council. A proposal was made to have the City Attorney report directly to the Council. Discussion ensued regarding the need for

Council to be able to appoint who supervised whom. The Mayor handed out the current organizational chart and proposed organizational chart. The Mayor had specific comments and asked for a full discussion among the Council. Discussion ensued on how to better organize and protect employees.

City Manager Meeker said the Council had not been a part of the labor negotiation team in the past, and having a Council member at the table changed the dynamic in a way that might not be good.

Mayor Olson was good with not having a member of Council on the team. If they were negotiating a whole new contract, there might be value in having the City Manager on the team. They could leave both out and talk about when the City Manager should be involved. Mayor Olson stated he would leave it up to staff to flush out whether the City Attorney and Human Resources Director should be included. He then discussed the proposed changes to the organizational chart. For paragraphs one and two, the City Attorney would report directly to the Council. For paragraph two, as previously discussed with the City Manager, the City Recorder would be under the City Attorney. For paragraph three, the legal issues would move from the City Manager to City Attorney, although they worked closely together anyway. Paragraph four would be stricken completely.

Councilor Hill liked the "appointed as needed" language as there could be times when the City Manager needed to be involved.

Councilor Jeffries liked the changes. He thought it was the right move at the right time. Many cities were going this way.

Councilors Yoder, Menke, and Ruden all liked the changes as well. Councilor Hill thought it was good to get it on paper so they knew what the reporting aspects would be. Councilor Drabkin was also in agreement.

City Manager Meeker and Recording Secretary Lorenzen had no questions.

City Attorney Koch asked if the process they were developing would also apply to him. Councilor Hill said yes, they asked to expand the work to the Management Team at a later date. Council wanted to do this in the most concrete, streamlined, and effective way.

City Attorney Koch asked if the Council would be doing his evaluations. The Council responded that they would be.

City Manager Meeker said the timing worked well, as the Council just did her evaluation. Mr. Koch's was due in January.

Mayor Olson thought it was great timing with Ms. Lorenzen coming on as Human Resources Director and she could help with the evaluation process.

Councilor Hill MOVED to approve the proposed organizational chart, taking out paragraph four, and setting the adoption date to today's date. SECONDED by Councilor Ruden and PASSED unanimously.

Recording Secretary Lorenzen would be the keeper of the organizational chart. She would get it updated and posted on the website.

- 3. ADVICE/INFORMATION ITEMS: None
- 4. ADJOURNMENT: Mayor Olson adjourned the Special City Council meeting at 8:32 a.m.

Melissa Grace, City Recorder



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

www.mcminnvilleoregon.gov

#### **STAFF REPORT**

DATE:	June 13, 2017
TO:	Mayor and City Councilors
FROM:	Heather Richards, Planning Director
SUBJECT:	Resolution No. 2017-36 (Planning Commission Appointments, Ward 2 and Ward 3)

#### **Council Goal:**

Promote Sustainable Growth and Development

**Report in Brief:** This is the consideration of Resolution No. 2017–36, appointing two volunteers to the McMinnville Planning Commission for Ward 2 and Ward 3 respectively.

#### **Background:**

The Planning Commission is a nine-member City Council-appointed body, which takes action and makes recommendations to the City Council on a variety of current and long-range land use matters. There are two types of membership on the Commission: 1) Ward Representatives (two from each ward); and 2) At-Large Community Members (three in total). Ward Representatives must be a resident of the City of McMinnville and live in the ward they represent. At-Large members must be a resident of the City of McMinnville or reside within the McMinnville Urban Growth Boundary. All members serve for four year terms.

Per the McMinnville City Code, Section 2.32.020, the common council shall strive to appoint members who represent a cross-section of the citizens of McMinnville, and who will provide the planning commission with expertise in the area of planning, who possess broad areas of interest, and general concern with the planning process which is required for the functioning of this body.

Currently there are two positions open on the commission for which the City of McMinnville is soliciting applications: 1) Ward Representative from Ward 2; and 2) Ward Representative from Ward 3. The individuals appointed to each Ward position must reside in the ward that they are representing on the Planning Commission.

#### **Discussion:**

The City received two applications for the Ward 2 position (Roger Lizut and John Stensland) and three applications for the Ward 3 position (Jason Hunter, Gary Langenwalter and JW Millegan). Please see attached applications.

Attachments: Resolution No. 2017–36 Ward 2 Applicants Ward 3 Applicants



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Attachments: Resolution No. 2017–36 Ward 2 Applicants Ward 3 Applicants An interview committee comprised of City Councilors Kellie Menke and Wendy Stassens interviewed each candidate and then ranked their recommendations. Each councilor has the same #1 ranked candidate for each ward position as described below:

Ward 2: Roger Lizut Ward 3: Gary Langenwalter

Both positions are the result of resignations and the appointed volunteers will finish out the vacated term. The Ward 2 position will expire on December 31, 2019, and the Ward 3 position will expire on December 31, 2018.

#### Fiscal Impact:

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

#### **Council Options:**

- 1. **APPROVE** Resolution No. 2017–36 appointing two new volunteers to the McMinnville Planning Commission.
- 2. **REQUEST** more time and/or information.
- 3. **DO NOT APPROVE** Resolution No. 2017-36, directing staff to post notice of continued vacancies and the city's interest in soliciting new applications.

#### **Recommendation/Suggested Motion:**

The interview committee recommends that the Council approve Resolution No. 2017-36 appointing Roger Lizut to Ward 2 with a term expiring December 31, 2019, and Gary Langenwalter to Ward 3 with a term expiring December 31, 2018.

"I MOVE TO APPROVE RESOLUTION NO. 2017–36 APPOINTING ROGER LIZUT AS A MCMINNVILLE PLANNING COMMISSIONER REPRESENTING WARD 2 WITH A TERM EXPIRING ON DECEMBER 31, 2019, AND GARY LANGENWALTER AS A MCMINNVILLE PLANNING COMMISSIONER REPRESENTING WARD 3 WITH A TERM EXPIRING ON DECEMBER 31, 2018."



MAY 1 9 2017

#### APPLICATION FOR SERVICE ON BOARD OR COMMISSION

COMMUNITY DEVELOPMENT

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: ROGER LIZUT Address: 510 NW 9TH 57 MAC 97128	Phone (Home) Phone (cell) Phone (work)
Email: Board or commission for which you are an applicant::	
<ul> <li>☐ Advisory Board</li> <li>☐ Airport Commission</li> <li>☐ Board of Appeals</li> <li>☐ Budget Committee</li> <li>☐ Citizens' Advisory Committee</li> </ul>	<ul> <li>Historic Landmark Committee</li> <li>Landscape Review Committee</li> <li>McMinnville Urban Area Management Commission (MUAMC)</li> <li>Planning Commission</li> </ul>

How many years have you lived in McMinnville? 2
Educational and occupational background: <u>RECEISTERED</u> PROFESSIONL ENGRAVEER (BET)
, PANDIA NAT'L LAB - IDEPT MER, PROJECT MANAGER, SYSTEM ENGR
SANDIA NAT'L LAB - DEPT MER, PROJECT MANAGER, SYSTEM ENGR MS SYSTEMS MANAGEMENT, UNIVOF SOUTHERN CAILFORNIA
MS OPERATIONS RESEARCH, SOUTHERN METHODIST UNIV
BS PHYSICS, NEW MEXICO STATE UNIV
Why are you interested in serving? PLEASE. SEE ATTACHED
Date 5/19/17 Signed Roger Fizit

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128

#### Roger Lizut

#### McMinnville OR 97128

My interest in serving on the Planning Commission

I enjoy the work and find the processes interesting. I have served previously on City Planning Commissions at Corvallis OR (5 years), Walla Walla WA (4 years), and Port Townsend WA (3 years).

Given the location, size, and town political differences, I have acquired a well rounded knowledge of not only various Code structures and their application, but also the community response to land use issues.

In addition to that experience, I received City Council appointments to special working groups as the Planning Commission representative. In Corvallis, I served on the Buildable Land Inventory Project, Housing Development Task Force, and the Transportation System Planning Committee. In Walla Walla, I served on the Sustainability Work Group as Chairman.

I submit for your consideration that my experience time and variety of issues considered make me a viable candidate for the Ward 2 Vacancy.

Thank you for considering my application

Roger Lynd



#### APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: John Stensland	Phone (Home)
Address: 963NN Cascade Way McMinnville OR 97128	Phone (cell)
Mc Minnville OR 97128	Phone (work) <u>NA</u>
Email:	
Board or commission for which you are an applicant:	
Advisory Board	Historic Landmark Committee
Airport Commission	Landscape Review Committee
Board of Appeals	McMinnville Urban Area Management
Budget Committee	Commission (MUAMC)
Citizens' Advisory Committee	🖄 Planning Commission
Ward in which you reside (if applicable): How many years have you lived in McMinnville? Educational and occupational background: Colleg: For Financial Planning.	· · · · · · · · · · · · · · · · · · ·
Nhy are you interested in serving? <u>Chance</u> Previow member of South Gate Appointed Chairmon of Environme	to sive back to the community. Neighborhood Aussic in Selan. atal Comm. the at 14 111 side.

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128

April 06, 2017

City of McMinnville 230 NE Second Street McMinnville, Oregon 97128

Subject: McMinnville Planning Commission - Ward 3

City of McMinnville,

I have spent the past ten years developing my career as a wine professional with The Ritz-Carlton, Bachelor Gulch in Colorado, but for the last three of those years I have been preparing for a transition to the Willamette Valley.

In December 2015, my wife, Kristin, and I purchased a house in McMinnville and now 225 SE Dayton Avenue is our home. While this relocation to McMinnville has been driven by our professional interest in the wine industry – Kristin is assistant winemaker at Belle Pente and I am establishing a small business in brand management – I am determined to apply my education in Public Policy at Georgetown University toward public service in McMinnville.

Though I am a newcomer to McMinnville, my relationship with the region began in 1997 when I decided to ride a bicycle from PDX to San Francisco. I got hailed on the first day and shortly after pedaling through McMinnville on the second, hitched a ride to the coast.

In 1999, I got to know the area further while completing a two-month internship at the VA Medical Center in Vancouver, Washington.

After passing through the region multiple times during the following years, I returned for winery visits in early November 2013. Though the weather was dismal and the harvest challenging, I was drawn to return again. I attended Oregon Pinot Camp in 2014 and assisted during the harvest at Belle Pente in 2015 before making McMinnville my home.

McMinnville is growing quickly and promises to continue this growth well into the foreseeable future. I welcome the opportunity to participate in the planning of this growth as Councilor for Ward 3.

Thank you for your consideration.

Sincerely,

Jason

Jason Hunter 225 SE Dayton Avenue McMinnville, OR 97128



#### **APPLICATION FOR SERVICE ON BOARD OR COMMISSION**

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name:Address:		Phone (Home) Phone (cell)				
		_ Phone (work)				
Email:		_				
Board or commission for which you are an	applicant::					
Advisory Board		Historic Landmark Committee				
Airport Commission		Landscape Review Committee				
Board of Appeals		McMinnville Urban Area Management				
Budget Committee		Commission (MUAMC)				
Citizens' Advisory Committee		Planning Commission				
<u>Ward</u> in which you reside (if applica	able):	_				
How many years have you lived in McMir	nville?					
Educational and occupational background						
Why are you interested in serving?						
Date	Signed	Jason A Hunter				

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128

#### Education

Masters of Public Policy, Georgetown University, Washington, DC 2003 Concentration: International Policy and Development Thesis: Is the Relationship Between Foreign Aid and Trade Affected By Geo-Politics?

Masters of Science in Physical Therapy, Boston University, Sargent College, Boston, MA 1999

Bachelors of Science in Health Studies, Boston University, Sargent College, Boston, MA 1997

#### **Authored Books**

Wine Hunter: *Barolo* Wine Hunter: *Hermitage, Côte Rôtie, Cornas and the Northern Rhône* www.winehunterbook.com

#### **Primary Professional Experience**

<u>The Ritz-Carlton, Bachelor Gulch</u> Avon, CO December 2006 – Present Beverage Director, Sommelier and Wine Buyer

- Manages a working wine list of over 500 selections, monitoring and replenishing inventory as needed
- Performs physical count of the \$300,000 beverage inventory each month across six beverage outlets using Adaco software systems
- · Reconciliation is performed monthly to monitor and balance sales reports with physical counts
- Coordinates with Purchasing Department daily to ensure compliance with requisition processes
- Cost analyses and pricing regiments are designed and implemented to ensure budgetary goals are met.
- Updates and maintains inventory and wine list using Excel, Adaco and MICROS POS systems
- Secures liquors, beers, wines, coolers, cabinets and storage areas throughout the hotel ensuring safety and security standards are maintained
- Works with dozens of local vendors, importers and national distributors within the three-tier distribution system to become familiar with current products and negotiate sales agreements
- Develops and implements annual and seasonal beverage programs for all resort outlets
- Participates in the planning of outlet operations to create a broad and dynamic guest experience
- Works with outlet Leaders to train staff and ensure proper implementation of plan and programs
- Trains aspiring Sommeliers in theory, tasting and service in preparation for Certification exam. In October 2013, three members of his team achieved the level of Certified Sommelier with the Court.

#### Matsuhisa Vail, Vail CO December 2011 - December 2012

Fine Dining Sommelier (part time)

- Issued, opened and served wine and sake complementing the signature cuisine that blends traditional Japanese dishes with Peruvian & Argentine ingredients.
- Trained and educated server and bartender staff on wine tasting, service and theory
- Secured liquors, beers, wines, coolers, cabinets and storage areas

#### bol, Solaris Vail, CO June 2010 Opening - October 2010

Bartender/Beverage Consultant (part time)

- Designed beverage inventory Excel spread sheet and trained management on implementation
- Participated in creating cocktail list, steps of service and overall bar set up and organization
- Provided front-of-the-house management coverage

#### Jason A. Hunter

#### <u>Management Systems International (MSI) – Washington, DC</u> May 2002 – April 2004 Project Manager (April 2003 – April 2004)

Project Administrative Support (May 2002 – December 2002)

- Managed international development project tasks which included monitoring of budgetary resources, contractual oversight, arranging travel, and providing general logistical support
- Data analysis and interpretation
- Constructed database for monitoring and evaluating Capable Partner Program activities
- Assisted with editing and writing of reports
- Served as point of contact and coordination for clientele, field and technical staff
- Recruited technical and administrative consultants and project staff
- Ensured adherence to technical approaches and proper processing of Agreements of Understanding per United States government and MSI regulations

#### **International Professional Experience**

Woodland Lodge Krabi, Thailand: Business Consultant and Trainer 12/2004, 04/2005

Viseth Rotanak Sihanoukville, Cambodia: Business Consultant and Trainer 01/2005 - 02/2005

Department of Non-Formal Education Krabi, Thailand: English Instructor 12/2004

Granbar Danzon Buenos Aires, Argentina: Bartender 10/2000 - 01/2001

#### **Additional Professional Experience**

Tony and Joe's Seafood Place Washington, DC: Server 04/2004 - 11/2006 (intermittent)

Overseas Private Investment Corporation Washington, DC: Consultant 03/2003 - 04/2003

Inter-American Development Bank Washington, DC: Consultant 03/2003 - 04/2003

Georgetown University Washington, DC: Teaching Assistant 09/2002 - 12/2002

International Development and Finance Washington, DC: Consultant 05/2002 - 06/2002

Rumba Café Washington, DC: Bartender 09/2001 - 11/2001

Audubon Circle Bar and Restaurant Boston, MA: Bartender/Server 1997 - 2001 (intermittent)

Hotel Del Coronado San Diego, CA: Bartender 03/1999 - 10/1999

Leighton's Catering Kingston, MA: Bakemaster 1988 – 1998 (summers)

#### Language Skills

Spanish – Moderate Proficiency French – Basic



#### APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name:	Gary A. Langenwalter	Phone (Home)
Address:	1425 NE 16th St.	Phone (cell)
	McMinnville	Phone (work)
Email:		
Board o	or commission for which you are an applicar	nt::
Adv	risory Board	Historic Landmark Committee
Airp	port Commission	Landscape Review Committee
Board of Appeals		McMinnville Urban Area Management
Bud	lget Committee	Commission (MUAMC)
Citiz	zens' Advisory Committee	Planning Commission
Ward	in which you reside (if applicable): 3	
<u>Ward</u>	in which you reside (if applicable): <u>3</u>	

How many years have you lived in McMinnville? 5 Educational and occupational background: (See attached bio sketch)

Why are you interested in serving? I want to give back to my community. I bring a perspective of Triple Bottom Line sustainability - People, Planet, and Profit/Performance, so I'll be looking at long-range implications of the decisions that we make. How can the Planning Commission help McMinnville be a vibrant, vital, welcoming community for years to come? What can we do to sustain and improve the quality of life of all citizens? What can we do to sustain and support a healthy business community, so that people can work here rather than having to commute elsewhere to their jobs?

Date March 16, 2017

Signed

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128

## **Gary Langenwalter**

Gary Langenwalter is founder of CEO Advisors Board in McMinnville, which serves as a board of advisors for organization leaders. He coaches executives and leaders to improve their effectiveness; he helps organizations create clear, compelling visions that energize their employees, customers, suppliers, and communities. He understands complex systems and leads organizations to embrace and successfully implement continuous improvement. By building trust and community, he works equally effectively with CEOs and hourly employees. He brings enthusiasm, creativity, integrity, and listening.

Mr. Langenwalter has worked with for-profit, government, non-profit, and religious organizations. He has served more than 100 organizations on 4 continents, ranging in size from 10 employees to the US Army and US Navy. A few of his more notable accomplishments include:

- Facilitating a highly successful strategic planning retreat for a non-profit.
- Implementing Triple Bottom Line Sustainability at a plant nursery, resulting in 400% ROI.
- Implementing Lean teams which have substantially improved processes, reduced errors, reduced waste, and reduced lead times by 90% by utilizing the teams' creativity.
- Creating consensus and compelling vision which align all facets of an organization.

Prior to founding the CEO Advisors Board, Gary held positions with:

- Portland Consulting Group founder and managing partner
- Sustainability Partners Int'l founder and managing partner
- PriceWaterhouseCoopers Consulting Manager
- KPMG Peat Marwick Consulting Manager
- Faultless Caster Corp. MRP II Project Manager, 100% ROI and increased market share.

Mr. Langenwalter has led numerous workshops, both public and private, on Sustainability, Lean, and ERP. He was adjunct faculty at George Fox evening MBA program, teaching operations management, organization systems, and consulting. He has written a business novel on sustainability (*The Squeeze*) and authored 5 professional books and courses.

As a progressive part-time pastor for 7 years, he encouraged his congregations to serve their communities. At Dundee United Methodist Church, he created and managed the community supper, intentionally designing it to bring community members together. He serves at the chair of the personnel committee at First Baptist Church, McMinnville, and has co-written the employee handbook.

He has earned the following degrees and certificates:

- MTS, Boston University in Organization and Leadership, 2008
- MBA, Michigan State University in Management
- BA, University of Oregon in Industrial Management
- Diploma, Nyenrode Business Universiteit, The Netherlands, International Business
- Coach for Landmark Education, and coaching certificate from Coaches Training Institute
- CFPIM, APICS (the Operations Management Association)

Mr. Langenwalter is an active member of the McMinnville Chamber of Commerce and is on the Government Affairs Council. He was treasurer of Oregon Organization Development Network for 4 years. He was a member of the Portland Business Alliance, and on their Sustainability Committee. He revitalized the Stow, Massachusetts, Business Association, serving as president and a director. He has served in every position on boards of directors for APICS chapters.

1425 NE 16<sup>th</sup> Street McMinnville, Oregon 97128, USA



#### APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: "JW MillEquen Address: P-O. B=+1Gro (Gay NEand	Phone (Home) MA Phone (cell)
Email:	S Phone (work
Board or commission for which you are an applicant::	
<ul> <li>☐ Advisory Board</li> <li>☐ Airport Commission</li> <li>☐ Board of Appeals</li> <li>☐ Budget Committee</li> <li>☐ Citizens' Advisory Committee</li> <li><u>Ward in which you reside (if applicable)</u>: <u>Ward</u></li> <li>How many years have you lived in McMinnville?<u>ƏL</u></li> <li>Educational and occupational background:</li> </ul>	0
J cak cel	, Enculedaje , experience , passion bait McMinnville rads soreche with professional n land loc Danning.
Date 4/7/17 Sign	ned //

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128

### JW Millegan

### EDUCATION AND OCCUPATIONAL BACKGROUND McMinnville Planning Commission Application

April 7, 2017

#### EDUCATION

- 1975 Graduate of McMinnville High School (kindergarten through high school)
- 1979 Graduate of Lewis & Clark College. BS in Political Science and Economics.
- Willamette University MBA, Business and Management, one of two years completed.

#### OCCUPATIONAL BACKGROUND

- 34 years in Financial Services/Investments.
  - o Stockbroker.
  - o 21 years Owner of Stock Brokerage Firm.
  - Currently, Hedge Fund, Venture Capital Firm and Equestrian Development Firm (Wallace Bridge)
- Former Commercial Real Estate Agent.
- Former Land Use Planner in Oregon
  - Worked for Yamhill and Clackamas Counties
  - Worked for DLCD (Department of Land Use and Development) as a Plan Reviewer for Compliance with State Land Use Laws.
  - Was the Plan Reviewer at the State who reviewed the city of McMinnville's Comprehensive Plan and Zoning Ordinances for Compliance.
- Extensive Volunteer Work.
  - Developed, wrote and shepherded through the local, state and national process the first National Historic District in Salem.
  - Promoted and obtained the funding for NW Portland Alphabet National Historic District.
- Served on numerous neighborhood groups around the state in Salem, West Linn and Northwest Portland. Served as elected board member, land-use chair and president. Instrumental in the formation of first neighborhood group in McMinnville.
- Served as member of Planning Commission in Willamina.
- Community volunteer at Saturday, Breakfast at Co-op Church on Saturday mornings.

#### **RESOLUTION NO. 2017-36**

A Resolution appointing \_\_\_\_\_\_ and \_\_\_\_\_ representatives of the McMinnville Planning Commission.

#### **RECITALS**:

The City of McMinnville has several Boards, Committees, Commissions, and Task Forces made up of volunteers; and

The City Council is responsible for making appointments and re-appointments; and

The Planning Commission is comprised of nine members who are appointed by the McMinnville City Council and serve for four terms; and

There are currently two vacancies on the Planning Commission that need to be filled; and

One vacancy is for Ward 2 and one vacancy is for Ward 3; and

Candidates need to reside within the ward that they are representing; and

The City advertised the vacancies, solicited applications and held interviews.

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

1. The City Council appoints the following volunteers to represent Ward 2 and Ward 3 on the Planning Commission.

#### PLANNING COMMISSION

Ward 2

(Term Expires 2019)

Ward 3

(Term Expires 2018)

2. This Resolution and this appointment will take effect immediately.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 13<sup>th</sup> day of June, 2017 by the following votes:

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

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

Approved this 13<sup>th</sup> day of June, 2017.

MAYOR

Approved as to form:

CITY ATTORNEY



CITY OF McMINNVILLE FINANCE DEPARTMENT 230 NE Second Street McMinnville, Oregon 97128 www.mcminnvilleoregon.gov

#### **MEMORANDUM**

**DATE:** June 13, 2017

**TO:** Jeff Towery, City Manager

FROM: Marcia Baragary, Finance Director

**SUBJECT:** Resolution No. 2017-37, a Resolution making a budgetary transfer of appropriation authority for fiscal year 2016 – 2017.

#### Discussion:

When the fiscal year 2016–2017 budget was adopted by the City Council on June 28, 2016, total appropriations in the adopted General Fund, Administration Department budget were \$1,107,286. Due to unanticipated circumstances, it is estimated that expenditures in the General Fund, Administration Department will exceed budgeted appropriations for the 2016-2017 fiscal year by approximately \$55,000.

The over expenditure in the Administration Department is a result of costs incurred that are related to the October 2016 resignation of the person who was then City Manager and subsequent costs related to the recruitment and hiring of a new City Manager in 2017.

Oregon Administrative Rule (OAR) 150-294.450(3)(1) allows a governing body to authorize a transfer of appropriation authority, after a budget has been adopted, by passing a resolution that transfers contingency appropriation to the appropriation category from which it will be expended.

Resolution No. 2017-37 transfers \$55,000 in appropriation authority from the General Fund contingency appropriation, with \$45,000 transferred to the Administration Department, City Manager, Personnel Services appropriation category, and with \$10,000 transferred to the Administration Department, City Manager, Materials & Services appropriation category.

#### Attachment:

Resolution No. 2017-37, a Resolution making a budgetary transfer of appropriation authority for fiscal year 2016 - 2017

#### Action:

A motion is needed to approve Resolution No. 2017-37.

#### RESOLUTION NO. 2017-37

A Resolution making a budgetary transfer of appropriation authority for fiscal year 2016-2017.

#### **RECITAL:**

Oregon Administrative Rule (OAR) 150-294.450(3)(1) allows a governing body to authorize a transfer of appropriation authority after a budget has been adopted by passing a resolution or ordinance. Transfers may be made from an operating contingency appropriation to the appropriation category from which it will be expended.

When the fiscal year 2016–2017 budget was adopted by the City Council on June 28, 2016, total appropriations in the adopted General Fund, Administration Department budget were \$1,107,286. Due to unanticipated circumstances, it is estimated that expenditures in the General Fund, Administration Department will exceed budgeted appropriations for the 2016-2017 fiscal year by approximately \$55,000.

The over expenditure in the Administration Department is a result of costs incurred that are related to the October 2016 resignation of the person who was then City Manager and subsequent costs related to the recruitment and hiring of a new City Manager in 2017.

Therefore, it is necessary to transfer a total of \$55,000 in appropriation authority, as allowed in OAR 150-294.450(3)(1), from the General Fund operating contingency appropriation to the General Fund, Administration Department, with \$45,000 transferred to the Personnel Services appropriation category and with \$10,000 transferred to the Materials & Services appropriation category.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON that the following transfer of appropriation authority under the fiscal year 2016-2017 City of McMinnville Amended Budget is hereby made, to wit:

1. The following emergency need exists in the **GENERAL FUND**, **ADMINISTRATION DEPARTMENT**:

In the PERSONNEL SERVICES category due to unanticipated costs incurred that are related to the October 2016 resignation of the person who was then City Manager.

In the MATERIALS & SERVICES category due to unanticipated subsequent costs related to the recruitment and hiring of a new City Manager in 2017.

GENERAL FUND:	Amended Budget	Budget Adjustment	Amended Budget
Administration	1,107,286	55,000	1,162,286
Finance	751,854		751,854
Engineering	903,100		903,100
Planning	549,251		549,251
Police	7,613,385		7,613,385
Municipal Court	466,343		466,343
Fire	3,092,653		3,092,653
Parks and Recreation	2,536,131		2,536,131
Park Maintenance	1,181,630		1,181,630
Library	1,464,403		1,464,403
Non-Departmental (Not Allocated to			
Department or Program)			
Materials & Services	30,000		30,000
Special Payments	2,227,330		2,227,330
Debt Service	3,652,685		3,652,685
Transfers Out to Other Funds	1,810,155		1,810,155
Operating Contingencies	900,000	 (55,000)	 845,000
Requirements	\$ 28,286,206	\$ 	\$ 28,286,206

This resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 13th day of June 2017 by the following votes:

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

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

Approved this 13th day of June 2017.

Approved as to form:

MAYOR

CITY ATTORNEY



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

www.mcminnvilleoregon.gov

# **STAFF REPORT**

DATE:June 13, 2017TO:Jeff Towery, City ManagerFROM:Mike Bisset, Community Development DirectorSUBJECT:Ford Street Sidewalk Improvements Project Contract Award

#### Council Goal:

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

#### Report in Brief:

This action is the consideration of a resolution to award a public improvement contract in the amount of \$397,430.00 to Banzer Construction Company for the construction of the Ford Street Sidewalk Improvements Project, Project 2015-15.

#### Background:

The \$24-million transportation improvement bond measure passed by the voter's in late 2014 included funding to add sidewalks and pedestrian safety improvements in various areas throughout the City. The intent of this project is to add sidewalk to the west side of Ford Street, from Washington St. to Cozine Creek, filling in a critical gap in the pedestrian access route on South Ford Street. This pedestrian safety improvement project also includes; road widening, paving, installation of curb & gutter, storm sewer, retaining walls, and guard rails.

The attached vicinity map reflects the work area covered by the contract. The project is expected to start in July and be completed by September 29, 2017.

#### Discussion:

On Thursday, June 1, 2017, eight bids were received, opened, and publicly read for the construction of the Ford Street Sidewalk Improvements Project 2015-15. The bid results are as follows:

- Banzer Construction Company \$397,430.00
- Pacific Rim Construction \$464,380.00
  Ayres West Construction \$474,197.50
  Jackson Industries \$491,146.75
  Subcom Excavation \$495,300.00
- Pacific Excavation
   \$560,000.00

   Emery & Sons
   \$597,610.00
- Kodiak Pacific \$599,599.00

Ford Street Sidewalk improvement Project Contract Award

The construction estimate for this work was \$425,000.00

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

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

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

The bid from Banzer Construction Company, in the amount of \$397,430.00, was deemed to be the lowest responsible and responsive bid.

#### Attachments:

- 1. Resolution
- 2. Project Vicinity Map

#### Fiscal Impact:

The project is funded by 2014 transportation bond proceeds and is included in the proposed FY18 Transportation Fund (Fund 45) budget.

#### Recommendation:

Staff recommends that the City Council adopt the attached resolution to award a public improvement contract in the amount of \$397,430.00 to Banzer Construction Company for the construction of the Ford Street Sidewalk Improvement Project, Project 2015-15.

#### **RESOLUTION NO. 2017-38**

A Resolution awarding the contract for the Ford Street Sidewalk Improvements Project, Project 2015-15.

#### **RECITALS**:

At 2:00pm on June 1, 2017, eight bids for the Ford Street Sidewalk Improvements Project, Project 2015-15, were publicly opened and read aloud.

The low bidder, Banzer Construction Company, met all of the bid requirements, and should be considered the lowest responsible bidder.

The project is funded by 2014 transportation bond proceeds and is included in the proposed FY18 Transportation Fund (45) budget.

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

- 1. That entry into a public improvement contract with Banzer Construction Company, in the amount of \$397,430.00, with a substantial completion date of September 29, 2017 for the Ford Street Sidewalk Improvements Project, Project 2015-15, is hereby approved.
- 2. That the City Manager is hereby authorized and directed to execute the public improvement contract.
- 3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the <u>13th</u> day of June 2017 by the following votes:

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

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

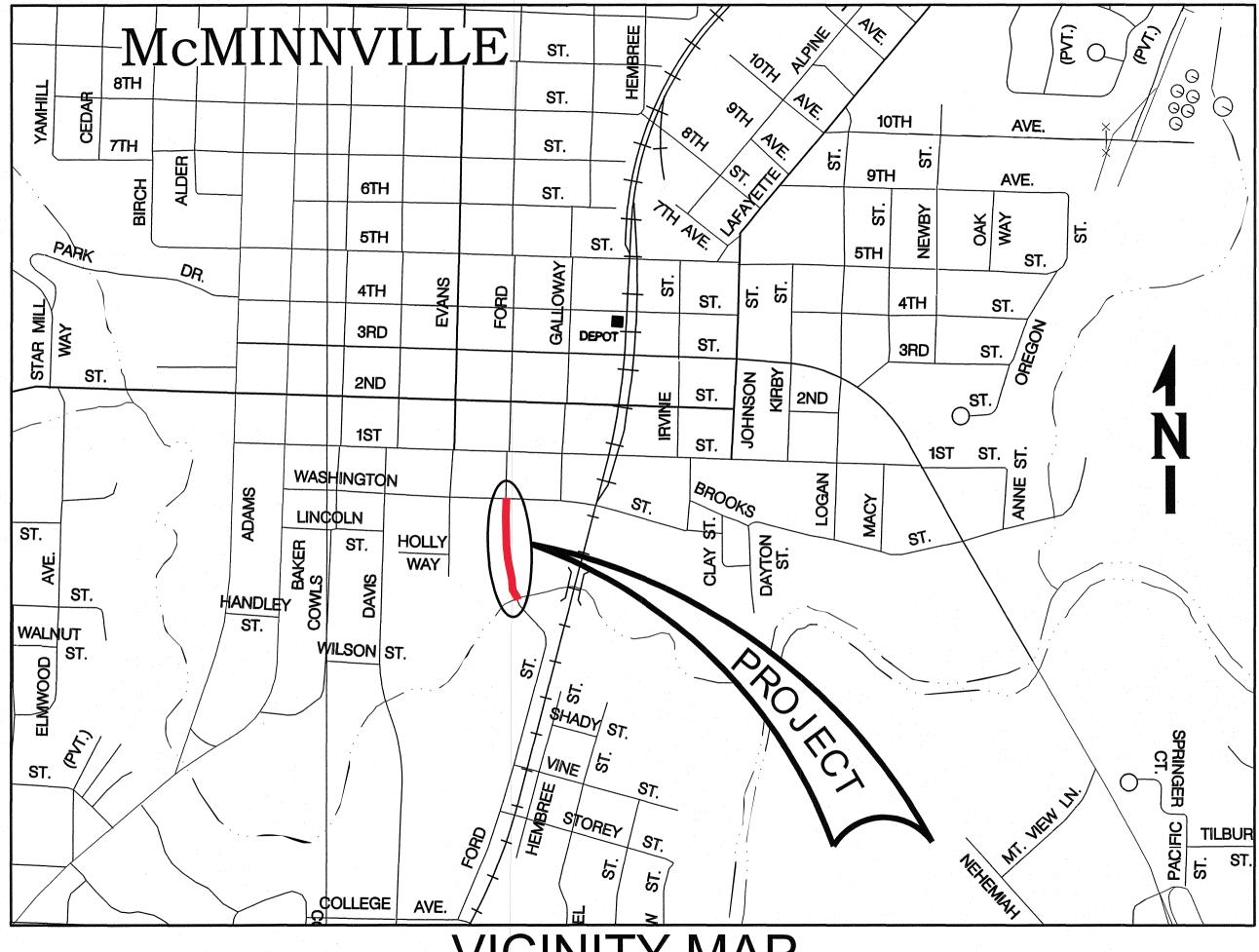
Approved this <u>13th</u> day of June 2017.

Approved as to form:

MAYOR

CITY ATTORNEY

# VICINITY MAP





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

www.mcminnvilleoregon.gov

# **STAFF REPORT**

DATE:June 13, 2017TO:Jeff Towery, City ManagerFROM:Mike Bisset, Community Development DirectorSUBJECT:Task Order No. 2 to the Personal Services Contract with WHPacific, Inc.

#### Council Goal:

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

#### Report in Brief:

This action is the consideration of a resolution approving Task Order No. 1 to the Personal Services Contract for the design of the Ford Street Sidewalk Improvements and Pedestrian Safety Improvements transportation bond measure projects.

#### Background:

The \$24-million transportation improvement bond measure passed by the voter's in late 2014 included funding to add sidewalks and pedestrian safety improvements in various areas throughout the City. On October 27, 2015, the City Council adopted Resolution 2015-49, awarding the Personal Services Contract for the preliminary design of the Ford Street Sidewalk Improvements and Pedestrian Safety Improvements transportation bond measure projects to WHPacific, Inc.

#### **Discussion:**

The attached Task Order No. 2 amends the Personal Services Contract to include additional design services; construction engineering, management and inspection; and construction surveying for the Ford Street Sidewalk Improvements transportation bond measure project; and construction surveying/staking and as-built drawings for the Pedestrian Safety Improvements transportation bond measure project.

The total estimated cost for this phase of the projects is \$130,808.08. Construction of the improvements will occur during the summer of 2017.

#### Attachments:

- 1. Resolution
- 2. Task Order No. 2

#### Fiscal Impact:

The project is funded by 2014 transportation bond proceeds and is included in the proposed FY18 Transportation Fund (Fund 45) budget.

#### **Recommendation:**

Staff recommends that the City Council approve the attached resolution authorizing the City Manager to sign Task Order No. 2 to the Personal Services Contract with WHPacific Inc., in the amount of \$130,808.08, for the design of the Ford Street Sidewalk Improvements and Pedestrian Safety Improvements transportation bond measure projects.

#### **RESOLUTION NO. 2017-39**

A Resolution approving Task Order No. 2 to the Personal Services Contract for the design of the Ford Street Sidewalk Improvements and Pedestrian Safety Improvements transportation bond measure projects.

#### RECITALS:

On October 27, 2015, the City Council adopted Resolution 2015-49, awarding the Personal Services Contract for the preliminary design of the Ford Street Sidewalk Improvements and Pedestrian Safety Improvements transportation bond measure projects to WHPacific, Inc

The attached Task Order No. 2 amends the Personal Services Contract to include additional design services; construction engineering, management and inspection; and construction surveying for the Ford Street Sidewalk Improvements transportation bond measure project; and construction surveying/staking and as-built drawings for the Pedestrian Safety Improvements transportation bond measure project.

The total estimated cost for this phase of the projects is \$130,808.08. Construction of the improvements will occur during the summer of 2017.

This work is funded by 2014 transportation bond proceeds, and the project design costs were included in the proposed FY2018 Transportation Fund (fund 45) budget

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

- 1. That Task Order No. 2 to the Personal Services Contract between the City of McMinnville and WHPacific, Inc., in the amount of \$130,808.08, is hereby approved.
- 2. The City Manager is hereby authorized to execute Task Order No. 2.
- 3. 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 meeting held the  $\underline{13^{th}}$  day of June 2017 by the following votes:

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

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

Approved this  $\underline{13}^{\underline{h}}$  day of June 2017.

MAYOR

Approved as to form:

CITY ATTORNEY

# TASK ORDER NO. 2 to the PERSONAL SERVICES CONTRACT with WHPacific, INC.

This Task Order No. 2 amends the personal services contract, dated November 10, 2015, between the City of McMinnville (City) and WHPacific, Inc. (Contractor) for engineering design and construction services.

The parties mutually covenant and agree as follows:

#### 1. STATEMENT OF WORK

The Contractor will provide additional design services; construction engineering, management and inspection; and construction surveying for the Ford Street Sidewalk Improvements transportation bond measure project; and construction surveying/staking, engineering support, and as-built drawings for the Pedestrian Safety Improvements transportation bond measure project, as outlined in the attached proposals dated May 2017. The cost for these services is estimated to be \$130,808.08.

#### 2. EFFECTIVE DATE AND DURATION

This Task Order No. 2 is effective on the date at which it is fully executed, and the expiration date of the Personal Services Contract remains December 31, 2017.

#### 3. COMPENSATION

The City agrees to pay the Contractor for actual hours worked and allowable expenses incurred by the Contractor and its agents for accomplishing the work required by this Task Order No. 2, with a total sum not to exceed \$130,808.08.

#### 4. OTHER CONDITIONS / REQUIREMENTS

The terms and conditions of the original Personal Services Contract remain in full force and effect.

For the Owner: Approved:	For the Contractor: Approved:
Ву:	By: Aun Javes
Title:	Title: <u>M, Maan operations</u>
Date:	Date: 5/22/17

# City of McMinnville Street Improvement and Repair Bond Projects (Ford Street Sidewalk Improvements, Project 2016-17)

City of McMinnville

<u>City of McMinnville</u> Project Manager: Mike Bisset, P. E. 231 NE Fifth Street McMinnville, Oregon 97128 503-434-7312 <u>Mike.bisset@ci.mcminnville.or.us</u> WHPacific, Inc. Project Manager: Terry Song, P.E 9755 SW Barnes Rd, Ste 300 Portland, OR 97225 503.372.3518 tsong@whpacific.com

#### ADDITIONAL SCOPE OF WORK – Design, Engineering Support and Construction

#### Design

During the preliminary design, the information on the existing gas line was limited and there was a concern with regards to the accuracy of the information due to its proximity to the proposed retaining wall and potential conflict with the storm line. WHPacific, Inc. coordinated with the gas line owner (NW Natural) to determine the exact location of the existing gas line. NW Natural conducted the potholing of the existing gas line and provided the information to the City and WHPacific. Contrary to the initial information that there was only one existing gas line, the potholing revealed that there are two existing high pressure gas lines (3" and 6" diameter steel pipe). WHPacific surveyed the existing gas line potholes and updated the topographical design base map.

Based on the result of the pothole information, it was determined that there is a constructability issue and a great possibility of conflict between the proposed storm drainage and the existing gas lines. The existing gas lines may be in conflict with the catch basin and the construction of the proposed storm line may undermine the gas lines due to its close proximity.

Preliminary coordination with the gas company indicated that NW Natural is willing to reimburse the City for the additional cost that may be incurred to avoid the conflict so that the existing gas lines will not be relocated.

Depicted below is the additional work for the design and revision of the construction documents as a result of the proposed change. In general, the widened section of the roadway for the parking lane will be extended approximately 90 feet south so that the catch basin can be moved to the west to avoid the conflict with the gas lines. The proposed storm line will be moved east approximately to the center of the southbound lane so as not to undermine the existing gas lines. Consequently, Wall #1 will be moved 7 feet to the west. It is anticipated that the wall be two 2 feet higher than the previous design and may be a little longer.

#### **Engineering Support and Construction**

WHPacific, Inc. shall provide services as described in Tasks 1 through 10.

Page **1** of **4** May **2017**  The tasks include the following:

### Task 1.0 Project Management and Coordination

As a result of the redesign, there will be an additional coordination effort with the City, NW Natural and the project team to revise and prepare construction plans and estimates. It is anticipated that a meeting (1 Teleconference) will be held to coordinate the design elements and extent of work.

### TASK 2.0 Preliminary Design (70% Plans)

No additional work is anticipated.

### TASK 3.0 Geotechnical Investigation (Subconsultant – GeoEngineers)

No additional work is anticipated.

### TASK 4.0 Environmental and Permitting

No additional work is anticipated.

### TASK 5.0Meetings with Property Owners

No additional work is anticipated.

### TASK 6.0 Utility Coordination

No additional work is anticipated. See coordination work under Task 1.0 Project Management.

# TASK 7.0 Final Design

The Consultant will update the project design to include the changes described above to the final construction plans and estimates. The following tasks will be performed:

- A. The design base file will be updated to depict the changes as described above including the AutoCAD Civil 3D DTM Surface finished grade model.
- B. The Plan and Profile Sheets (2 Sheets), Driveway and Sidewalk Connection Details (2 Sheets) will be revised to reflect the change in design of the roadway and storm lines.
- C. A New Design Alignment for Wall 1 will be created as a result of moving the wall to the west. Plan and profile will be recreated and the construction plan sheets will be updated. New design calculations will be generated to ensure the structural integrity of the wall. The wall structural details will be updated based on the result of the calculations.
- D. The Construction Cost/Engineer's Estimate and Specifications will be updated to include the additional pay items and quantities.

Task 7 Deliverables: Consultant shall provide to the City:

- Updated 100% Construction Plans, half-size, 11"x17" (pdf)
- Updated Retaining Wall Design calculations (pdf)
- Updated 100% Cost Estimate/Engineer's Estimate (pdf)
- Updated 100% Specifications (pdf)

#### TASK 8.0 Construction Documents and Bid Support

The Consultant will update the Plans and Estimates based on the plan review comments.

Task 8 Deliverables: Consultant shall provide to the City:

- Stamped and Signed Construction Plans, full-size, 22"x34" (pdf)
- Stamped and Signed Wall Design calculations (pdf)
- Stamped and Signed Specifications (pdf)
- Construction Cost Estimates (pdf)

#### TASK 9.0 Construction Engineering, Management and Inspection

- A. Project Management, Contract Administration and Billings
- B. Provide engineering and design support during construction.
- C. Attend pre-construction conference
- D. Attend public coordination meeting (assume 1)
- E. Review submittals and respond to request for information from the contractor.
- F. Prepare, maintain, and update construction schedule
- G. Review construction staking data
- H. Attend construction meetings (assume bi-weekly, 5 meetings)
- I. Conduct construction inspection and prepare reports (assume 35 days)
- J. Final Inspection
- K. Prepare as-built drawings

Task 9 Deliverables: Consultant shall provide to the City:

- Construction Inspection Reports
- Responses to RFIs
- As-built Drawings

#### TASK 10.0 Construction Surveying

- A. Recover existing control. Set additional control as needed.
- B. Stake construction centerline
- C. Stake Storm Drain (Catch Basin, (2) two manholes, Outfall)
- D. Stake curb and gutter
- E. Stake three (3) retaining walls

#### Page **3** of **4 May 2017**

Assumption: One set of stakes will be set for each task. Re-stakes will be pre-approved and billed at our current billing rate as additional work.

#### Assumptions

- A. No additional design change is anticipated. (Any design change will be considered additional work).
- B. No additional Geotechnical Investigation will be required.
- C. No additional Environmental requirements.
- D. The type of wall will remain the same.
- E. As-built drawings will be prepared based on Inspector's Construction Report and Plan redlines. It is not anticipated that as-built survey will be required.

#### City of McMinnville / Ford Street Sidewalk

May 5, 2017

Additional Design Work to avoid NW Natural Gas Lines and Construction Engineering, Management and Inspection

Task No.	Task Title	Project Manager	Project Engineer	Construction Manager	Design Engineer	Sr. Engineer QA/QC	Structural Engineer	Structural Designer	Construction Inspector	Project Controls Specialist	Survey Office Technician	2-person Fieldcrew	Survey Manager	Total Labor Hours	Total Direct Labor Cost	Expenses	Tota	al Cost
		\$ 229.84	\$ 178.00	\$ 164.38	\$ 121.68	\$ 151.68	\$ 178.00	\$ 93.38	\$ 121.68	\$ 109.48	\$ 116.92	\$ 165.22	\$ 180.19					
1.0	Project Management and Coordination																1	
	Project Management	1.00	1.00							2.00				4.00	\$ 626.80	\$-	\$	626.80
	Coordination with the City and NW Natural Gas		2.00											2.00	\$ 356.00		\$	356.00
	Meeting with City and/or NW Natural Gas (1 Teleconference Meeting)	1.00	1.00				1.00							3.00	\$ 585.84		\$	585.84
	Task 1 Subtotal =														\$ 1,568.64	\$-	\$	1,568.64
7.0	Final Design														,	•	, i	
	Update Design Base File including Civil 3D DTM Surface		1.00		3.00	0.50								4.50	\$ 618.88		\$	618.88
	Revise Plan and Profile, C2.0 and C3.0 (2 Sheets)		1.00		3.00	0.50								4.50	\$ 618.88		\$	618.88
	Revise Driveway and Sidewalk Connection Details, C5.0 and C6.0 (2 Sheets)		1.00		3.00	0.50								4.50	\$ 618.88		φ	618.88
	Revise Quantity Take-Off and Cost Estimates (Civil)		1.00		1.00	0.50								2.50	\$ 375.52		φ \$	375.52
			1.00		1.00	0.50	1.00	2.00							\$ 375.52 \$ 458.14		φ ¢	458.14
	Update/New Design Alignment for Wall 1 Revise/New Wall Design Calculations					0.50	1.00	3.00 4.00						4.00 5.50	\$ 458.14 \$ 627.36		φ ¢	627.36
	Revise Plan and Profile, S1.0 (1 Sheet)					0.50	1.00	4.00						5.50 8.50	\$ 627.36 \$ 907.50		ф Ф	907.50
																	\$	
	Revise Typical Section Details and General Notes, S4.0 and S5.0 (2 Sheets)					0.50	1.00	6.00						7.50	\$ 814.12		Ф Ф	814.12
	Revise Quantity Take-Off and Cost Estimates (Structures/Wall)		0.00			0.50	1.00	2.00						3.50	\$ 440.60		\$	440.60
	Revise Specifications/Update bid item quantities		2.00			1.00								3.00	\$ 507.68		\$	507.68
	Plot, review and resubmit the Plans, Specification and Estimates (PS&E) Package		1.00		3.00	1.00	1.00	2.00						8.00	\$ 1,059.48	\$ 10.00		1,069.48
	Task 7 Subtotal =														\$ 7,047.04	\$ 10.00	\$	7,057.04
8.0	Bid Documents																	
	Revised PS&E Based on the Review Comments (Additional Hours only)		1.00		2.00	1.00	1.00	3.00						8.00	\$ 1,031.18	\$ 10.00		1,041.18
	Task 8 Subtotal =														\$ 1,031.18	\$ 10.00	\$	1,041.18
9.0	Construction Engineering, Management and Inspection																	
	Project Management, Contract Administration and Billings	4.00	2.00	32.00					6.00	16.00				60.00	\$ 9,017.28		\$	9,017.28
	Provide engineering and design support during construction		8.00	12.00	4.00		4.00	3.00						31.00	\$ 4,875.42		\$	4,875.42
	Attend pre-construction conference		4.00	4.00			4.00							12.00	\$ 2,081.52	\$ 96.30	\$	2,177.82
	Attend public coordination meeting (assume 1)	4.00		4.00										8.00	\$ 1,576.88	\$ 96.30		1,673.18
	Review submittals and respond to request for information from the contractor		8.00	12.00			6.00	6.00						32.00	\$ 5,024.84		\$	5,024.84
	Prepare, maintain, and update construction schedule			4.00										4.00	\$ 657.52		\$	657.52
	Review construction staking data		2.00	2.00			2.00							6.00	\$ 1,040.76		\$	1,040.76
	Attend construction meetings (assume bi-weekly, 5 meetings)			20.00										20.00	\$ 3,287.60	\$ 481.50		3,769.10
	Conduct construction inspection and prepare reports (assume 35 days)			20100					350.00					350.00	\$ 42,588.00	\$ 1,685.25		44,273.25
	Final Inspection			6.00					6.00					12.00	\$ 1,716.36	\$ 96.30		1,812.66
	Review as-built information and prepare as-built drawings		1.00	2.00	4.00	1.00	1.00	4.00	4.00					17.00	\$ 2,183.40	φ 00.00		2,183.40
	Task 9 Subtotal =		1.00	2.00	1.00	1.00	1.00	1.00	1.00					17.00	\$ 74,049.58	\$ 2,455.65		76,505.23
10.0	Construction Surveying/Staking														\$ 14,045.00	φ 2,400.00	ψ 1	10,000.20
												8.00		8.00	¢ 1.001.70	¢ 500.75	¢	1 050 40
	DRIVE TIME-PDX TO McMINNVILLE (2 Hr-Roundtrip, 4 trips) RECOVER EXISTING CONTROL				<u> </u>	<u> </u>					1.00	8.00	1.00	8.00	\$ 1,321.73 \$ 627.54	\$ 530.75	ф Ф	1,852.48
												2.00	1.00	4.00			Ф Ф	627.54
	STAKE CONSTRUCTION CENTERLINE STA. (700'+/-)										2.00	6.00		8.00	\$ 1,225.14		Ф Ф	1,225.14
	STAKE STORM DRAIN (CB-2 MHS-OUTFALL										2.00	6.00	4.00	8.00	\$ 1,225.14			1,225.14
	STAKE CURB & GUTTER (415'+/-)										3.00	6.00	1.00	10.00	\$ 1,522.25			1,522.25
	STAKE WALL #1										2.00	4.00	1.00	7.00	\$ 1,074.89			1,074.89
	STAKE WALL #2										2.00	4.00	1.00	7.00	\$ 1,074.89			1,074.89
	STAKE WALL #3					+					2.00	4.00		6.00	\$ 894.70	<b>.</b>	\$	894.70
	Task 10Subtotal =														\$ 8,966.28	\$ 530.75	\$	9,497.03
	Total Labor Hours		37.00	98.00	23.00	8.00	25.00	40.00	366.00	18.00	14.00	40.00	4.00	683.00				
	Total Costs	\$ 2 298 40	\$ 6,586.00	\$ 16 109 24	\$ 2 798 64	\$ 1 213 //	\$ 1 150 00	\$ 3,735.20	\$ 11 531 88	\$ 1,970.64	¢ 1636.88	¢ 6 608 64	\$ 720.76		\$ 92,662.72	\$ 3,006.40	\$ 9	95,669.12

#### City of McMinnville / Ford Street Sidewalk May 5, 2017 WHPacific Expense Detail

Task No.	Task Title	E	xpenses	Expense Detail
7.0	Final Design			
	Revised PS&E	\$	10.00	Printing Costs
	Task 6 Subtotal =	\$	10.00	
8.0	Construction Documents and Bid Support			
	Revised PS&E	\$	10.00	Printing Costs
	Task 8 Subtotal =	\$	10.00	
9.0	Construction Engineering, Management and Inspection			
	Attend pre-construction conference	\$	96.30	Mileage (2 roundtrips = 180 miles)
	Attend public coordination meeting (assume 1)	\$	96.30	Mileage (2 roundtrips = 180 miles)
	Attend construction meetings (assume bi-weekly, 5 meetings)	\$	481.50	Mileage (2 roundtrips = 180 miles)
	Conduct construction inspection and prepare reports (assume 35 days)	\$	1,685.25	Mileage (1 roundtrip = 90 miles)
	Final Inspection	\$	96.30	Mileage (2 roundtrips = 180 miles)
	Task 9 Subtotal =	\$	2,455.65	
10.0	Construction Surveying and Staking			
	Technology Charges	\$	290.00	
	Mileage	\$	240.75	Mileage (5 roundtrips 90 miles each)
	Task 10 Subtotal =	\$	530.75	
	TOTAL =	\$	3,006.40	

# City of McMinnville Street Improvement and Repair Bond Projects (Bond Measure Pedestrian Safety Improvements, Project 2016-19)

City of McMinnville

<u>City of McMinnville</u> Project Manager: Mike Bisset, P. E. 231 NE Fifth Street McMinnville, Oregon 97128 503-434-7312 <u>Mike.bisset@ci.mcminnville.or.us</u> WHPacific, Inc. Project Manager; Terry Song, P.E 9755 SW Barnes Road, Suite 300 Portland, Oregon 97225 503-372-3518 tsong@whpacific.com

#### ADDITIONAL SCOPE OF WORK – Construction Survey Staking and As-built Drawings

As part of the City's Pedestrian Safety Improvement program, the following six projects will be constructed this summer (2017).

WHPacific and DKS Associates shall provide services as described in Tasks 1 through 11 below. The City of McMinnville will perform the construction management, engineering and inspection.

In general, the proposed improvement consists of concrete sidewalk, curb and gutter, ADA ramps, driveways, storm drainage, street lighting, signing and striping as described below.

- Fellows Street/Agee Street Crossing ADA ramp at SW quadrant, striping, and street lighting.
- Davis Street (Alethea Way to Cleveland Ave.) Sidewalk infill, driveway drop, median, ramp construction/reconstruction, pedestrian crossing, signing/striping and street lighting
- Michelbook Lane Ash Street Crossing Curb extension/bulb out and ADA ramps on southeast corner, striping and street lighting.
- Galloway / 15th Street (In front of McMinnville High School) Curb extension/bulb out with 2 ADA ramps at southwest quadrant, ADA ramp at southeast quadrant, signing/striping, and street lighting.
- Star Mill Way Wallace Road Sidewalk (SW 2<sup>nd</sup> St. to NW Conrad Ct. and at N Beary St.) Construction of sidewalk, ADA ramps and retaining walls on the west side of Star Mill Way and on the south side of Wallace Road.
- 6. Grandhaven Street Sidewalk (Lucas Drive to Grandhaven Drive) Sidewalk and three ADA ramps on the north side.

The scope of work includes the following tasks:

Page **1** of **3** May 2017

#### Task 1.0 Project Management and Coordination

This task includes project coordination, contract administration and billing.

Task 1 Deliverables: Consultant shall provide to the City:

Monthly Invoices

#### Task 2 to Task 9 – (No additional Work)

#### Task 10.0 Construction Surveying/Staking

The consultant will generate staking report/data and shall perform construction survey staking as described below.

- A. Recover existing control. Set additional control as needed.
- B. Stake construction centerline at NW Star Mill Way, NW Wallace Rd., and NE Grandhaven Street.
- C. New Curb and Gutter throughout the project
- D. One (1) New Wall
- E. Handicap Ramps (20)
- F. Median Island at SE Morgan Ln/SE Davis St.
- G. Storm (3 CBs)
- H. Six (6) Light Pole Locations

#### Task 11.0 Engineering Support and As-built Drawings (WHPacific, Inc. and DKS)

The consultant shall provide engineering support during construction and prepare the as-built drawings. DKS Associates shall be responsible for the Illumination and Signing and Striping Plans and WHPacific shall be responsible for the remaining plans. The consultant shall update the construction plans and prepare the as-built drawings based on the construction inspection report and as-built redlines from the City. The scope includes the following tasks;

- 1. Attend pre-construction conference (1 meeting).
- 2. Respond to questions from the City regarding the construction plans.
- 3. Review contractor submittals (Illumination/Luminaire and Retaining Walls)
- 4. Site visit as required (assume 2)
- 5. Review as-built information and prepare/plot as-built drawings.

#### Task 11 Deliverables: Consultant shall provide to the City:

- *Responses to questions during construction*
- Preparation of as-constructed drawings (As-built), full-size, 22"x34"pdf

#### Assumptions

- Construction management and inspection are not included in this scope of work. If required, it shall be considered additional work.
- The estimated maximum duration for the construction of the improvements as described above is 3 months (June 2017 to September 2017).
- As-built survey will not be required.

#### City of McMinnville / Pedestrian Safety Improvements

May 17, 2017

Survey Construction Staking, Engineering Support and As-built Preparation

Task No.	Task Title	Project Manager	Project Engineer	Design Engineer	Sr. Engineer QA/QC	Project Controls Specialist	Survey Office Technician	2-person Fieldcrew	Survey Manager	Total Labor Hours	Total Direct Labor Cost	WHPacific Expenses	WHPacific Subtotal	DKS	Total Cost (Tasl Order 2)
		\$ 229.84	\$ 178.00	\$ 121.68	\$ 151.86	\$ 109.48	\$ 116.92	\$ 165.22	\$ 180.19						
1.0	Project Management and Coordination (WHPacific)														
	Project coordination, contract administration and billing	2.00	4.00			6.00				12.00	\$ 1,828.56	\$ -	\$ 1,828.56		\$ 1,828.56
	Task 1 Subtotal =										\$ 1,828.56	\$	\$ 1,828.56		\$ 1,828.56
10.0	Construction Surveying/Staking														
	Drive time - Portland to/from McMinnville (2 Hr-Roundtrip, 6 trips)							12.00		12.00	\$ 1,982.59	\$ 288.90	\$ 2,271.49		\$ 2,271.49
	Attend pre-construction conference, (Survey PLS, 2 Hr-Roundtrip, 1 trip)								3.00	3.00	\$ 540.57	\$ 48.15	\$ 588.72		\$ 588.72
	Recover existing control						1.00	2.00		3.00	\$ 447.35		\$ 447.35		\$ 447.35
	SW Fellows Street/Agee Street						1.00	2.00	1.00	4.00	\$ 627.54		\$ 627.54		\$ 627.54
	SE Davis Street (Alethea Way to Cleveland Ave.)						4.00	16.00	1.00	21.00	\$ 3,291.33		\$ 3,291.33		\$ 3,291.33
	NW Michelbook Lane - Ash Street Crossing						2.00	4.00	1.00	7.00	\$ 1,074.89		\$ 1,074.89		\$ 1,074.89
	NE Galloway / 15th Street						2.00	4.00	1.00	7.00	\$ 1,074.89		\$ 1,074.89		\$ 1,074.89
	NW Star Mill Way - Wallace Road						4.00	16.00	1.00	21.00	\$ 3,291.33		\$ 3,291.33		\$ 3,291.33
	NE Grandhaven Street						2.00	4.00	1.00	7.00	\$ 1,074.89		\$ 1,074.89		\$ 1,074.89
	Technology Charges (Expenses)											\$ 290.00	\$ 290.00		\$ 290.00
	Task 10Subtotal =										\$ 13,405.39	\$ 627.05	\$ 14,032.44		\$ 14,032.44
11 (WHP)	Engineering Support and As-built Drawings (WHPacific, Inc.)														
	Attend pre-construction conference		4.00							4.00	\$ 712.00	\$ 48.15	\$ 760.15		\$ 760.15
	Provide engineering support during construction		16.00	16.00						32.00	\$ 4,794.88		\$ 4,794.88		\$ 4,794.88
	Review contractor submittals		8.00	12.00						20.00	\$ 2,884.16		\$ 2,884.16		\$ 2,884.16
	Site visit as required (assume 2)		8.00							8.00	\$ 1,424.00	\$ 96.30	\$ 1,520.30		\$ 1,520.30
	Review as-built information and prepare/plot as-built drawings		4.00	12.00	1.00					17.00	\$ 2,324.02	\$ 10.00	\$ 2,334.02		\$ 2,334.02
	Task 11 (WHP)										\$ 12,139.06	\$ 154.45	\$ 12,293.51		\$ 12,293.51
11 (DKS)	Engineering Support and As-built Drawings (DKS)														
	Attend pre-construction conference									0.00			\$-	\$ 828.15	\$ 828.15
	Provide engineering support during construction									0.00			\$ -	\$ 2,040.00	\$ 2,040.00
	Review contractor submittals									0.00			\$-	\$ 1,230.00	\$ 1,230.00
	Site visit as required (assume 2)									0.00				\$ 1,656.30	\$ 1,656.30
	Review as-built information and prepare/plot as-built drawings									0.00			\$ -	\$ 1,230.00	\$ 1,230.00
	Task 11 (DKS)										\$-	\$-	\$-	\$ 6,984.45	\$ 6,984.45
														·	· ·
	Total Labor Hours	2.00	44.00	40.00	1.00	6.00	16.00	60.00	9.00	178.00					
	Total Costs	\$ 459.68	\$ 7,832.00	\$ 4,867.20	\$ 151.86	\$ 656.88	\$ 1,870.72	\$ 9,912.96	\$ 1,621.71		\$ 27,373.01	\$ 781.50	\$ 28,154.51	\$ 6,984.45	\$ 35,138.96

#### City of McMinnville / PEDESTRIAN SAFETY IMPROVEMENTS May 17, 2017 WHPacific Expense Detail

Task No.	Task Title	E	xpenses	Expense Detail
10.0	Construction Surveying and Staking			
	Technology Charges	\$	290.00	
	Mileage (Survey Field Crew)	\$	288.90	Mileage (6 roundtrips 90 miles each)
	Mileage, Attend pre-construction conference (Survey PLS)	\$	48.15	Mileage (1 roundtrip = 90 miles)
	Task 10 Subtotal =	\$	627.05	
11.0	Engineering Support and As-built Drawings (WHPacific, Inc.)			
	Printing Progress Plots	\$	10.00	Printing Cost
	Mileage, Attend Pre-construction Conference (PE)	\$	48.15	Mileage (1 roundtrip = 90 miles)
	Mileage,Site visit as required (assume 2)	\$	96.30	Mileage (2 roundtrip = 180 miles)
	Task 10 Subtotal =	\$	154.45	
	TOTAL =	\$	781.50	

#### City of McMinnville / Pedestrian Safety Improvements

May 17, 2017 DKS

Task	Task Title	Project Manager	Project Engineer	CAD	Proj Asst	Total Labor Hours	Total Direct Labor Cost	Total Non- Labor Cost	Total Cost
		Grade 29	Grade 11	Grade 11	Grade 8				
		\$ 195.00	\$ 105.00	\$ 105.00	\$ 90.00				
11.0	Engineering Support and As-built Drawings (DKS)								
	Attend pre-construction conference (1)	4	0	0		4	\$ 780.00	\$ 48.15	\$ 828.15
	Provide engineering support during construction	4	12	0		16	\$ 2,040.00		\$ 2,040.00
	Review contractor submittals	2	8	0		10	\$ 1,230.00		\$ 1,230.00
	Site visit as required (assume 2)	8				8	\$ 1,560.00	\$ 96.30	\$ 1,656.30
	Review as-built information and prepare/plot as-built drawings	2	4	4		10	\$ 1,230.00		\$ 1,230.00
	Task 11.0	20	24	4	0	48	\$ 6,840.00	\$ 144.45	\$ 6,984.45

#### City of McMinnville / PEDESTRIAN SAFETY IMPROVEMENTS May 17, 2017 DKS Expense Detail

Task No.	Task Title	E	xpenses	Expense Detail
11.0	Engineering Support and As-built Drawings (WHPacific, Inc.)			
	Mileage, Attend Pre-construction Conference (PE)	\$	48.15	Mileage (1 roundtrip = 90 miles)
	Mileage, Site visit as required	\$	96.30	Mileage (2 roundtrips = 180 miles)
	Task 11 Subtotal =	\$	144.45	
	TOTAL =	\$	144.45	



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

www.mcminnvilleoregon.gov

# **STAFF REPORT**

DATE:June 13, 2017TO:Jeff Towery, City ManagerFROM:Mike Bisset, Community Development DirectorSUBJECT:Pedestrian Safety Improvements Project Contract Award

#### Council Goal:

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

#### Report in Brief:

This action is the consideration of a resolution to award a public improvement contract in the amount of \$482,658.53 to Haworth Incorporated for the construction of the Pedestrian Safety Improvements Project, Project 2017-5.

#### Background:

The \$24-million transportation improvement bond measure passed by the voter's in late 2014 included funding to add sidewalks and pedestrian safety improvements in various areas adjacent to schools and public facilities. The City has worked with the School District to identify and prioritize several sidewalk improvement projects to be constructed. The first round of work will be completed this summer, and this project includes: Upgrades to the Fellows Street / Agee Street crossing; Installation of sidewalk and crossing improvements along South Davis Street (Alethea Way to Cleveland Avenue); Upgrades to the Michelbook Lane / Ash Street crossing; Upgrades to the Galloway Street / 15th Street crossing; Completion of the Star Mill Way - Wallace Road sidewalk; Sidewalk improvements along Grandhaven Street (Lucas Drirve to Grandhaven Drive)

The attached fact sheet reflects the work areas covered by the contract. The project work is expected to start in July and be completed by August 31, 2017.

#### Discussion:

On Thursday, May 25, 2017, three bids were received, opened, and publicly read for the construction of the Pedestrian Safety Improvements Project 2017-5. The bid results are as follows:

•	Haworth Incorporated	\$ 482,658.53
•	Pacific Excavation	\$ 615,235.00
•	Kodiak Pacific	\$ 622,622.00

The construction estimate for this work was \$ 523,117.00.

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

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

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

The bid from Haworth Incorporated, in the amount of \$482,658.53, was deemed to be the lowest responsible and responsive bid.

#### Attachments:

- 1. Resolution
- 2. Project Fact Sheet

#### Fiscal Impact:

The project is funded by 2014 transportation bond proceeds and is included in the proposed FY18 Transportation Fund (Fund 45) budget.

#### Recommendation:

Staff recommends that the City Council adopt the attached resolution to award a public improvement contract in the amount of \$482,658.53 to Haworth Incorporated for the construction of the Pedestrian Safety Improvements Project, Project 2017-5.

#### **RESOLUTION NO. 2017-40**

A Resolution awarding the contract for the Pedestrian Safety Improvements Project, Project 2017-5.

#### **RECITALS**:

At 2:00pm on May 25, 2017, three bids for the Pedestrian Safety Improvements Project, Project 2017-5, were publicly opened and read aloud.

The low bidder, Haworth Incorporated, met all of the bid requirements, and should be considered the lowest responsible bidder.

The project is funded by 2014 transportation bond proceeds and is included in the proposed FY18 Transportation Fund (45) budget.

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

- That entry into a public improvement contract with Haworth Incorporated, in the amount of \$482,658.53, with a substantial completion date of August 31, 2017 for the Pedestrian Safety Improvements Project, Project 2017-5, is hereby approved.
- 2. That the City Manager is hereby authorized and directed to execute the public improvement contract.
- 3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the <u>13th</u> day of June 2017 by the following votes:

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

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

Approved this <u>13th</u> day of June 2017.

Approved as to form:

MAYOR

CITY ATTORNEY

# McMinnville Transportation Bond Pedestrian Safety Improvements Project



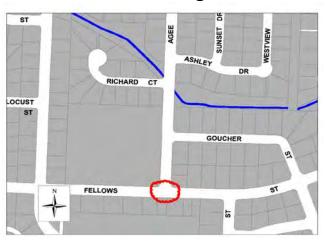
# THANK YOU VOTERS!

# Background

The \$24-million transportation improvement bond measure passed by the voter's in late 2014 included funding to add sidewalks and pedestrian safety improvements in various areas adjacent to schools and public facilities. The City has worked with the School District to identify and prioritize several sidewalk improvement projects to be constructed.

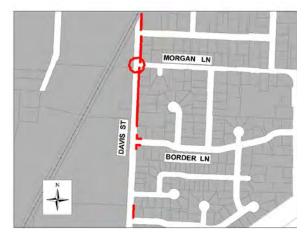
The first round of work will be completed this summer, and the project areas will include:

- Upgrades to the Fellows St / Agee St crossing;
- Installation of sidewalk and crossing improvements along South Davis Street (Alethea Way to Cleveland Ave);
- Upgrades to the Michelbook Lane / Ash Street crossing;
- Upgrades to the Galloway / 15th Street crossing;
- Completion of the Star Mill Way Wallace Road sidewalk;
- Sidewalk improvements along Grandhaven Street (Lucas Drive to Grandhaven Drive);



# Fellows St / Agee St

# South Davis St Althea Way to Cleveland Ave



For comments or questions, please contact:

Larry Sherwood, Project Manager 231 NE Fifth Street, McMinnville 97128 Larry.Sherwood@mcminnvilleoregon.gov

# Visit us online! www.McMinnvilleTransportationBond.org

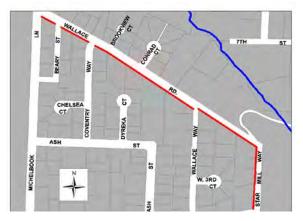
# McMinnville Transportation Bond Pedestrian Safety Improvements Project



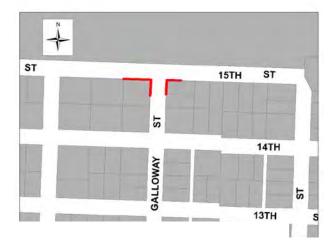
THANK YOU VOTERS!

**Michelbook Lane / Ash Street** 

# Star Mill Way and Wallace Rd



Galloway St / 15th St



# Grandhaven St Lucas Dr to Grandhaven Dr



For comments or questions, please contact:

Larry Sherwood, Project Manager 231 NE Fifth Street, McMinnville 97128 Larry.Sherwood@mcminnvilleoregon.gov

# Visit us online! www.McMinnvilleTransportationBond.org



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

www.mcminnvilleoregon.gov

# **MEMORANDUM**

**DATE:** June 5, 2017

**TO:** Jeff Towery, City Manager

FROM: Mike Bisset, Community Development Director

**SUBJECT:** Public Hearing and Ordinance vacating a portion of NE Macy Street between NE 14<sup>th</sup> Street and NE 13<sup>th</sup> Street (RV 1-17)

#### Council Goal:

Communicate with Citizens and Key Local Partners – Establishing a task force or committee on homelessness.

#### Report in Brief:

This action is a public hearing and associated ordinance considering the vacation of a portion of NE Macy Street between NE 14<sup>th</sup> Street and NE 13<sup>th</sup> Street (RV 1-17)

#### Background:

On February 6, 2017, the City received the attached letter from the Yamhill County Gospel Rescue Mission (YCGRM) and H&R Burch Limited Partnership (Burch) regarding the vacation of a portion of Macy Street. The letter requested that the City Council initiate the vacation process, as allowed by state statutes.

On May 9, 2017, the Council of the City of McMinnville, Oregon, acting at a regularly scheduled meeting, adopted Resolution No. 2017-32, initiating proceedings for the purpose of vacating the area.

#### Discussion:

The area subject to the request from YCGRM and Burch includes NE Macy Street, from the south boundary of NE 14<sup>th</sup> Street to the south boundary of YCGRM owned property (see the area map attached to the request). Staff understands that the vacated area would be used for parking by YCGRM, and that the additional land area gained by YCGRM by the vacation would help facilitate the completion of plans to add the approved men's facility on the site.

In the late 1990's, the City completed a transportation project to connect 14<sup>th</sup> Street to the east to the Lafayette Avenue/Riverside Drive intersection. At the time, due to sight distance limitations and safety concerns, the connection of NE Macy Street to NE 14<sup>th</sup> Street was removed. Since that time, properties along that portion of NE Macy Street are accessed from NE 13<sup>th</sup> Street to the south.

Due to the sight distance limitations and safety concerns, City Engineering staff would note that the reconnection of NE Macy Street to NE 14<sup>th</sup> Street in the future would <u>not</u> be recommended. Therefore, staff believes that area subject to the request is not of benefit to the traveling public as right of way.

The area subject to the request does contain City owned public sewer and storm lines. Additionally, McMinnville Water & Light has indicated that they have utilities within the area proposed for vacation (e.g. waterlines and power facilities). Thus, if the area is vacated, a public utility easement will need to be maintained over the area to allow for the continued maintenance of the various facilities that are present. Staff would note that the proposed use of the area for parking by the YCGRM would not generally conflict with any utilities contained within a public utility easement.

Pursuant to the resolution, the City gave notice of the hearing by publication of a notice in the <u>News</u> <u>Register</u> on May 30 and June 6, 2017, and by the posting of a notice entitled "Notice of Street Vacation" at the ends of the vacation area.

Additionally, notice of the hearing was mailed to all affected utilities, and to property owners in the vicinity of the proposed vacation. As of the date of this memo, no objections to the proposed vacation have been received.

#### Attachments:

- 1. Ordinance
- 2. Ordinance Exhibit A
- 3. Notification Area Mailing List
- 4. Resolution 2017-32
- 5. Letter from the Yamhill County Gospel Rescue Mission and H&R Burch Limited Partnership (dated February 6, 2017)

#### **Recommendation:**

Following consideration of any testimony received at the meeting, staff recommends that the City Council approve the vacation of the identified Macy Street right-of-way and the retention of a public utility easement over the vacated area.

#### ORDINANCE NO. 5025

# AN ORDINANCE VACATING A PORTION OF NE MACY STREET BETWEEN NE 14<sup>TH</sup> STREET AND NE 13<sup>TH</sup> STREET (RV 1-17).

#### **RECITALS**:

On May 9, 2017, the Council of the City of McMinnville, Oregon, acting at a regularly scheduled meeting, adopted Resolution No. 2017-32, initiating proceedings for the purpose of vacating the area described as follows, and shown on the attached Exhibit "A" (RV 1-17):

All that part of Northeast Macy Street in the City of McMinnville, County of Yamhill and State of Oregon, lying Northerly of the Northerly right of way line of Northeast 13th Street and Southerly of the Southerly right of way line of Northeast 13th Way all in said City, County and State, SAVE AND EXCEPTING THEREFROM the following:

Beginning at the Southeast corner of Lot 8, Block 58 of Oak Park Addition in the City of McMinnville, County of Yamhill and State of Oregon; thence Easterly along the Northeasterly right of way line of NE 13th Street a distance of 60 feet more or less to the Southwest corner of Lot 1, Block 61 of said Oak Park Addition; thence Northerly along the West line of said Lot 1 a distance of 50 feet more or less to the Northwest corner of said Lot 1; thence Westerly a distance of 60 feet more or less to the Northwest corner of said Lot 8, Block 58 of Oak Park Addition; thence Southerly along the-East line of said Lot 8 a distance of 50 feet more or less to the point of beginning.

By that resolution, the Council set June 13, 2017, at 7:00 p.m. in the Kent L. Taylor Civic Hall, 200 NE Second Street, McMinnville, as the time and place for a hearing on the vacation of the area and any objections to that vacation.

Pursuant to the resolution, the City gave notice of the hearing by publication of a notice in the <u>News Register</u> on May 30 and June 6, 2017, and by the posting of a notice entitled "Notice of Street Vacation" at the ends of the vacation area.

Additionally, notice of the hearing was mailed to all affected utilities, and to property owners in the vicinity of the proposed vacation.

On June 13, 2017, at 7:00 p.m., the public hearing on the proposed vacation was opened, any objections filed against the proposed vacation were considered, and the Council considered the matter.

The Council finds that the public interest will not be prejudiced by the vacation of the area and that the area should be vacated; now, therefore,

#### THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

- 1. That the Macy Street right-of-way as described herein and shown on the attached Exhibit "A" is hereby fully and forever vacated and the title to the vacated property shall attach to the lot(s) bordering the property subject to the following conditions:
  - (a) That a public utility easement will be retained over the vacated area.

Passed by the Council this <u>13th</u> day of June 2017 by the following votes:

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

Nays \_\_\_\_\_

Approved this <u>13th</u> day of June 2017.

MAYOR

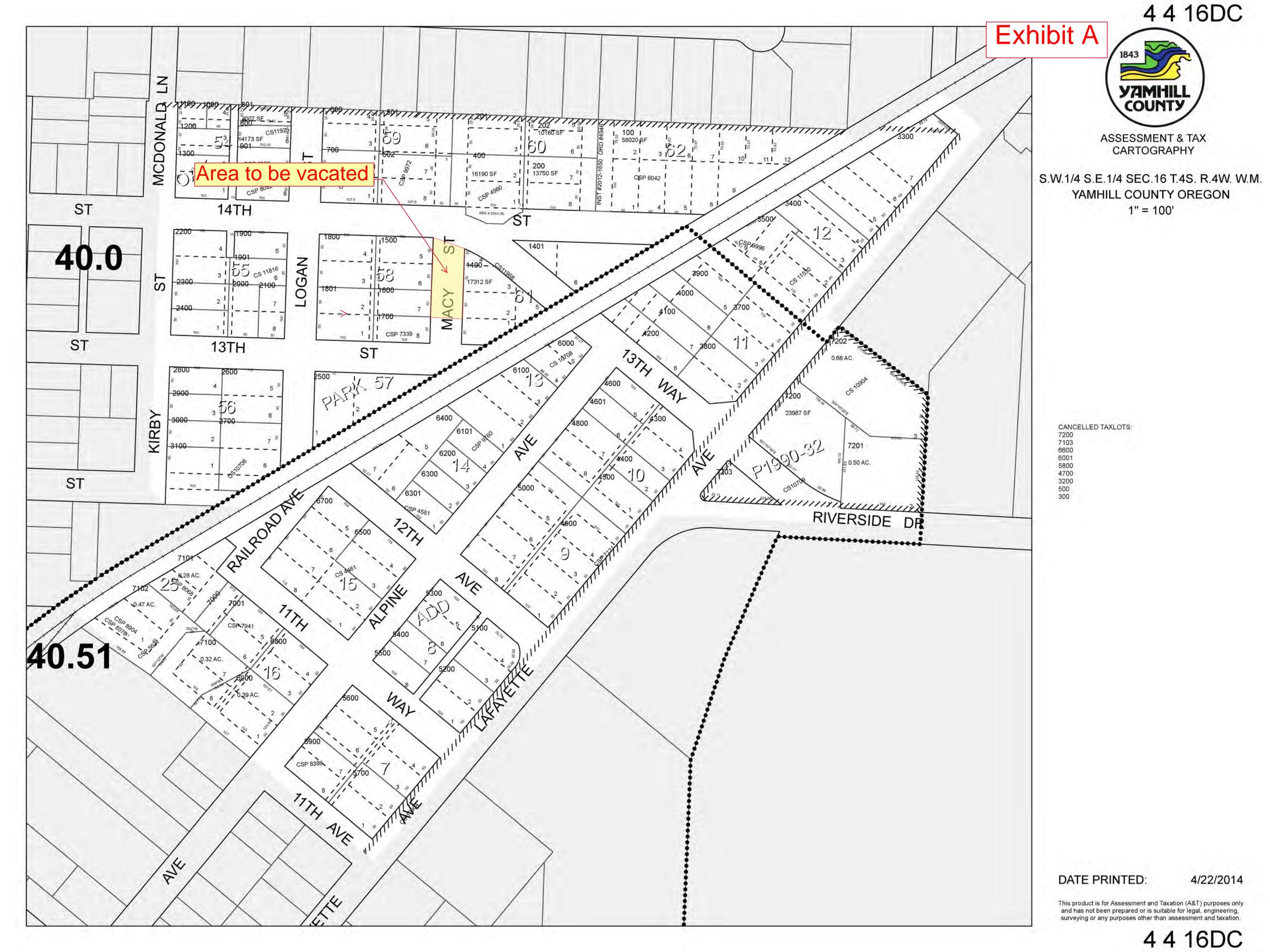
Attest:

Approved as to form:

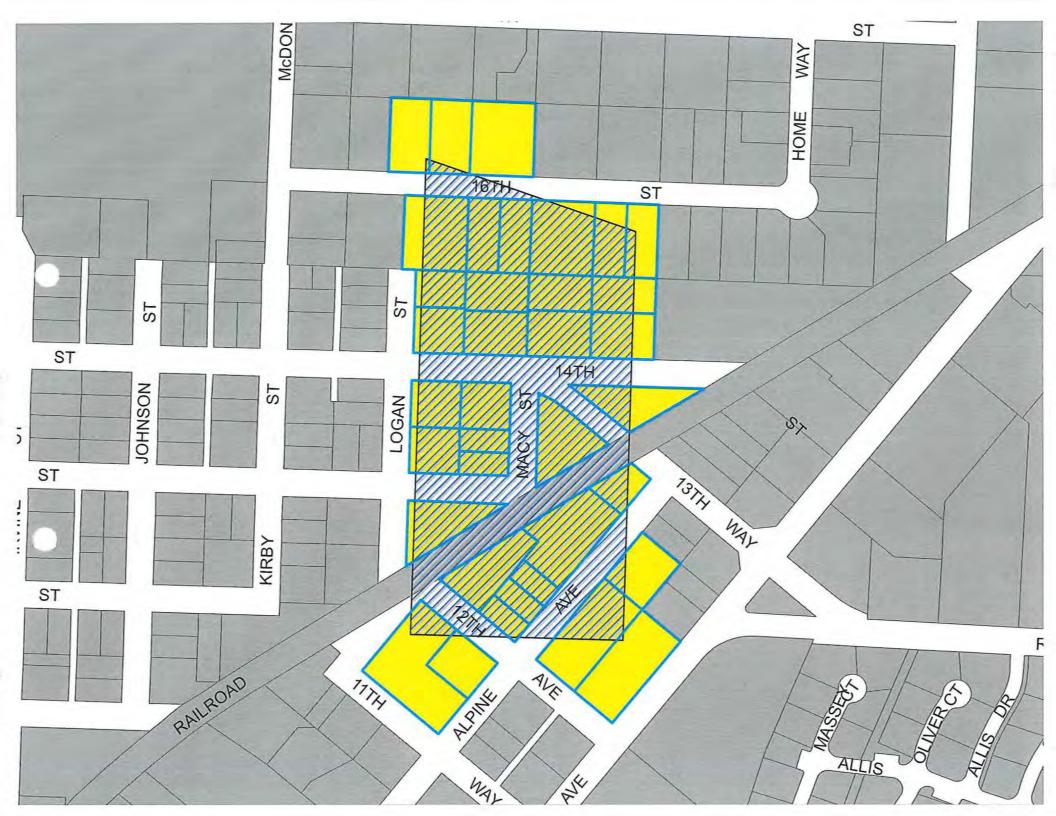
\_\_\_\_\_

CITY RECORDER

CITY ATTORNEY



Tax Lot	Site Address	Owner	Attn:	Mailing Address	City State	Zip
R4416DB05200	1151 NE 16TH ST	PAULSEN STEVEN	PAULSEN STEVEN L & CYNTHIA J K	1151 NE 16TH ST	MCMINNVILLE OR	97128
R4416DB05100	1215 NE 16TH ST	ROBERTS SCOTT	ROBERTS KARI	1215 NE 16TH ST	MCMINNVILLE OR	97128
R4416DB05000	1275 NE 16TH ST	BARNETT LARRY	BARNETT LARRY J & ANNETTE	1275 NE 16TH ST	MCMINNVILLE OR	97128
R4416DB05700	1200 NE 16TH ST	MOORE WALTER	MOORE DONNA E	1200 NE 16TH ST	MCMINNVILLE OR	97128
R4416DB05801	1240 NE 16TH ST	GENTRY BOB	GENTRY BOB E & LINDA K	1240 E 16TH ST	MCMINNVILLE OR	97128
R4416DB05800	1250 NE 16TH ST	BOWDLE BRANDON	BOWDLE KATIE L	1250 NE 16TH ST	MCMINNVILLE OR	97128
R4416DB05900	1300 NE 16TH ST	WITTKE NAN	ARNOLD RICK J	1300 NE 16TH ST	MCMINNVILLE OR	97128
R4416DB06001	1320 NE 16TH ST	PELLETIER GEORGIA	PELLETIER GEORGIA	1320 E 16TH ST	MCMINNVILLE OR	97128
R4416DB06000	1344 NE 16TH ST	HERNANDEZ PHILLIP	HERNANDEZ MELISSA L	1344 NE 16TH ST	MCMINNVILLE OR	97128
R4416DC00600	1420 NE LOGAN ST	ROJAS AUGUSTIN	PARTIDA SEFERINO & ANGELINA 50%	1754 SW ALMOND CT	MCMINNVILLE OR	97128
R4416DC00501	1225 NE 14TH ST	MAAS WILHELMUS	MAAS MARY K	1901 E 19TH ST	MCMINNVILLE OR	97128
34416DC00201	1295 NE 14TH ST	WAGLER TERRIE	WAGLER TERRIE	PO BOX 131	NEHALEM OR	97131
R4416DC00202	1435 NE 14TH ST	ANDREWS JEANETTE	ANDREWS JEANETTE	1435 NE NEWBY ST	MCMINNVILLE OR	97128
R4416DC00700	1205 NE 14TH ST	SANTOYO ALFREDO	SANTOYO ALFREDO JR	1205 NE 14TH ST	MCMINNVILLE OR	97128
R4416DC00400	1305 NE 14TH ST	BRUNER KAREN	BRUNER KAREN A	1305 NE 14TH ST	MCMINNVILLE OR	97128
R4416DC00502	1235 NE 14TH ST	YAMHILL COUNTY	YAMHILL COUNTY COURTHOUSE	434 NE EVANS ST	MCMINNVILLE OR	97128
R4416DC00200	1335 NE 14TH ST	SMITH JASON	% VETS ADMIN (LOAN#48-48-7-0002832)	1220 SW 3RD ST RM 1255	PORTLAND OR	97204
R4416DC01800	1340 NE LOGAN ST	YAMHILL COUNTY	YAMHILL COUNTY GOSPEL RESCUE MISSION	PO BOX 373	MCMINNVILLE OR	97128
R4416DC01500	1234 NE 14TH ST	YAMHILL COUNTY	YAMHILL COUNTY GOSPEL RESCUE MISSION	PO BOX 373	MCMINNVILLE OR	97128
R4416DC01401		MCMINNVILLE CITY	MCMINNVILLE CITY OF	230 NE 2ND ST	MCMINNVILLE OR	97128
R4416DC01400	and the second sec	Η&	H & R BURCH LIMITED PARTNERSHIP	237 NE FORD NO 1	MCMINNVILLE OR	97128
R4416DC01801	1310 NE LOGAN ST	STIREWALT CLIFFORD	STIREWALT CLIFFORD D	PO BOX 761	OREGON CITY OR	97045
R4416DC01600	1315 NE MACY ST	YAMHILL COUNTY	YAMHILL COUNTY GOSPEL RESCUE MISSION	PO BOX 373	MCMINNVILLE OR	97128
R4416DC01700	1239 NE 13TH ST	CEJA ANTOLINO	CEJA J SOLEDAD	1239 NE 13TH ST	MCMINNVILLE OR	97128
R4416DC06000		BURCH STEVEN	BURCH STEVEN R	237 NE FORD NO 1	MCMINNVILLE OR	97128
R4416DC06100	1255 NE ALPINE AVE	MIKE JR	MIKE JR HOLDINGS LLC	1692 NW EMERSON CT	MCMINNVILLE OR	97128
R4416DC02500	1226 NE LOGAN ST	WALLACE DAVID	WALLACE DAVID E & EVELYN L	423 ASPEN WAY	MCMINNVILLE OR	97128
84416DC06200		JC	J C COMPTON CONTRACTOR INC	PO BOX 360	MCMINNVILLE OR	97128
R4416DC06700	1235 NE 11TH WAY	MAC-U-STORE LLC	MAC-U-STORE LLC	PO BOX 100	HILLSBORO OR	97123
R4416DC06400	1205 NE 12TH AVE	KLAUS DEAN	KLAUS DEAN C & DEBORAH A	450 W 7TH ST	MCMINNVILLE OR	97128
R4416DC04800		JC	J C COMPTON CONTRACTOR INC	PO BOX 360	MCMINNVILLE OR	97128
R4416DC06300	1213 NE ALPINE AVE	BACHMEIER DAVID	BACHMEIER DAVID C	35468 RIVERSIDE DR	ALBANY OR	97321
R4416DC05000	1305 NE LAFAYETTE AVE	JC	J C COMPTON CONTRACTOR INC	PO BOX 360	MCMINNVILLE OR	97128
R4416DC06301	1205 NE ALPINE AVE	WALLACE ANDREW	WALLACE FAMILY TRUST	303 NW 11TH ST	MCMINNVILLE OR	97128
R4416DC04900	1305 NE LAFAYETTE AVE		J C COMPTON CONTRACTOR INC	PO BOX 360	MCMINNVILLE OR	97128
R4416DC06500	1185 NE ALPINE AVE	HIXSON RONALD	HIXSON RONALD R & LINDA L	14865 NW ORCHARD VIEW RD	MCMINNVILLE OR	97128



February 6, 2017

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

Dear Heather:

The Yamhill County Gospel Rescue Mission (the "Mission") owns lots 3, 4, 5, 6 and 7 of Block 4 of Oak Park Addition. Lots 5, 6 and 7 abut the west edge of NE Macy Street.

H&R Burch Limited Partnership ("Burch") owns lots 1, 2, 3, 4 and 5 of Oak Park Addition. Lots 2, 3 and 4 abut the west edge of NE Macy Street.

NE Macy Street is and has been for some years closed to through traffic onto 14<sup>th</sup> Street due to traffic safety issues.

Both the Mission and Burch believe it to be in the interest of the City and themselves if the portion of NE Macy Street abuting lots 5, 6 and 7 of Block 58 owned by the Mission and lots 2, 3 and 4 of Block 61 were vacated (See attached map).

Since the portion of NE Macy Street which we are proposing to be vacated is not available for vehicular traffic except to the undersigned property owners, the undersigned request that, in lieu of obtaining written consents of properties in the vicinity, the City Council initiate a vacation process as provided by ORS 271.130.

Thank you for your consideration of this request.

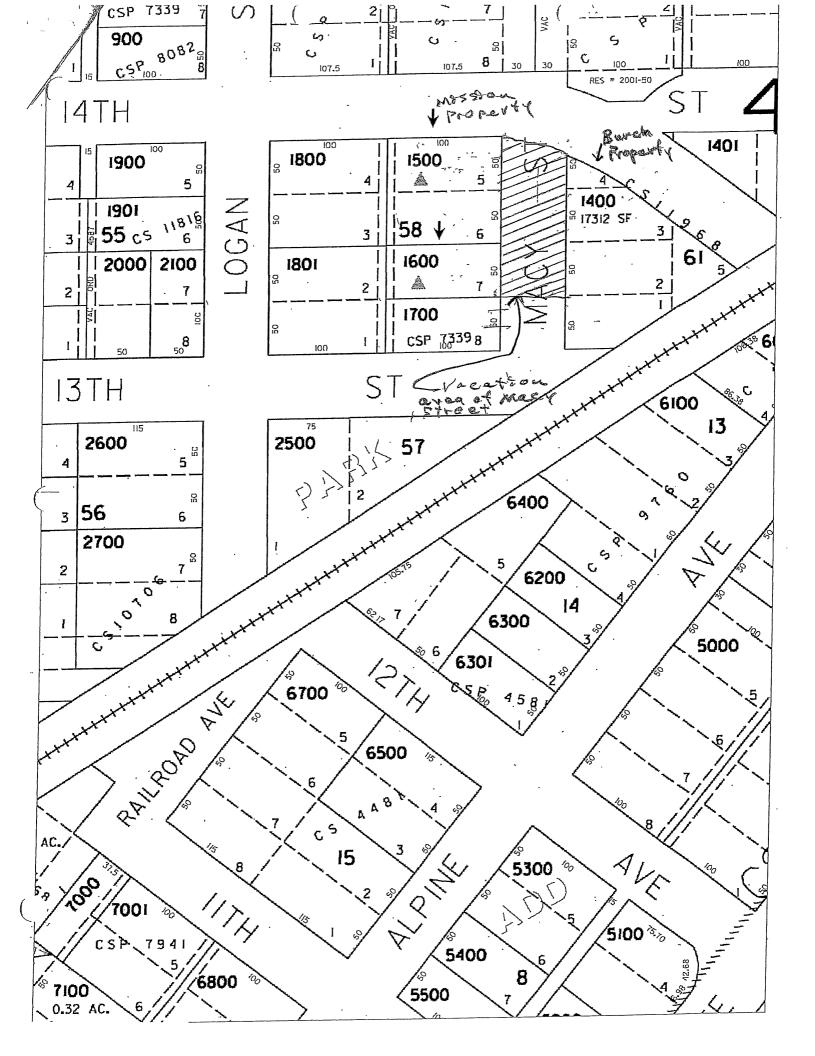
Very truly yours,

Mission 1

Dom Bunch HARBA

Burch Managing Partner

cc: Candace Haines



A Resolution initiating the proceedings and setting a date and time for a public hearing to vacate a portion of NE Macy Street (RV 1-17).

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON, as follows:

1. That proceedings be initiated for the purpose of vacating the area as described as follows and as shown on attached Exhibit "A":

All that part of Northeast Macy Street in the City of McMinnville, County of Yamhill and State of Oregon, Iying Northerly of the Northerly right of way line of Northeast 13th Street and Southerly of the Southerly right of way line of Northeast 13th Way all in said City, County and State, SAVE AND EXCEPTING THEREFROM the following:

Beginning at the Southeast corner of Lot 8, Block 58 of Oak Park Addition in the City of McMinnville, County of Yamhill and State of Oregon; thence Easterly along the Northeasterly right of way line of NE 13th Street a distance of 60 feet more or less to the Southwest corner of Lot 1, Block 61 of said Oak Park Addition; thence Northerly along the West line of said Lot 1 a distance of 50 feet more or less to the Northeast corner of said Lot 1; thence Westerly a distance of 60 feet more or less to the Northeast corner of said Lot 8, Block 58 of Oak Park Addition; thence Southerly along the-East line of said Lot 8 a distance of 50 feet more or less to the point of beginning.

- 2. That this Resolution, having been duly discussed by the Council, shall constitute an initiation of such vacation proceedings.
- 3. That the Council does hereby and herein fix the 13<sup>th</sup> day of June 2017 at the hour of 7:00 p.m. in the Kent L. Taylor Civic Hall in the City of McMinnville, Oregon, as the time and place for the hearing upon said proposed vacation and objections thereto, if any.
- 4. That the Recorder is hereby instructed to give notice of such hearing by publishing a notice in the <u>News Register</u>, the City's official newspaper, once each week for two consecutive weeks prior to said hearing, which notice shall describe the area to be vacated, and within five days after the date of the first publication of said notice, to post or cause to be posted at or near each end of said proposed vacation, a copy of such notice which shall be headed, "Notice of Street Vacation", and such notice shall be posted in at least two conspicuous locations in such proposed vacation as above described.
- 5. That this Resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the <u>9<sup>th</sup></u> day of May, 2017 by the following votes:

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MAYOF	2
	Score G MAYOF

ITY ATTORNEY



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

www.mcminnvilleoregon.gov

### **STAFF REPORT**

DATE:	June 13, 2017
TO:	Mayor and City Councilors
FROM:	Ron Pomeroy, Principal Planner
SUBJECT:	Ordinance No. 5022 – ZC 3-17/ZC 4-17 (Zone Change from R-2 and LDR-9000 to R-4)

#### Council Goal:

Promote Sustainable Growth and Development

#### **Report in Brief:**

This is the consideration of Ordinance No. 5022 (attached to this Staff Report), an ordinance approving a zone change request from R-2 (Single Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9000 (Low Density Residential – 9,000 Square Foot Minimum) to R-R (Multiple Family Residential) on approximately 2.6 acres of land, located generally west of NE Evans Street and east of NE Baker Street and is more specifically describes as Tax Lots 3200 and 3201, Section 16 BC, T. 4 S., R. 4 W., W.M., respectively.



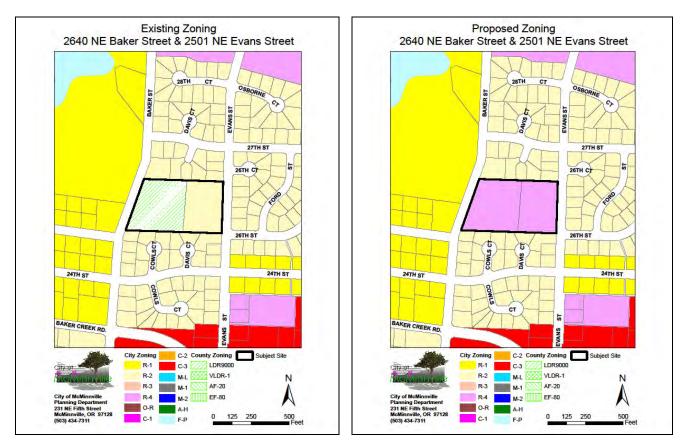
- Ordinance No. 5022 including Exhibit A ZC 3-17/4-17 Decision Document
- Attachment 1: ZC 3-17/4-17 Application and Attachments
- Attachment 2: Public Notices
- Attachment 3: Public Testimony Received
- Attachment 4: Memorandum to Planning Commission (April 20, 2017)
- Attachment 5: Draft Planning Commission Meeting Minutes, May 18, 2017
- Attachment 6: Draft Planning Commission Meeting Minutes, April 20, 2017

On May 18, 2017, the McMinnville Planning Commission voted to recommend to the McMinnville City Council that the Premier Development, LLC application for a zone change (ZC 3-17/4-17) be approved.

Exhibit A of Ordinance No. 5022 contains the Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings.

#### Background:

The two graphics below provide a view of depiction of current zoning designations on the subject site and surrounding properties in addition to identifying how the zoning map would appear should these zone change requests be approved.



The eastern portion of the subject site is currently the location of a number of long-standing local businesses including Accessory Center NW, Mac Repair Shop, and Handyman & More RV Storage and U-Haul rental. This portion of the site is currently improved with two sheet metal buildings with the larger of the two containing most of the active business use and the smaller building being utilized mainly for storage. RVs, U-Haul trucks and trailers, and other assorted vehicles are parked on gravel to the south of the main building. The western portion of the site remains vacant and improved only with a minimally maintained gravel drive leading eastward from NE Baker Street. Topographically, the subject site exhibits a noticeable downward slope generally from east to west.

- Attachment 1: ZC 3-17/4-17 Application and Attachments
- Attachment 2: Public Notices

- Attachment 5: Draft Planning Commission Meeting Minutes, May 18, 2017
- Attachment 6: Draft Planning Commission Meeting Minutes, April 20, 2017

Ordinance No. 5022 including Exhibit A - ZC 3-17/4-17 Decision Document

Attachment 3: Public Testimony Received

Attachment 4: Memorandum to Planning Commission (April 20, 2017)

The site is bounded by NE Baker Street to the west, and NE Evans Street to the east. Adjacent land uses include the Betty's Orchard residential subdivision zoned R-2 (Single-Family Residential) to the south, the North Orchard residential subdivision zoned R-2 PD (Single-Family Residential Planned Development) to the north, and the Rob's Orchard residential subdivision zoned R-2 to the east. To the west is located the Mochettaz Addition residential subdivision and the southern portion of Tice Park, both zoned R-1 (Single-Family Residential). All adjacent land is designated Residential on the McMinnville Comprehensive Plan Map.

The two graphics below provide a view of depiction of current zoning designations on the subject site and surrounding properties in addition to identifying how the zoning map would appear should these zone change requests be approved.

#### Evaluation of Review Criteria:

An amendment of the zoning map may be authorized provided that the proposal satisfies all applicable review criteria and provided that the applicant demonstrates the following:

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

Comprehensive Plan Policies: There are numerous Comprehensive Plan Goals and Policies that are applicable to this request. Most of those have been well addressed in the applicant's submitted narrative. Some of the more notable guidance is found in Chapter V (Housing and Residential Development) which includes Goals that speak to quality housing for all city residents and achieving a residential development pattern that is land intensive and energy efficient as well as Policies encouraging opportunities for multiple-family development in locations that have sufficient access opportunities and service availability to support that type of development.

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.

*Existing Development Pattern:* The development pattern in the immediate area adjacent to this site is largely developed with single-family residences with a smaller number of duplexes that are typically found on the corner lots of nearby street intersections. However, while not directly adjacent to the site, there are several multiple-family developments located within just a few blocks of this site. For example, the Brookdale McMinnville Town Center Senior Apartments are located on NE 27<sup>th</sup> Street approximately 600 feet to the northeast of the subject site. The Tice Park Apartments and Heritage Place Apartments are found some 800 feet to the north and are both provided access from NE Evan Street. Some 500 feet to the southeast is located the Rhoda Anne Apartments also accessed from NE Evans Street. The established development pattern for the larger surrounding area is clearly a mix of residential housing types.

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

*Utility and Service Provision*: This area is well served by existing sanitary and storm sewer systems as well as other public utilities. The Engineering Department has reviewed this proposal and has offered

Ordinance No. 5022 including Exhibit A - ZC 3-17/4-17 Decision Document

Attachment 1: ZC 3-17/4-17 Application and Attachments

Attachment 2: Public Notices

Attachment 3: Public Testimony Received

Attachment 4: Memorandum to Planning Commission (April 20, 2017)

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Attachment 6: Draft Planning Commission Meeting Minutes, April 20, 2017

no concerns with providing adequate services to this site to support the residential development density that may result from rezoning these parcels to R-4.

*Street System*: The site is bounded to the north and south by residential development terminating in cul-de-sacs thereby eliminating access to the site from these directions. Additionally, the site is bounded to the east by NE Evan Street, designated a minor collector, and to the west by NE Baker Street, a minor arterial, as identified in the adopted McMinnville Transportation System Plan (TSP). The City has long held that all future access from both of these properties would be directed eastward onto NE Evans Street due largely to intersection spacing concerns and the classification of NE Baker Street as a Minor Arterial. To address this, the applicant has provided a recent traffic impact analysis (TIA) drafted by David Evans and Associates to assess the impact of a 133-unit multiple-family development on the surrounding street network. The McMinnville Engineering Department has reviewed this analysis and finds that there is adequate transportation network capacity to accommodate the proposed zone change. At the time of development of these properties, the appropriate right-of-way dedications and infrastructure improvements, in compliance with the City's adopted TSP, will be required. Additionally, comments provided by the Yamhill County Engineer speak to the need for construction any future access from this site directly onto NE Baker Street to be designed to city standards.

*Site Hydrology*: The applicant also provided as part of their submittal a Hydraulic Analysis of site prepared by CH2M considering the impact of the development of up to 133 apartment units on this property. The study concluded that, based on the analysis of available capacity in the existing nearby sanitary sewer system, expected flows from such a residential development could be conveyed within the system without causing a deficiency in the current system. This analysis was considered by the McMinnville Engineering Department and they offered no concern with this analysis.

#### R-4 Multiple-Family Residential Zone:

While the applicant has not provided a conceptual development plan with this zone change proposal, and is not required to do so at this time, it is instructive to note some of the standards of the R-4 zone that would be applicable to development of this site in the future should this current request be approved. This information is offered only as an additional observation relative to the requested zoning redesignation. If approved, some of those applicable opportunities and development standards incumbent upon future development include:

R-4 Multiple-Family Residential Zone:

17.21.010 Permitted Uses. In an R-4 zone, the following uses [..] are permitted:

- A. Single-family dwelling
- B. Two-family dwelling
- C. Multiple-family dwelling

<u>17.21.030</u> Lot size. In an R-4 zone, the lot size shall not be less than five thousand square feet, except that the lot area for common wall, single-family lots shall not be less than two thousand five hundred square feet per family.

Ordinance No. 5022 including Exhibit A – ZC 3-17/4-17 Decision Document

Attachment 1: ZC 3-17/4-17 Application and Attachments

Attachment 2: Public Notices

Attachment 3: Public Testimony Received

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<u>17.21.040</u> Yard requirements. In an R-4 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet;
- B. A side yard shall not be less than six feet, except an exterior side yard shall not be less than fifteen feet;
- C. A rear yard shall not be less than twenty feet;
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet.

<u>17.21.060</u> Density requirements. In an R-4 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. [..]

It is this density lot area density allocation that has been utilized by the applicant to arrive at a maximum potential multiple-family residential density of 133 dwelling units for this site: (approximately 4.5 acres X 43,560 square feet per acre) / 1,500 square feet per unit = 133 potential dwelling units. While this is a theoretical maximum number of dwelling units for this site, the practicality of achieving this number of units remains to be seen, as a minimum of twenty-five percent of a multiple-family site is required to be provided as landscaping in addition to the provision of onsite parking and maneuvering room and driving aisles for vehicles.

#### Discussion:

The Planning Commission received both written and oral testimony in support and opposition to this application request.

Supportive testimony focused on the following elements:

- Need for more R-4 zoned land.
- Compliance with the Comprehensive Plan and Zoning Ordinance
- Opportunity to clean up a blighted property

Oppositional testimony focused on the following elements:

- Parking Congestion
- Traffic Congestion on NE Evans Street
- Traffic Safety
- Impact to neighboring single family residential homes
- Concern about increased crime, vandalism and graffiti in the area due to the potential of high density residential development and concerns about general property value depreciation in the surrounding neighborhood.

Attachments:

Ordinance No. 5022 including Exhibit A – ZC 3-17/4-17 Decision Document

Attachment 1: ZC 3-17/4-17 Application and Attachments

Attachment 2: Public Notices

Attachment 3: Public Testimony Received

Attachment 4: Memorandum to Planning Commission (April 20, 2017)

Attachment 5: Draft Planning Commission Meeting Minutes, May 18, 2017

Attachment 6: Draft Planning Commission Meeting Minutes, April 20, 2017

At their meeting on April 20, 2017, Planning Commission members asked staff to evaluate the following four issues for potential conditions of approval to include in the land-use decision.

1) Provision of a public sidewalk along the west side of NE Evans Street.

*Evaluation:* Public improvements are determined at the time of site and design review and are proportionate to the development. Since any development on this site would require access from NE Evans Street, at a minimum the developer will be required to make all public improvements on NE Evans Street per the McMinnville Transportation System Plan, including sidewalks.

*Recommended Condition of Approval:* None required as this is a normal course of business with the site and design review process.

2) Pedestrian connection from the site to NE Baker Street.

*Evaluation:* NE Baker Street is currently a county road without bicycle and pedestrian amenities and would currently be an unsafe connection for pedestrians and bicyclists. However, overtime NE Baker Street could be annexed into the City of McMinnville and built to McMinnville street standards with bicycle and pedestrian amenities. Staff recommends a condition of approval that allows for a future connection.

*Recommended Condition of Approval:* The site shall be designed to allow for a future bicycle/pedestrian connection to NE Baker Street, so that a bicycle/pedestrian connection to NE Baker Street could be made in the future, at such time that the roadway is improved to the complete street standards contained in the McMinnville Transportation System Plan.

3) Prohibition of a vehicular access from this site to NE Baker Street

*Evaluation:* Due to its street classification, the City of McMinnville does not recommend access from the site to NE Baker Street.

*Recommended Condition of Approval:* Vehicular access from this site to NE Baker Street shall be prohibited.

4) A requirement for future buffering along the northern and southern boundaries of this site upon future multiple-family development of this site.

*Evaluation:* Due to the request to rezone a property with a lower residential density to a higher residential density that has adjacency to lower-residential zoning, it is important to mitigate any potential negative impacts of the form and breadth of the highest development intensity in the new zone to the surrounding properties. Currently the R-4 zone states that a side yard shall not be less than six feet, except an exterior side yard shall not be less than fifteen feet. And all yards shall be increased over the requirements of this section, one foot for each two feet of building height over thirty-five feet (Section 17.21.040). Since access to this site will be off of NE Evans Street, it is recommended that the language for increasing the side yard setbacks relative to building height over thirty-five feet be increased to one foot for each foot of building

Ordinance No. 5022 including Exhibit A – ZC 3-17/4-17 Decision Document

Attachment 1: ZC 3-17/4-17 Application and Attachments

Attachment 2: Public Notices

Attachment 3: Public Testimony Received

Attachment 4: Memorandum to Planning Commission (April 20, 2017)

Attachment 5: Draft Planning Commission Meeting Minutes, May 18, 2017

Attachment 6: Draft Planning Commission Meeting Minutes, April 20, 2017

height over thirty-five feet. Additionally, some sort of buffering on the northern and southern boundaries of the site are recommended for multiple-family development.

*Recommended Condition of Approval:* Side yards setbacks shall be increased one foot for each foot of building height over thirty-five feet.

*Recommended Condition of Approval:* If the site is developed as multi-family residential, buffering along the northern and southern boundaries of this site shall be required and shall utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from this site onto the neighboring single-family developments located to the north and south of this site and shall include a mix of vertical and horizontal vegetation, fencing and/or berms, but shall not serve as a visual or physical barrier between this development and the surrounding neighborhood. The proposed buffers shall be submitted to the McMinnville Landscape Review Committee for the review and approval prior to the issuance of building permits for this site.

All written public testimony received by the Planning Commission is provided as Attachment 3 to this staff report. And Attachments 4 and 5 are the draft Planning Commission meeting minutes summarizing the oral testimony of the public hearing.

#### Fiscal Impact:

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

#### Council Options:

- 1. **ADOPT** Ordinance No. 5022, approving ZC 3-17/4-17 and adopting the Decision, Conditions of Approval, Findings of Fact and Conclusionary Findings.
- 2. ELECT TO HOLD A PUBLIC HEARING date specific to a future City Council meeting.
- 3. **DO NOT ADOPT** Ordinance No. 5022, providing findings of fact based upon specific code criteria to deny the application for the denial in the motion to not approve Ordinance No. 5022.

#### **Recommendation/Suggested Motion:**

Staff recommends that the Council adopt Ordinance No. 5022 which would approve the application for a zone change as the proposal meets the policies of the McMinnville Comprehensive Plan and the criteria of the McMinnville Zoning Ordinance.

#### "THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE TO ADOPT ORDINANCE NO. 5022."

RP:sjs

- Ordinance No. 5022 including Exhibit A ZC 3-17/4-17 Decision Document
- Attachment 1: ZC 3-17/4-17 Application and Attachments
- Attachment 2: Public Notices

Attachment 3: Public Testimony Received

Attachment 4: Memorandum to Planning Commission (April 20, 2017)

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Attachment 6: Draft Planning Commission Meeting Minutes, April 20, 2017

#### ORDINANCE NO. 5022

AN ORDINANCE APPROVING A ZONE CHANGE FROM R-2 (SINGLE-FAMILY RESIDENTIAL) TO R-4 (MULTIPLE-FAMILY RESIDENTIAL) ON APPROXIMATELY TWO (2) ACRES OF LAND AND A ZONE CHANGE FROM LDR-9,000 (LOW DENSITY RESIDENTIAL – 9,000 SQUARE FOOT MINIMUM) TO R-4 (MULTIPLE-FAMILY RESIDENTIAL) ON APPROXIMATELY 2.6 ACRES OF LAND.

#### RECITALS:

The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16BC, T. 4 S., R. 4 W., W.M., respectively; and

The Planning Department received applications ZC 3-17 and ZC 4-17 on March 2, 2016, and deemed them it complete on March 6, 2017. The first public hearing before the McMinnville Planning Commission was held on April 20, 2017, after due notice had been provided in the local newspaper on April 11, 2017, and written notice had been mailed to property owners within 300 feet of the affected property. At the May 18, 2017, Planning Commission public meeting, after the application materials and a staff report were presented and testimony was received, the Commission closed the public hearing and directed staff to draft conditions of approval relative to pedestrian connectivity and buffering from adjacent single-family development. The Planning Commission evaluated the draft conditions at their May 18, 2017, public meeting and, after deliberation, voted unanimously to recommend approval of ZC 3-17 and ZC 4-17 with conditions to the McMinnville City Council; and

The City Council, being fully informed about said request, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the zone change review criteria listed in Section 17.74.020 and Planned Development Amendment review criteria listed in Section 17.74.070 of the McMinnville Zoning Ordinance based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The City Council having received the Planning Commission recommendation and staff report, and having deliberated;

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

1. That the Council adopts the Findings of Fact, Conclusionary Findings, Decision and Conditions of Approval as documented in Exhibit A for ZC 3-17/4-17; and

2. That the western parcel on the site be rezoned from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) and that the eastern parcel on the site be rezoned from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) subject to the following conditions:

1. The site shall be designed to allow for a future bicycle/pedestrian connection to NE Baker Street, so that a bicycle/pedestrian connection to NE Baker Street

could be made in the future, at such time that the roadway is improved to the complete street standards contained in the McMinnville Transportation System Plan.

- 2. Vehicular access from this site to NE Baker Street shall be prohibited.
- 3. Side yards setbacks shall be increased one foot for each foot of building height over thirty-five feet.
- 4. If the site is developed as multi-family residential, buffering along the northern and southern boundaries of this site shall be required and shall utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from this site onto the neighboring single-family developments located to the north and south of this site and shall include a mix of vertical and horizontal vegetation, fencing and/or berms, but shall not serve as a visual or physical barrier between this development and the surrounding neighborhood. The proposed buffers shall be submitted to the McMinnville Landscape Review Committee for the review and approval prior to the issuance of building permits for this site.

3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 13<sup>th</sup> day of June 2017, by the following votes:

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

Nays:

MAYOR

Attest:

Approved as to form:

CITY RECORDER

CITY ATTORNEY



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

503-434-7311 www.mcminnvilleoregon.gov

#### DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF TWO ZONE CHANGE REQUESTS FOR PROPERTY LOCATED WEST OF NE EVANS STREET AND EAST OF NE BAKER STREET.

**DOCKET:** ZC 3-17/ZC 4-17 (Zone Change)

- **REQUEST:** The applicant is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land.
- LOCATION: The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16 BC, T. 4 S., R. 4 W., W.M., respectively.
- **ZONING:** The subject site's current zoning is R-2 and LDR-9,000.
- APPLICANT: Premier Development, LLC
- **STAFF:** Ron Pomeroy, Principal Planner
- **HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME: April 20, 2017, May 18, 2017. Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.

**DECISION MAKING** 

BODY: McMinnville City Council

- **DATE & TIME:** June 13, 2017. Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.
- **COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

#### DECISION

Based on the findings and conclusions, the Planning Commission recommends that the City Council **APPROVE** zone change ZC 3-17 and zone change ZC 4-17 **subject to the conditions of approval provided in this document.** 

#### **DECISION: APPROVAL WITH CONDITIONS**

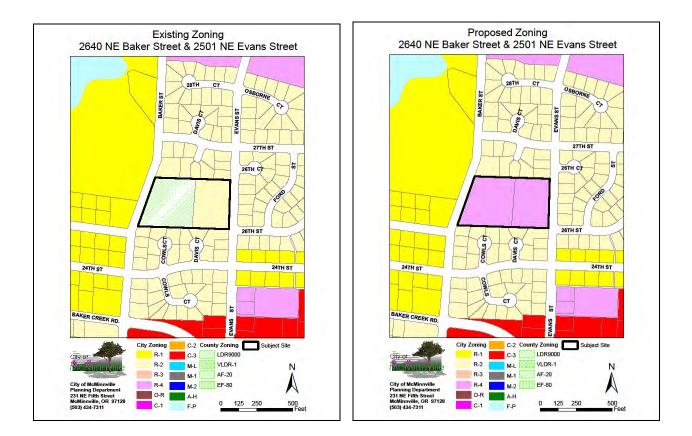
City Council: Scott Hill, Mayor of McMinnville	Date:
Planning Commission: Roger Hall, Chair of the McMinnville Planning Commission	Date:
Planning Department: Heather Richards, Planning Director	Date:

#### Application Summary:

The applicant is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land.



The two graphics below provide a view of depiction of current zoning designations on the subject site and surrounding properties in addition to identifying how the zoning map would appear should these zone change requests be approved.



#### CONDITIONS OF APPROVAL:

The following conditions of approval shall be required to ensure that the proposal is compliant with the City of McMinnville's Comprehensive Plan and Zoning Ordinance:

- 1. The site shall be designed to allow for a future bicycle/pedestrian connection to NE Baker Street, so that a bicycle/pedestrian connection to NE Baker Street could be made in the future, at such time that the roadway is improved to the complete street standards contained in the McMinnville Transportation System Plan.
- 2. Vehicular access from this site to NE Baker Street shall be prohibited.
- 3. Side yards setbacks shall be increased one foot for each foot of building height over thirty-five feet.
- 4. If the site is developed as multi-family residential, buffering along the northern and southern boundaries of this site shall be required and shall utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from this site onto the neighboring single-family developments located to the north and south of this site and shall include a mix of vertical and horizontal vegetation, fencing and/or berms, but shall not serve as a visual or physical barrier between this development and the surrounding neighborhood. The proposed buffers shall be submitted to the McMinnville Landscape Review Committee for the review and approval prior to the issuance of building permits for this site.

#### **ATTACHMENTS**

- Attachment 1 ZC 3-17/ZC 4-17 Application and Attachments (on file)
- Attachment 2 Memorandum to the Planning Commission (April 20, 2017) re: Additional testimony and staff response regarding ZC 3-17/ZC 4-17 (Premier Development, LLC) (on file)
- Attachment 3 Planning Commission Meeting Minutes April 20, 2017 (on file)
- Attachment 4 Planning Commission Meeting Minutes May 18, 2017 (on file)

#### **COMMENTS**

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

#### Engineering Department.

We have reviewed the proposed zone change applications (ZC 3-17/ZC 4-17) and do not have concerns with the proposal. As noted in the application, and associated attachments, there is adequate transportation network and sanitary sewer system capacity to accommodate the proposed zone change. At the time of development of the properties, the appropriate infrastructure improvements and right-of-way dedications, in compliance with the City's adopted master plans, will be required.

#### Yamhill County Public Works:

The western frontage of this property is NE Baker Street. This street is currently County jurisdiction for maintenance and operations. The applicant's desired outcome is to develop a future multi-family [project]. Any proposed multi-family access onto Baker Street is a significant safety issue for the County. Baker Street has a high volume of traffic with a history of numerous complaints from the adjoining properties that claim significant levels of traffic exceeding safe travel speeds. I realize that design issues typically are not dealt with at this stage, however, I wanted to raise the issue at this early stage.

Access onto Baker Street at this location will require a full intersection and traffic impact review by the developer. Also frontage improvements to Baker Street to current City standards will be required. City standards will be required because this street is in a transition area that at some point will likely become City jurisdiction.

I see that the two-acre parcel to the East is contemplated as a companion development. It would be better if the site access to both parcels could be limited to Evans Street to the east. If access is limited to Evans Street the intersection design and traffic impact study on Baker Street can be eliminated.

#### Fire Department:

We have no issue with this zone change request. Please note: Per 2014 Oregon Fire Code; projects having more than 100 multi-family units shall be equipped with two separate and approved fire apparatus access roads. Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including non-residential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 90.3.1.2.

#### FINDINGS OF FACT

- Premier Development, LLC is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land. The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16 BC, T. 4 S., R. 4 W., W.M., respectively.
- 2. The site is currently designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
- 3. Sanitary sewer and municipal water and power can adequately serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
- 4. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

#### CONCLUSIONARY FINDINGS

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

- GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.
- Policy 58.00 City land development ordinances shall provide opportunities for development of a variety of housing types and densities.
- Policy 59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.

<u>Finding</u>: Goal V 1 and Policies 58.00 and 59.00 are met by this proposal in that approval of the zone change requests from R-2 (Single-Family Residential) and LDR-9,000 (Low Density Residential – 9,000-Square Foot Minimum) to R-4 (Multiple-Family Residential) will allow for the opportunity of this land to be developed with a variety of housing types including multiple-family housing which the applicant has indicated is their intent. Higher density residential development is commensurate with surrounding development in the, while adjacent to existing single-family and duplex development, there are also numerous multiple-family development projects located with two to four blocks of this site. Examples of nearby higher-density residential development include the Brookdale McMinnville Town Center Senior Apartments are located on NE 27<sup>th</sup> Street approximately 600 feet to the northeast of the subject site. The Tice Park Apartments and Heritage Place Apartments are found some 800 feet to the north and are both provided access from NE Evan Street. Some 500 feet to the southeast is located the Rhoda Anne Apartments also accessed from NE Evans Street.

- GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND-INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.
- Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.
- Policy 71.00 The City of McMinnville shall designate specific lands inside the urban growth boundary as residential to meet future projected housing needs. Lands so designated may be developed for a variety of housing types. All residential zoning classifications shall be allowed in areas designated as residential on the Comprehensive Plan Map.
- Policy 71.09 Medium and High-Density Residential (R-3 and R-4) The majority of residential lands in McMinnville are planned to develop at medium density range (4 8 units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes and triplexes, and townhouses. High density residential development (8 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments. The City of

McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

- 1. Areas that are not committed to low density development;
- 2. Areas that have direct access from collector or arterial streets;
- 3. Areas that are not subject to development limitations such as topography, flooding, or poor drainage;
- 4. Areas where the existing facilities have the capacity for additional development;
- 5. Areas within one-quarter mile of existing or planned public transportation; and,
- 6. Areas that can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas.
- Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development:
  - 1. Areas which are not committed to low or medium density development;
  - 2. Areas which can be buffered by topography, landscaping, collector or arterial streets, or intervening land uses from low density residential areas in order to maximize the privacy of established low density residential areas;
  - 3. Areas which have direct access from a major collector or arterial street;
  - 4. Areas which are not subject to development limitations;
  - 5. Areas where the existing facilities have the capacity for additional development;
  - 6. Areas within a one-half mile wide corridor centered on existing or planned public transit routes;
  - 7. Areas within one-quarter mile from neighborhood and general commercial shopping centers; and
  - 8. Areas adjacent to either private or public permanent open space.

Finding: Goal V 2 and Policies 68.00, 71.00, 71.09, and 71.13 are met by this proposal in that the proposal to rezone this land as requested is encouraged by the existing Comprehensive Plan Map. In addition, rezoning of this site to allow higher residential density encourages more efficient residential development in an area where urban services are already available before committing alternate areas to residential development. The surrounding residential neighborhoods currently exhibit a range of residential densities and housing types including single-family detached, duplex and multiple-family dwellings. An analysis of vehicular impacts to the surrounding street network from development of a multiple-family development on this site has been provided as part of the applicant's submittal with a conclusion that such the surrounding network has the capacity to accommodate the anticipated traffic. Additionally, there are no known topographic or poor drainage characteristics of this site that would complicate or impinge on future residential development of the property. As noted through the review of other agencies and utility providers, there are no concerns regarding service provision to this site, and that anticipated impacts would be mitigated by required improvements commensurate with future development. Public transit is available to the site and currently provide by the Yamhill County Transit Route 3 that runs along NE Evans Street adjacent to the eastern edge of the site.

Buffering of any multiple-family development that may occur on the site from the adjacent singlefamily neighborhoods would be provided as required by a landscape plan approved by the McMinnville Landscape Review Committee; a minimum of 25 percent of the site area of multiplefamily developments is required to be provided as landscaped area as per 17.57 of the McMinnville Zoning Ordinance. Additionally, this site is located adjacent to (across NE Baker Street) the southern portion of Tice Park which is a public park designed as a nature park with trails, a parking area and public restrooms.

- Policy 84.00 Multiple-family, low-cost housing (subsidized) shall be dispersed throughout the community by appropriate zoning to avoid inundating any one area with a concentration of this type of housing.
- Policy 86.00 Dispersal of new multiple-family housing development will be encouraged throughout the residentially designated areas in the City to avoid a concentration of people, traffic congestion, and noise. The dispersal policy will not apply to areas on the fringes of the downtown "core," and surrounding Linfield College where multiple-family developments shall still be allowed in properly designated areas.
- Policy 89.00 Zoning standards shall require that all multiple-family housing developments provide landscaped grounds.
- Policy 90.00 Greater residential densities shall be encouraged to locate along major and minor arterials, within one-quarter mile from neighborhood and general commercial shopping centers, and within a one-half mile wide corridor centered on existing or planned public transit routes. (Ord. 4840, January 11, 2006; Ord. 4796, October 14, 2003)
- Policy 91.00 Multiple-family housing developments, including condominiums, boarding houses, lodging houses, rooming houses but excluding campus living quarters, shall be required to access off of arterials or collectors or streets determined by the City to have sufficient traffic carrying capacities to accommodate the proposed development. (Ord. 4573, November 8, 1994)
- Policy 92.00 High-density housing developments shall be encouraged to locate along existing or potential public transit routes.
- Policy 92.01 High-density housing shall not be located in undesirable places such as near railroad lines, heavy industrial uses, or other potential nuisance areas unless design factors are included to buffer the development from the incompatible use. (Ord. 4796, October 14, 2003)
- Policy 92.02 High-density housing developments shall, as far as possible, locate within reasonable walking distance to shopping, schools, and parks, or have access, if possible, to public transportation. (Ord. 4796, October 14, 2003)

<u>Finding</u>: Policies 84.00, 86.00, 89.00, 90.00, 92.00, 92.01 and 92.02 are satisfied by this proposal in that, while the applicant has indicated intent to construct multiple-family housing on this site, no such development plan has been provided as part of this zone change request. However, in light of the stated intent to pursue multiple-family development should this request be approved, these Policies are relevant. With approval of this request, the opportunity for lower cost, higher density residential development will continue to be supported by the City in a manner

that disperses this type of development throughout the community. Landscaping of a minimum of 25 percent of the site is a requirement of multiple-family development as noted in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance. Additionally, this site is located adjacent to NE Baker Street and NE Evans Street, identified in the McMinnville Transportation System Plan (TSP) as minor arterial and minor collector streets, respectively. Further, this site is not located adjacent to other multiple-family zoned properties or developments thereby implementing the City policy of dispersal of multiple-family developments. Professional and commercial uses are located within some 650 feet of the site and further to the south along Hwy 99W. Grandhaven Elementary School and McMinnville Christian Academy are both located within one-half mile from this site. Also, as noted in the previous finding above, public transit is available to the site and currently provide by the Yamhill County Transit Route 3 that runs along NE Evans Street adjacent to the eastern edge of the site. Additionally, this site is located adjacent to (across NE Baker Street) the southern portion of Tice Park which is a public park designed as a nature park with trails, a parking area and public restrooms.

- Policy 99.00 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:
  - 1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.
  - 2. Storm sewer and drainage facilities (as required).
  - 3. Streets within the development and providing access to the development, improved to city standards (as required).
  - Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)
  - 5. Deleted as per Ord. 4796, October 14, 2003.

<u>Finding</u>: Policy 99.00 is satisfied by this proposal as adequate levels sanitary sewer collection, storm sewer and drainage facilities, and municipal water distribution systems and supply either presently serve or can be made available to adequately serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Required street improvements commensurate with future development shall be required at the time of development.

- GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.
- Policy 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.
- Policy 118.00 The City of McMinnville shall encourage development of roads that include the following design factors:
  - 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.
  - 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.

- 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.
- Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)
- 5. Connectivity of local residential streets shall be encouraged. Residential culde-sac streets shall be discouraged where opportunities for through streets exist
- Policy 119.00 The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.
- Policy 120.00 The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.
- Policy 122.00 The City of McMinnville shall encourage the following provisions for each of the three functional road classifications: [in part]
  - 1. Major, Minor arterials.
    - a. Access should be controlled, especially on heavy traffic-generating developments.

<u>Finding</u>: Goal VI 1 and Policies 117.00, 118.00, 119.00, 120.00 and 122.00 are satisfied by this proposal in that the subject site is currently adjacent to public streets along two sides; NE Baker Street to the west and NE Evans Street to the east. These streets shall be improved, as may be required, commensurate with the future development of this site to ensure safe and efficient transportation opportunities for all citizens. At a minimum, NE Baker Street along the site's western frontage shall be improved with on-street bike lanes and sidewalks consistent with the Complete Streets Design Standards and the Complete Streets Projects sections of the McMinnville TSP. Since the applicant did not provide a conceptual development plan as part of this zone change request, it is unclear if a public street, or streets, will be proposed as part of that future development. Should a public street, or streets, be proposed, they will be required to be designed and constructed to public standards as identified in the McMinnville TSP at the time of development. Additionally, toward implementation of Policy 122.00, vehicular access from this property frontage onto NE Baker Street, a minor arterial, shall be prohibited as alternative access from this site to NE Evans Street, a minor collector, is available and sufficient to accommodate anticipated traffic volumes from future site development.

- Policy 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.
- Policy 127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and right-of-ways as transportation routes.

<u>Finding</u>: Policies 126.00 and 127.00 are satisfied by this proposal in that off-street parking will be required for all residential development as specified by Chapter 17.60 (Off-Street Parking and Loading) of the McMinnville Zoning Ordinance.

Policy 130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connect residential areas to activity areas such as the downtown core,

#### areas of work, schools, community facilities, and recreation facilities.

<u>Finding</u>: Policy 130.00 is satisfied by this proposal in that, when a specific development is proposed for this site, public sidewalks commensurate with that proposal will be required as part of the street improvements and will add to the pedestrian connections within and beyond site. Provision of safe, accessible bicycle routes continue to be provided throughout the city as directed by the McMinnville TSP.

- GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMINNVILLE URBAN GROWTH BOUNDARY.
- Policy 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.
- Policy 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines with the framework outlined below:
  - 1. Sufficient municipal treatment capacities exist to handle maximum flows of effluents.
  - 2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.
  - 3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized
  - 4. Extensions will implement applicable goals and policies of the comprehensive plan.
- Policy 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.
- Policy 143.00 The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.
- Policy 144.00 The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.
- Policy 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:
  - 1. Facilities are placed in locations and in such manner as to insure compatibility with surrounding land uses.

- 2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.
- 3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized;
- 4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.
- Policy 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.
- Policy 151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:
  - 1. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.
  - 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.
  - 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.
  - 4. Federal, state, and local water and waste water quality standards can be adhered to.
  - 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.

<u>Finding</u>: Goal VII 1 and Policies 136.00, 139.00, 142.00, 143.00, 144.00, 145.00, 147.00 and 151.00 are satisfied by the request as, based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 153.00 The City of McMinnville shall continue coordination between the planning and dire departments in evaluating major land use decisions.

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

<u>Finding</u>: Policies 153.00 and 155.00 are satisfied in that emergency services departments have reviewed this request and raise no concerns although the Fire Department did provide some guidance regarding future development.

- GOAL VII 3: TO PROVIDE PARKS AND RECREATION FACILITIES, OPEN SPACES, AND SCENIC AREAS FOR THE USE AND ENJOUMENT OF ALL CITIZENS OF THE COMMUNITY.
- Policy 163.00 The City of McMinnville shall continue to require land, or money in lieu of land, from new residential developments for the acquisition and/or development of parklands, natural areas, and open spaces.

<u>Finding</u>: Goal VII 3 and Policy 163.00 are satisfied in that park fees shall be paid for each housing unit at the time of building permit application as required by McMinnville Ordinance 4282, as amended.

- GOAL VIII 1: TO PROVIDE ADEQUATE ENERGY SUPPLIES, AND THE SYSTEMS NECESSARY TO DISTRIBUTE THAT ENERGY, TO SERVICE THE COMMUNITY AS IT EXPANDS.
- Policy 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.
- Policy 177.00 The City of McMinnville shall coordinate with natural gas utilities for the extension of transmission lines and the supplying of this energy resource.

<u>Finding</u>: Policies 173.00 and 177.00 are satisfied in that McMinnville Water and Light and Northwest Natural Gas were provided opportunity to review and comment regarding this proposal and no concerns were raised.

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

<u>Finding</u>: Policy 178.00 is satisfied in that the applicant is proposing to amend the current zoning designations of this site to R-4 to allow for the possibility of providing multiple-family type housing thereby achieving a more compact form of urban development and energy conservation than would have otherwise been achieved.

- GOAL X1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.
- Policy 188.00 The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

<u>Finding</u>: Goal X1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the holding of advertized public hearing(s). All members of the public have access to provide testimony and ask questions during the public review and hearing process.

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

<u>17.03.020</u> Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

<u>Finding</u>: Section 17.03.020 is satisfied by the request for the reasons enumerated in Conclusionary Finding for Approval No. 1.

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

#### 17.57.050 Area Determination—Planning factors.

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
  - 1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
  - 2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens. [..]

<u>Finding</u>: Sections 17.57.010 and 17.57.050(B)(1-2) are satisfied by the request through adoption of a condition of approval of this application requiring sufficient buffering and screening for the benefit of established adjacent single-family residential developments north and south of the site. This buffering and screening shall utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from the site's development onto adjacent land north and south and shall include a mix of vertical and horizontal vegetation, fencing and/or berms as may be approved by the Landscape Review Committee at the time of development.

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

A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;

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

When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statutes), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

<u>Finding</u>: Criterion "B" of this review standard does not apply when the proposed amendment concerns needed housing. Table B-11 of Appendix B of the 2001 McMinnville Buildable Land Needs Analysis and Growth Management Plan demonstrates that McMinnville had a deficit of 162 R-4 zoned acres needed to meet future projected housing needs; the year 2020 was the identified planning horizon for this projection. Since 2001, approximately 46.5 acres have been rezoned to R-4 leaving a residual deficit of approximately 115.5 R-4 zoned acres still needed to meet projected needs. Approval of this zone change request would reduce that deficit to approximately 111 acres.

Section 17.74.020 is satisfied in that the proposed R-4 zoning designation for this site is consistent with the goals and policies of the McMinnville Comprehensive Plan, is orderly and timely considering existing nearby residential development and the site's proximity to schools and commercial opportunities and adjacency to public streets, transit and public park facilities in addition to having the ability to be adequately served by required utilities and services. In addition, there are no policies contained in the Comprehensive Plan that are being utilized to unnecessarily decrease densities or discourage any form of housing.

RP:sjs

#### Attachment 1



Office Use Only:
File No. ZC 3-17
Date Received <u>3-2-17</u> Fee 1595.00
Receipt No. 7mco37
Received by

### Comprehensive Plan Map Amendment/ Zone Change Application

□ Agent □ Other		
Phone_ <u>503-437-0477</u> Phone		
		Phone
Phone		
Phone Phone		

#### Site Location and Description

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

Property Address 2640 NE		0 NE Baker Street, McM	Baker Street, McMinnville OR 97128		
Assessor Map N	o. <u>R</u> 4416	BC _ 03201	Total Site Area	2.6 Acres	
Subdivision	Joplings Addit	ion	Block	Lot8	
Comprehensive Plan Designation Residential		on Residential	Zoning Designation County VLDR-9000		

This request is for a:

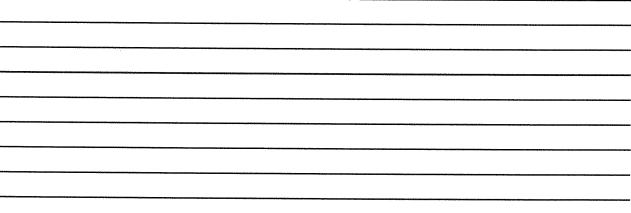
Comprehensive Plan Amendment

Zone Change

1. What, in detail, are you asking for? State the reason(s) for the request and the intended use(s) of the property. \_\_\_\_\_ See Attached answers.

2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. 2).\_\_\_\_\_

 If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.



4. If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation.\_\_\_\_\_

5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely.\_\_\_\_\_

- 6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request.\_\_\_\_\_

	use
	Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation?
a	ddition to this completed application, the applicant must provide the following:
	A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site, such as: access; lo and street lines with dimensions; distances from property lines to structures; improvements and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to <b>an electronic copy</b> with the submittal.

A legal description of the parcel(s), preferably taken from the deed.

Payment of the applicable review fee, which can be found on the Planning Department web page.

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

Applicant's Signature

Date

Property Owner's Signature

Date

### Zone Change Fact Sheet for 2640 NE Baker Street, McMinnville

### 1. What, in detail, are you asking for? State the reasons for the request and the intended use of the property?

The Applicant is seeking a land use approval from the City of McMinnville for a zone change from a county zone of VLDR 9000 designation to Residential R-4.

The size of the parcel is 2.6 acres. This zone change is being requested in conjunction with 2501 NE Evans St., that is a 2.0 acre parcel to the east. A separate zone change application is submitted for the 2.0 acres.

The intended use of the combined two parcels is for a future multi-family dwelling.

## 2. Show in detail, by citing specific goals and policies, how your request conforms to applicable McMinnville Comprehensive Plan Goals and Policies (Volume 2).

The requested zone change complies with the following applicable McMinnville Comprehensive Plan Goals and Policies:

Goal V1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

General Housing Policies:

<u>Policies 58.00 and 59.00 are satisfied.</u> Currently the adjacent neighbors are R-2 single family homes and a few larger single family lots along North Baker St. There is also a small City Park to the south and Tice Park across North Baker St to the west. The R-4 zone will enable lower-cost housing for McMinnville renters.

Goal V2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

<u>Policy 68.00 is satisfied.</u> Urban services exist adjacent to the subject site and are available to serve the subject property.

<u>Policy 71.00 is satisfied.</u> The proposed zone change from County Zone VLDR 9000 to R-4 is allowed within the Residential designation in the Comprehensive Plan.

Policy 71.13 is satisfied. The site has been annexed into the City but it has not been given a City zoning designation. The intent of McMinnville's Comprehensive Plan's for the area is to be improved as Residential. The 2.6 acres parcel is subject to a couple development limitations due to its location, size, and access. The site is located between already established and developed R-2 single family homes. Best use of this infill land is to coordinate with the parcel to the east for access. There would be limited or no access on to North Baker St. The north and south parcels both end in cul-de-sacs and do not provide for connectivity to the north or south. Therefore, the only usable access would be through the 2.0 acre parcel to the east, then on to North Evans St. The R-4 zone uses the land most efficiently when developed in conjunction with the parcel to the east. This meets Goal V2 by allowing an opportunity for a design using the land most intensively. Existing facilities are adjacent to subject property.

#### Multi-family Development Policies:

<u>Policy 86.00 is satisfied.</u> The overall plan for the subject property consisting of 2.6 acres combined with the adjacent 2 acre parcel to the east, will allow for a 4.6 acre infill parcel of land to provide multi-family dwellings with the main access off of N. Evans St. This proposed multi-family is a distance of approximately 1/4 mile south of two multi-family complexes off of Burnett Road (Tice Park and Wintercrest Apartments) and one multi-family complex to the south (Rhoda Anne Apartments).

<u>Policy 89.00 is satisfied.</u> Applicant shall comply with the landscape standards required in an R-4 zone upon submission of design plan.

<u>Policy 90.00, 91.00, 92.00 92.01 and 92.02 are satisfied</u> North Evans St, is a minor collector. The westerly side is adjacent to North Baker Street, a minor arterial, however access for the 2.6 acres will be off of North Evans Street.

Yamhill County Transit Route 3 runs down North Evans St. and subject site is within one-quarter mile of general commercial shopping centers such as businesses on Highway 99W and Baker Street. (Rite Aid, Little Caesars Pizza, Mattress Mania, Grocery Outlet, Pro-Build). The subject site is not near railroad lines, heavy industrial uses or nuisance areas. Public permanent open space is adjacent in the form of a small neighborhood park, as well as, Tice Park across North Baker Street. Other shopping, schools and parks are within 0.7 mile radius. For example, Grandhaven Elementary School is 0.7 miles away, Patton Middle School is 0.8 miles, McMinnville High School is 0.8 miles.

Urban Policies:

<u>Policy 99.00 is satisfied</u>. Urban services can be provided concurrently with the proposed urban development. Water and power are available to serve the subject property. Storm Drainage and Sewer can be accessed off of North Evans St.

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.

#### Streets:

<u>Goal VI 1 and Policies 117.00, 118.00, 119.00 and 120.00 are satisfied by</u> this proposal in that the site is adjacent to a parcel to the east which abuts a public street (North Evans Street) developed to City standards with adequate capacity to safely accommodate the expected trip generation from this site. Access to the site for parcel delivery to be permitted off of North Evans St. No known adverse effects on the natural features of the land. See attached Traffic Analysis.

#### Parking:

Policies 126.00 and 127.00 are satisfied. Parking for the multi-family dwellings shall be accommodated for on site.

Bike Paths: Not applicable

Supportive of General Land Use Plan Designations and Development Patterns: <u>Policy 132.27.00 is satisfied.</u> The zone change proposal supports the land use designation of the site and urban development patterns within the surrounding area.

#### Circulation:

Policies 132.41.00, 132.41.05, 132.41.20, 132.41.25, and 132.41.30 are satisfied. The subject site will have (pending zone change approval) access through the 2.6 acre parcel on to North Evans Street. City staff have discouraged any access on to North Baker Street due to line of sight and safety issues. North Evans Street, as a minor collector, can accommodate for the maximum allowable units in an R-4 zone. Conditions in the McMinnville TSP are met with this approval.

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. Policies 136.00, 142.00, 143.00, 144.00, 147.00, 151.00, and 155.00 are satisfied. Adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply and energy distribution facilities, either presently serve or can be made available to serve the site. CH2MHill has done a hydraulic analysis of the sanitary sewer system and has verified that the system has capacity to handle the additional flow when considering the maximum allowable units for an R-4 zone.

3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.

No Planned development overlay requested.

4. If you are requesting a Planned Development state how the proposal deviates from the requirements of city code and give justification for such deviation.

No Planned development or deviations from City codes requested.

### 5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proper amendment is orderly and timely.

The proposal is orderly in that it conforms to the Comprehensive plan to update any property that is in the City to an acceptable City Zone. The proposal is timely in that McMinnville has a need for more residential land, as well as, multi-family housing.

### 6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request.

The Applicant's request brings this island of land into McMinnville Comprehensive plan for residential use. The proposed R-4 residential use is consistent with the City's desire to achieve higher density in the northeast area of town.

# 7. Document how the site will be provided with public utilities, including water, sewer, electricity and natural gas. Show that the utility system currently serves or can be extended to the site and that there is capacity to serve the proposed use.

According to McMinnville Water and Light, a 12 inch water line exits along the west and south border of the property adequate to serve the property. Sewer is available to site with adequate capacity. For Stormwater drainage, there is an 18" line on the south border and 12" along the western border. Power and telephone can be extended to serve the site.

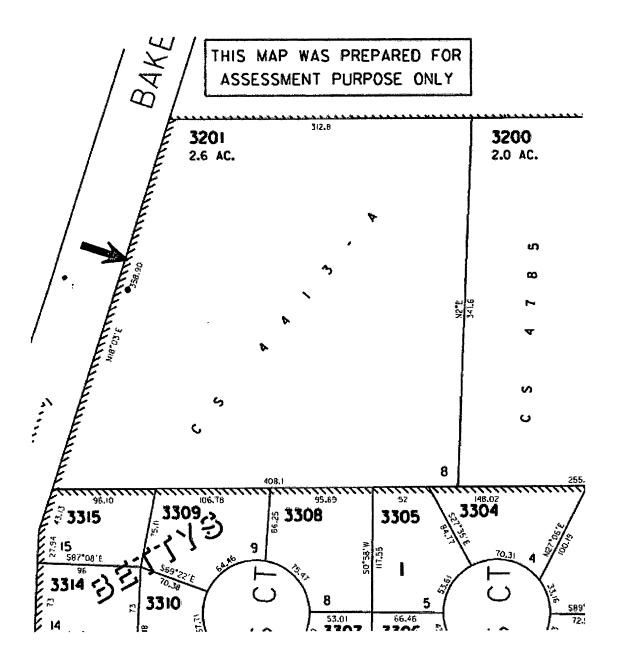
Describe in detail, how the proposed use will affect traffic in the area. What is the expected trip generation? A traffic count and analysis was done by David Evans and Associates Traffic Engineer. See attached Traffic Analysis. 8.

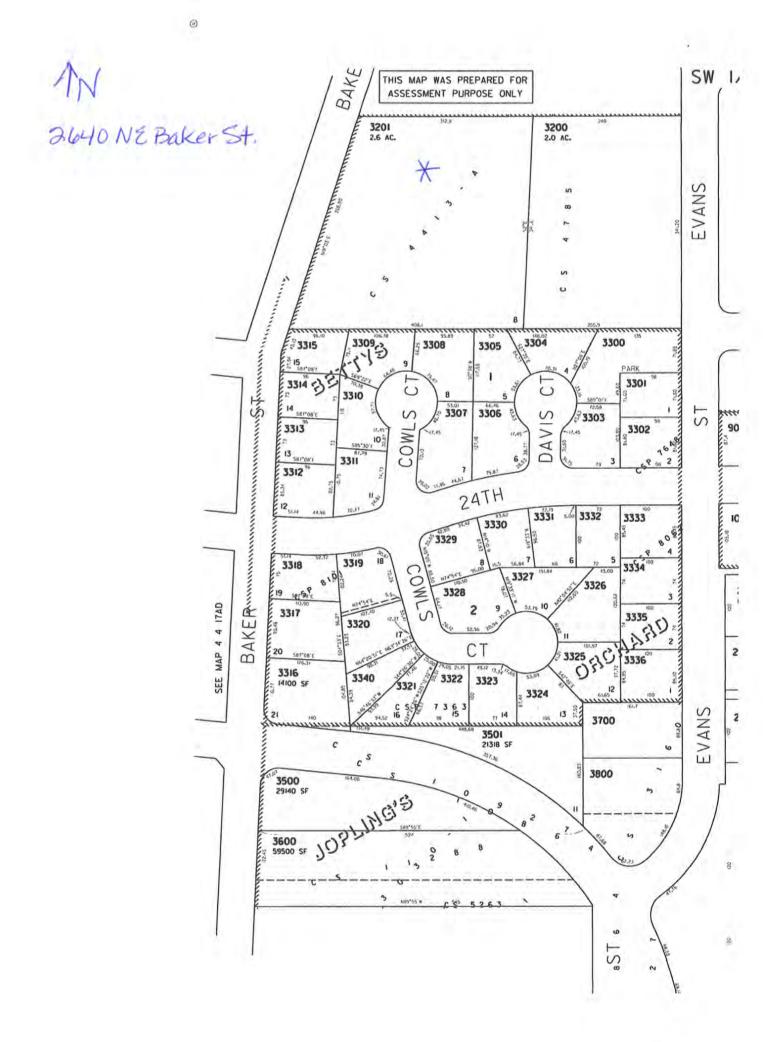


#### First American



This map is furnished for illustration and to assist in property location. The company assumes no liability for any variation in dimensions by location ascertainable by actual survey



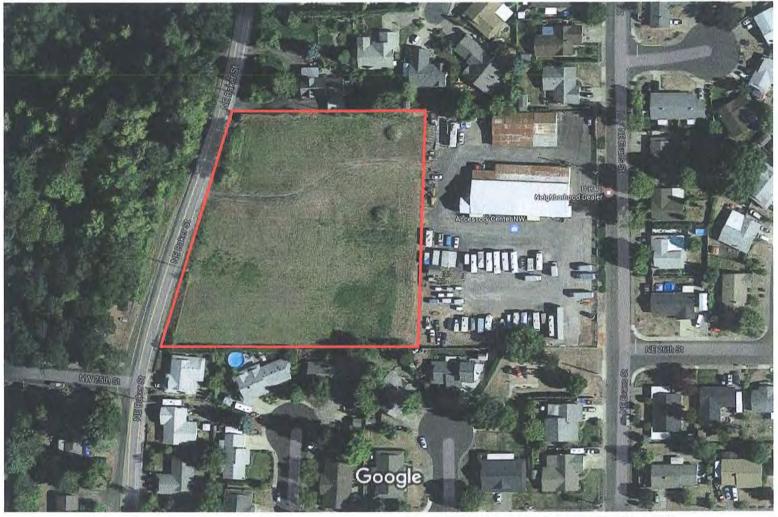


#### Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

Beginning at the Southwest corner of Lot 8, JOPLINGS SUBDIVISION in Yamhill County, Oregon; thence South 89° 55' East along the South line of said Lot 8, 408.1 feet to an iron pipe which is 255.9 feet North 89° 55' West from the West right of way line of North Evans Street; thence North 2° 40' East 341.6 feet to an iron pipe on the North line of said Lot 8, which is 240 feet North 89° 55' West of said right of way line; thence North 89° 55' West 312.8 feet to the Northwest corner of said Lot 8; thence South 18° 08' West 358.9 feet to the place of beginning.

## Google Maps



Imagery ©2017 Google, Map data ©2017 Google 50 ft





Office Use Only:
File No. 2C 4-17
Date Received 3-3-17
Fee <u>97797,59</u>
Receipt No. 11/10037
Received by

## Comprehensive Plan Map Amendment/ Zone Change Application

Applicant Information	
Applicant is: Property Owner I Contract Buyer D Option Holder	□ Agent □ Other
Applicant Name Premier Development, LLC	Phone503-437-0477
Contact NameLori Zumwalt(If different than above)	Phone
Address 1312 NE Hwy 99 W	
City, State, ZipMcMinnville, OR 97128	_
Contact Emailloriz.premier@gmail.com	
Property Owner Information Property Owner NameGerald J. and Judith Boersma (If different than above)	Phone
Contact Name John Boersma	Phone503-437-5565
Address150 SW 85th St.	_
City, State, ZipRedmond, OR 97756	_
Contact Emailjandjboersma@gmail.com	
Site Location and Description (If metes and bounds description, indicate on separate sheet)	
Property Address 2501 NE Evans St., McMinnville, OR 97128	
Assessor Map No. <u>R4 416 _ BC _ 03200</u> Total	Site Area 2.6 Acres

Subdivision Jopling's Addition Block Lot 8

Comprehensive Plan Designation Resignation Road

This request is for a:

Comprehensive Plan Amendment

Zone Change

1. What, in detail, are you asking for? State the reason(s) for the request and the intended use(s) of See Attached answers. the property. 2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. 2).\_\_\_\_\_ 3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.\_\_\_\_\_

4. If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation.\_\_\_\_\_

Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely.

- 6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request.\_\_\_\_\_
  - the request.\_\_\_\_\_

Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trigeneration?

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

□ A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site, such as: access; lot and street lines with dimensions; distances from property lines to structures; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to an electronic copy with the submittal.

A legal description of the parcel(s), preferably taken from the deed.

Payment of the applicable review fee, which can be found on the Planning Department web page.

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

Kemper Applicant's Signature

Date

Property Owner's Signature

3-1-17

Date

### Zone Change Fact Sheet 2501 North Evans Street, McMinnville

## 1. What, in detail, are you asking for? State the reasons for the request and the intended use of the property?

The Applicant is seeking a land use approval from the City of McMinnville for a zone change from Residential R-2 designation to Residential R-4.

The size of the parcel is 2 acres. This zone change is being requested in conjunction with a 2.6 acre parcel to the west. A separate zone change application is submitted for the 2.6 acre parcel.

The intended use of the combined two parcels is for a future multi-family dwelling.

# 2. Show in detail, by citing specific goals and policies, how your request conforms to applicable McMinnville Comprehensive Plan Goals and Policies (Volume 2).

The requested zone change complies with the following applicable McMinnville Comprehensive Plan Goals and Policies:

Goal V1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

General Housing Policies:

Policies 58.00 and 59.00 are satisfied. Currently the adjacent neighbors are R-2 single family homes. There is also a small City Park adjacent to this parcel. An R-4 zone will enable lower-cost housing for McMinnville renters.

Goal V2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

<u>Policy 68.00 is satisfied.</u> Urban services exist adjacent to the subject site and are available to serve the subject property.

<u>Policy 71.00 is satisfied.</u> The proposed zone change from R-2 to R-4 is allowed within the Residential designation in the Comprehensive Plan.

<u>Policy 71.13 is satisfied.</u> The site is currently grandfathered in, to allow a specific commercial use however, it is designated in the Comprehensive Plan as residential. The two acre parcel subject to development limitations, due to its size, but will work well with the west parcel for additional housing and access to North Evans St. The site is located between already established and developed R-2 single family homes terminating in cul-de-sacs which do not allow for connectivity to the north or south. The R-4 zone uses the land most *efficiently* when developed in conjunction with the parcel to the east. This meets Goal V2 by allowing an opportunity for a design using the land most *intensively*. Existing facilities are adjacent to subject property.

Multi-family Development Policies:

<u>Policy 86.00 is satisfied.</u> The overall plan for the subject property consisting of 2 acres combined with the adjacent property to the west, consisting of 2.6 acres will allow for a 4.6 acre parcel of multi-family dwellings with the main access off of N. Evans St. This proposed multi-family is a distance of approximately 1/4 mile south of two larger multi-family complexes off of Burnett Road.

<u>Policy 89.00 is satisfied.</u> Applicant shall comply with the landscape standards required in an R-4 zone upon submission of design plan.

Policy 90.00, 91.00, 92.00 92.01 and 92.02 are satisfied The East side is adjacent to North Evans St, which is a minor collector. Yamhill County Transit Route 3 runs down North Evans St. and subject site is within one-quarter mile of general commercial shopping centers such as businesses on Evans St and Highway 99W. (Rite Aid, Little Caesars Pizza, Mattress Mania, Grocery Outlet, Pro-Build). The subject site is not near railroad lines, heavy industrial uses or nuisance areas. Public permanent open space is adjacent in the form of a small neighborhood park. Other shopping, schools and parks are within 0.7 mile radius. For example, Grandhaven Elementary School is 0.7 miles away, Patton Middle School is 0.8 miles, McMinnville High School is 0.8 miles.

Urban Policies:

<u>Policy 99.00 is satisfied</u>. Urban services can be provided concurrently with the proposed urban development. Water and power are available to serve the subject property. Storm Drainage and Sewer can be accessed off of North Evans St.

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.

### Streets:

<u>Goal VI 1 and Policies 117.00, 118.00, 119.00 and 120.00 are satisfied</u> by this proposal in that the site abuts a public minor collector street developed to City standards with adequate capacity to safely accommodate the expected trip generation from this site. See Traffic Analysis. Access to the site for parcel delivery to be permitted off of North Evans St. No known adverse effects on the natural features of the land.

### Parking:

<u>Policies 126.00 and 127.00 are satisfied</u>. Parking for the multi-family dwelling shall be accommodated for on site. Parking is also available on North Evans St.

Bike Paths: Not applicable

Supportive of General Land Use Plan Designations and Development Patterns: <u>Policy 132.27.00 is satisfied.</u> The zone change proposal supports the land use designation of the site and urban development patterns within the surrounding area. Within less than one mile of the site there is a mix of residential uses. Homes on large lots (7500sq. ft.), R-2 lots consisting of single family homes and duplexes, R-4 lots consisting of Tice Park, Wintercrest, and Rhoda Anne Apartments, a Residential care facility and a Mobile Home Park.

### Circulation:

<u>Policies 132.41.00, 132.41.05, 132.41.20, 132.41.25, and 132.41.30 are</u> <u>satisfied.</u> The subject site is an infill parcel in which North Evans Street has already been established and meets the requirements of the McMinnville TSP. North Evans Street, as a minor collector allows for adequate traffic circulation and can accommodate for the maximum allowable units in an R-4 zone. See Traffic Analysis.

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. Policies 136.00, 142.00, 143.00, 144.00, 147.00, 151.00, and 155.00 are satisfied. Adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally the Water Reclamation Facility has the capacity to accommodate flow resulting from the development of the site. CH2MHill has done a hydraulic analysis of the sanitary sewer system and has verified that the system has capacity to handle additional flow, using the maximum allowable number of units in an R-4 zone. See attached Technical Memorandum: Hydraulic Analysis fro the Baker/Evans Property.

3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.

No Planned development overlay requested.

4. If you are requesting a Planned Development state how the proposal deviates from the requirements of city code and give justification for such deviation.

No Planned development or deviations from City codes requested.

# 5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proper amendment is orderly and timely.

The proposal is orderly in that it conforms to the Comprehensive plan to bring this property that is not being used as a residential use to an acceptable residential zone and usage. The property currently has one large Ag shed being used as a U-haul rental business and auto detailer. A second shed is being used as storage. The removal of these sheds will significantly improve the esthetics of the neighborhood. The proposal is timely in that McMinnville has a need for more affordable housing, as well as, multi-family housing.

# 6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request.

The Applicant's request brings this island of land into McMinnville Comprehensive plan for residential use. The proposed R-4 residential use is consistent with the City's desire to achieve higher density in the northeast area of town.

7. Document how the site will be provided with public utilities, including water, sewer, electricity and natural gas. Show that the utility system currently serves or can be extended to the site and that there is capacity to serve the proposed use.

According to McMinnville Water and Light, a 12 inch water line exits along the east and north border of the property adequate to serve the property. Sewer is available in North Evans St. For Stormwater drainage, there is an 18" line on the south border and 10" line in North Evans St. Power, and telephone, all exist in North Evans Street and can be extended to serve the site.

# 8. Describe in detail, how the proposed use will affect traffic in the area. What is the expected trip generation?

A traffic count and analysis was done by David Evans and Associates Traffic Engineer. See attached Traffic Analysis.

#### Exhibit "A"

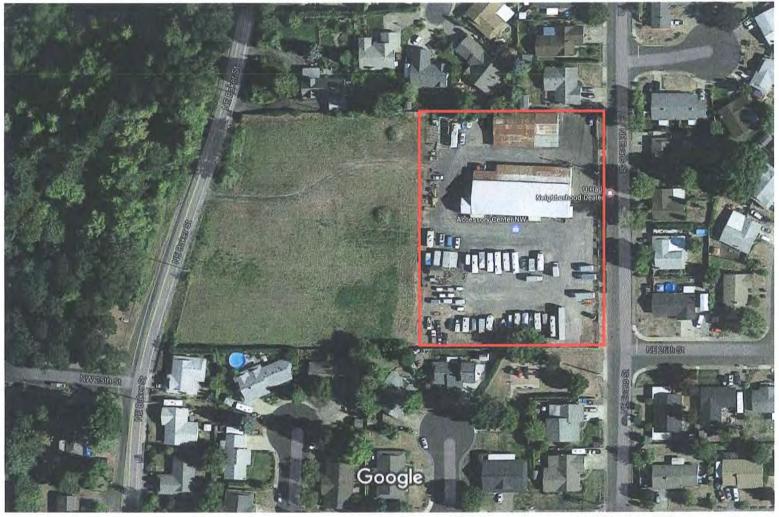
Lot 8, JOPLINGS SUBDIVISION, Yamhill County, Oregon.

EXCEPTING THEREFROM the following described Tract; BEGINNING at the Southwest corner of Lot 8, JOBLING'S SUBDIVISION, Yamhill County, Oregon; thence South 89° 55' East along the South line of said Lot 8, 408.1 feet to an iron pipe which is 255.9 feet North 89° 55' West from the West right-of-way line of North Evans Street; thence North 02° 40' East, 341.6 feet to an iron pipe on the North line of said Lot 8, which is 240.00 feet North 89° 55' West of said right-of-way line; thence North 89° 55' West, 312.8 feet to the Northwest corner of said Lot 8; thence South 18° 08' West, 358.9 feet to the PLACE OF BEGINNING.

2501 NE EVANS St. MCMINNVILLE OR



## Google Maps



Imagery ©2017 Google, Map data ©2017 Google 50 ft



TECHNICAL MEMORANDUM

## City of McMinnville

## Hydraulic Analysis for the Baker/Evans Property

PREPARED FOR:

Rich Spofford/City of McMinnville

PREPARED BY: REVIEWED BY: DATE: Adrianne Yang/CH2M Mark R. Johnson/CH2M February 13, 2017

## Background

The City of McMinnville is evaluating the impact of a new 133 unit apartment development to assess the capacity of the in the downstream portions of the existing sanitary sewer system. The proposed development (Baker/Evans Property) is shown in Attachment 1.

The Baker/Evans Property was previously classified as an R-2 development, which is a low density residential parcel (4.3 dwellings per acre). In the 2008 Conveyance System Master Plan<sup>1</sup> flows from this area was not directly modeled, but were included in the flows that contribute to manhole I-5-14. Converting the property to an apartment development will increase density therefore increase the flows to the sanitary sewer system.

CH2M has been hired to perform the analysis of the new development on the sanitary sewer pipeline collection system, with the additional flow from the proposed development.

## Analysis Summary

Based on the analysis, computer modeling and assumptions described below, the system has capacity to handle the additional flow from the 133 unit apartment development. The additional flow from the apartment development would increase the peak flows at I-5-14 by about 8 gpm during a 5-year, 24-hour storm event. The increase in water levels in the manholes along Evans Street south of the Baker/Evans Property is incremental (about 0.01 feet).

## Simulation Model

CH2M HILL modeled the McMinnville sanitary sewer conveyance system, using EPA SWMM, in 2008 as part of the master plan, but this model generally included larger pipe diameters in the system and did not extend to the pipes, manholes or pump stations that connect to I-5-14. The connection manhole from the proposed development was assumed to be I-5-40, approximately 975 feet upstream of I-5-14. The flows at I-5-14 were assumed to include the contribution from the proposed development. Therefore, the model needed to be expanded to evaluate the increased flows from the Baker/Evans Property. Figure 1 shows the modeled network; the new components are shown in blue. The model that was used for this analysis builds off of the model that was modified in July 2016 to include the Autumn

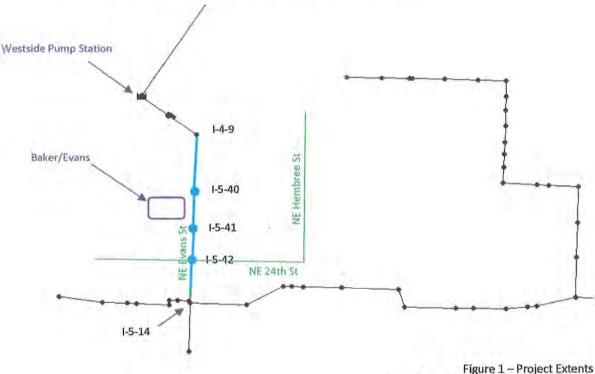
<sup>&</sup>lt;sup>1</sup> CH2M Hill. 2008. Sanitary Sewer Master Plan Updates Conveyance System Master Plan. Prepared for City of McMinnville.

HYDRAULIC ANALYSIS FOR THE BAKER/EVANS PROPERTY

Ridge and Westside Pump Stations and the flows from a new development east of the Autumn Ridge Pump Station<sup>2</sup>.

Because the Baker/Evans Property hydraulic analysis is focused primarily on the capacity of the pipes and water levels in the manholes, the evaluation included adding the following to the model:

- Manhole I-5-40 This manhole is located at the north end of the Baker/Evans Property on Evans Street.
- Manhole I-5-41 This manhole is located at the south end of the Baker/Evans Property on Evans Street. This manhole also receives flow from some homes east of Evans Street.
- Manhole I-5-42 This manhole is between the Baker/Evans Property and the connection point to the larger system at I-5-14. This manhole receives flow from some homes east of Evans Street.
- Pipes that connect these manholes from I-4-9 at the north and I-5-14 at the south.



Baker/Evans Property Hydraulic Analysis

### Model Inputs

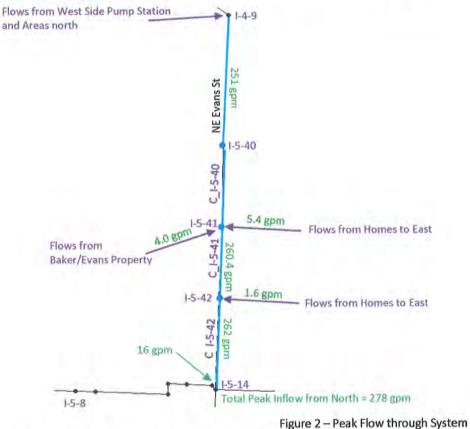
The flows in the 2008 SWMM model include the wet season average base flow for the 2008 system build out, future use wet season base flow, peak infiltration and inflow (I&I), and the total peak wet weather flow for the 5-year, 24-hour storm event. In both the 2008 model and the updated 2016 model, the flows at I-5-14 included the flows from the eastern parcel of the Baker/Evans Property. Flow from the western portion were assumed to be included with flows at I-5-8. Because the flows from the Baker/Evans Property are expected to increase from the estimates used in the 2008 Master Plan due to

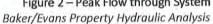
<sup>&</sup>lt;sup>2</sup> CH2M. 2016. Autumn Ridge and Westside Pump Station Hydraulic Analysis for the Bungalows Phase III Development. Prepared for City of McMinnville, July 20.

the higher density when converted to an apartment development, the increase in flows must be accounted for when evaluating the capacity of the system.

### **Current Configuration**

In the 2008 Master Plan, the contributions to the sanitary sewer system from the Baker/Evans Property was assumed to flow in two different directions. The eastern portion of the property (1.9 acre parcel) was assumed to flow to the east and was a part of the inflows to I-5-14. The western portion of the property (2.5 acre parcel) was assumed to flow to the west and was a part of the inflows to I-5-14. The western portion of the property (2.5 acre parcel) was assumed to flow to the west and was a part of the inflows to I-5-14. The western portion of the property (2.5 acre parcel) was assumed to flow to the west and was a part of the inflows to I-5-8. In order to expand the model to understand the impacts of the proposed development, the flows at I-5-14 must be adjusted and manholes I-5-40, I-5-41, and I-5-42 must be added. Figure 2 shows the current routing of peak flows through the system.





The peak inflow to I-5-14 under future development conditions, as defined in the 2008 Master Plan, and during a 5-year, 24-hour event is 278 gpm, but 251 gpm of that comes from the Westside Pump Station. Therefore, the peak flow at I-5-14, when the contributions from Autumn Ridge and West Side Pump Stations are removed, is about 27 gpm.

The peak inflow to I-5-14 is the sum of the inflows from the Baker/Evans Property, the other flows to I-5-41, flows to I-5-42, and other inflows from the north to I-5-14. The peak flows for I-5-41, I-5-42 and the Baker/Evans property are based on the ratio of the area contributing to the manholes and the area between the I-4-9 and I-5-14 (30.2 ac). These areas and peak flows are summarized in Table 1.

HYDRAULIC ANALYSIS FOR THE BAKER/EVANS PROPERTY

Location	Area (acres)	Percentage	Peak Flow (gpm)
Baker/Evans Property	4.5	15%	4.0
1-5-41	6.0	20%	5.4
1-5-42	1.8	5.8%	1.6
Remaining Area	17.9	59%	16
1-5-14	30.2	100%	27

#### Table 1. Inflows to I-5-14, Current Configuration

Note: The Peak Flow for 1-5-14 is only for inflows between the Westside Pump Station and I-5-14

### Future Configuration with Baker/Evans Apartment Development

To model the future condition, the sanitary flows needed to be modified to reflect the change in density, household size, and acreage associated with the apartment development. The Infiltration and Inflow (I&I) is assumed to be unchanged.

Table 2 shows the calculated additional sanitary flows that must be accounted for at I-5-41 from the Baker/Evans Property. Currently, there is no sanitary sewer connection on the western parcel of the property, but the 2008 Master Plan assumed for the future condition, this property would be developed. Therefore the flows at I-5-41 will need to be increased by 4.3gpm, as shown in Figure 3. Overall, the peak inflows at I-5-41 increased from 9.4 gpm to 13.7 gpm.

Table 2. Additional Sanitary Flows

	Current - 4.5 Acres of Baker/Evans Property	Future - 4.5 acres of Baker/Evans Property with Apartments	Difference (Future – Current)
Density	4.3 dwellings/acre	133 Units/4.6 acres	
Household Size	2.6 people/dwelling	1.2 people/dwelling	
Daily Water Use	57 gallons/person	57 gallons/person	
Parcel Area	4.5 acres	4.5 acres	
Total Daily Flow	2 gpm	6.3 gpm	5.4 gpm

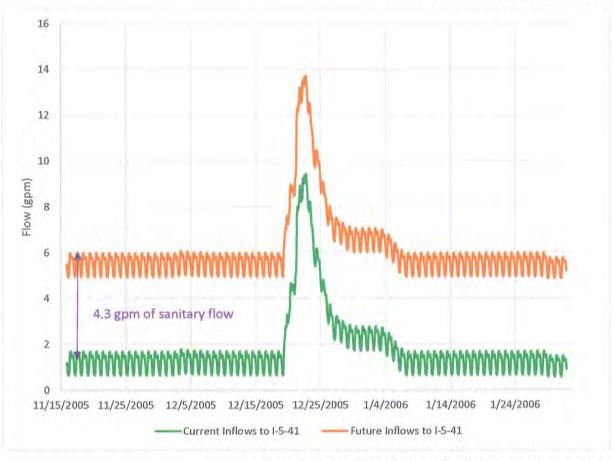


Figure 5 - Inflows to I-5-41 under Current and Future Configurations Baker/Evans Property Hydraulic Analysis

## Model Assumptions and Limitations

- No measured flows were used to develop the estimates included in this model. The flows that enter manholes I-5-41 and I-5-42 are estimated based on the sum of the area of the parcels that contribute to each of the manholes.
- Because elevation data was not available for all points between the I-4-9 and I-5-41, the system was
  modeled with a single pipe and did not include manhole I-5-38. The pipe has a length equivalent to
  the total pipe length and a slope equivalent to the average slope of the intermediate pipes.
- The assumed I&I for the apartment development is unchanged from the assumptions in the 2008 Master Plan. An increased impervious area and fewer laterals (a common RDII source) associated with the apartment development could reduce the actual I&I.

## Model Results

The model was run to determine the performance of the collection system and resulting water levels in the manholes relative to the ground surface. A collection system deficiency is defined as any location with less than 2 feet of freeboard (distance between the water surface and the ground surface as specified in the 2008 Master Plan), potentially causing flooding. Even with the addition of flows from the proposed development, available freeboard is greater than 2 feet.

HYDRAULIC ANALYSIS FOR THE BAKER/EVANS PROPERTY

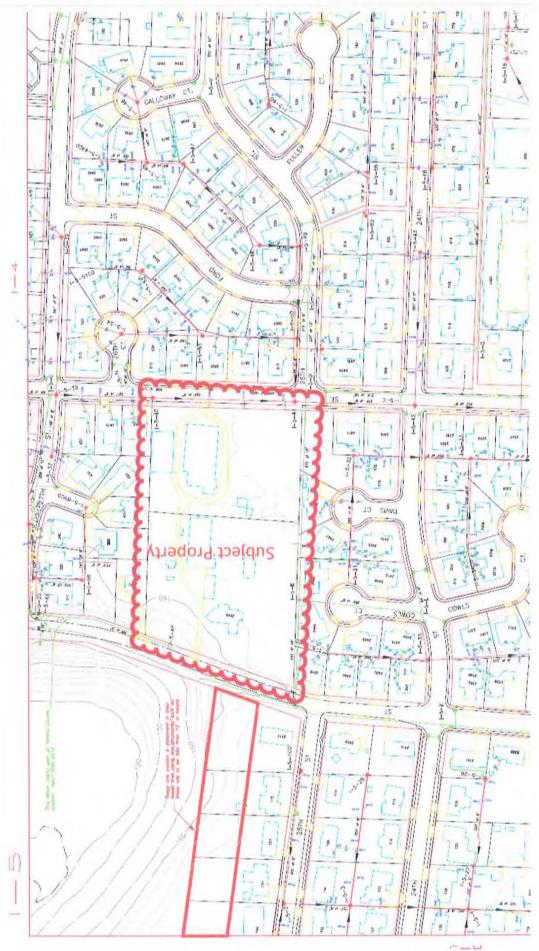
Table 3 summarizes the available freeboard in the manholes during each of the model runs. Water level profiles are provided in Attachment 2.

Node	Modeled Freeboard – Current	Modeled Freeboard – Future
I-4-9	4.51	4.51
1-5-40	7.24	7.24
I-5-41	7.02	7.01
1-5-42	8.19	8.18
I-5-14	8.10	8.09

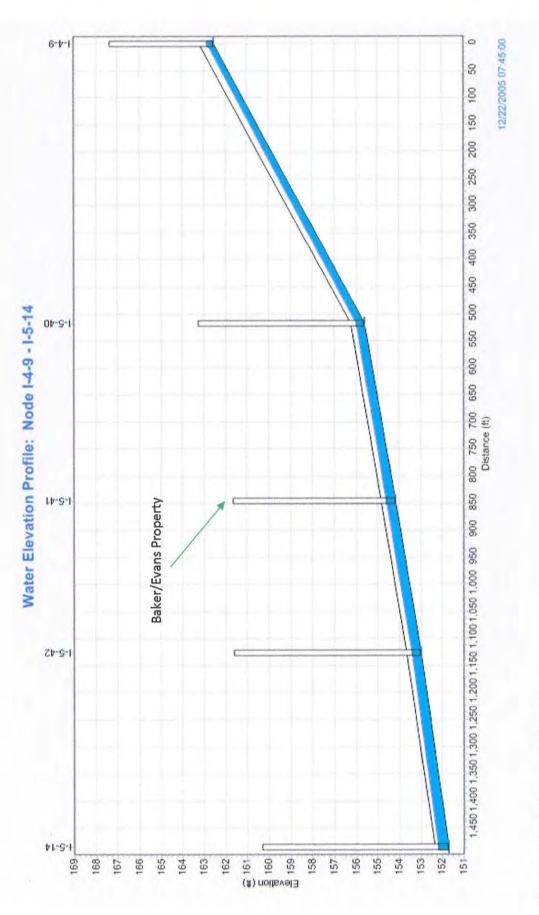
Table 3. Model Results – Freeboard (ground elevation – water elevation)

Based on the analysis of available freeboard in the manholes, the flows from the proposed development can be conveyed without causing a deficiency by the current collection system configuration.

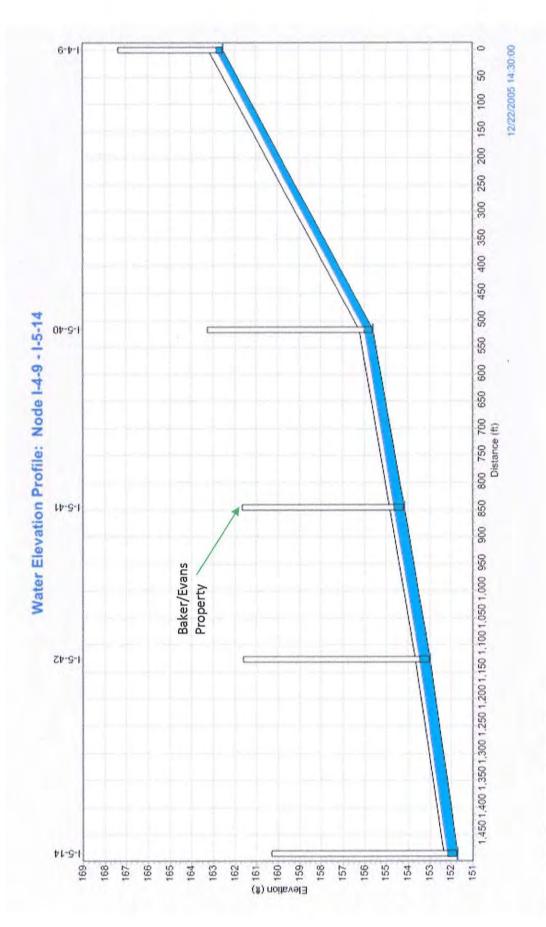
Attachment 1 – Proposed Development HYDRAUUC ANALYSIS FOR THE BAKER/EVANS PROPERTY



# Attachment 2 – Water Depth Profiles



Water Level Profile, Current Configuration



Water Level Profile, Future Configuration

11

# **PREMIER DEVELOPMENT, LLC**

Traffic Impact Analysis (133 Apartments in McMinnville)

**Prepared for** 

Premier Development, LLC 1312 NE Highway 99W McMinnville OR 97128

**Prepared by** 

David Evans and Associates, Inc. 2100 SW River Parkway Portland, Oregon

MARCH 2017

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### **Executive Summary**

Premier Development, LLC is seeking a change in zoning from R-2 to R-4 to build 133 new apartment units at 2501 NE Evans St, McMinnville, OR. Currently a vacant lot, a local business, and a parking lot occupy the site. This report analyzes the potential near-term impact of these 133 new apartment units on the expected opening day in 2019, as well as the longer-term (20-year) potential impacts in 2037.

To analyze both times, existing traffic counts were collected and grown for the 2019 analysis, new trips were generated for 133 apartment units, and added to these naturally increasing background trips. These trips were analyzed to determine intersection traffic performance.

The 2037 analysis was conducted slightly differently. As the City's TSP is already planning for the current R2 zoning, the 2037 analysis focuses on the additional trips generated by the proposed 133 apartments instead of the 28 single-family homes that are currently allowed with the existing zoning. An analysis of the difference in future trips represents the result of the zone change from R-2 to R-4. This difference, plus the growth in background trips, was modelled to analyze a future 20-year planning horizon.

No operational deficiencies were found because of the zone change in either the 2019 opening day or the 2037 planning horizon. The intersection operations are expected to be within the governing roadway operating standards (both City of McMinnville and Oregon Department of Transportation). A left-turn lane warrant analysis was conducted at the site driveway on NE Evans and installation of a leftturn lane is not warranted in either 2019 or 2037.



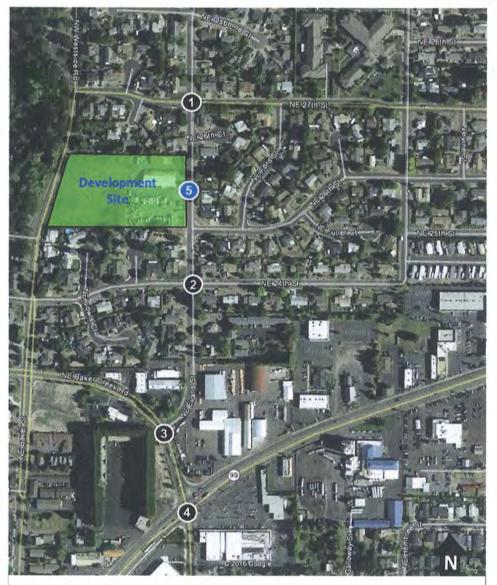
### **Existing Conditions**

The project site is currently zoned R-2 (single family residential). The site is currently occupied by a nonconforming commercial use. There is a single story commercial building housing a moving supply company, and an automobile accessory store, as well as a surface parking lot.

### Study Area

The study area is located at 2501 NE Evans Street, McMinnville, OR 97128. Site generated trips were analyzed at the four study area intersections shown below in Figure 1. Access to the site will be provided via a driveway on NE Evans Street.

The intersection of Baker Creek Road at Oregon Highway 99 West (Hwy 99W) was added as a study area intersection to ensure compliance with the City's TSP. As will be shown in later sections of this analysis, the proposed development will only add approximately 2.1% to the total entering vehicle trips of the



intersection. As such, the proposed development is not expected to have a significant impact to this intersection.

FIGURE 1. STUDY AREA



### **Roadway Network**

The 2010 City of McMinnville Transportation System Plan (TSP) outlines the functional classification of roads and maps each type within the city's boundaries. Within the study area, there are local residential streets, minor collectors, minor arterials, and major arterials.

### Local Residential Streets

To the south of the development are NE 24th Street and NE 26th Street, which are identified as Local Residential Streets in the TSP. Local streets are intended to serve abutting residential areas only, without carrying any through traffic. They are designed for up to 1,200 vehicles a day.

### Minor Collectors

The development is served directly by NE Evans Street, which is classified by the City as a Minor Collector (McMinnville TSP, 2010, P. 2-9). To the north of these development site is NE 27th Street, which is also a minor collector. Minor collectors are primarily intended to provide access to abutting parcels, as well to provide access to local streets. They are designed to carry up to 10,000 vehicles a day (McMinnville TSP, 2010, P. 2-10), comprised of both local and through traffic.

### Minor Arterials

Further to the south of the development is NE Baker Creek Road, which is identified as a Minor Arterial in the TSP. These arterials are designed to be the primary street network both through and within the City of McMinnville. Minor arterials typically have two to three lanes of traffic, and are designed to carry up to 20,000 vehicles a day.

### Major Arterials

Highway 99W runs to the southeast of the property, providing access primarily via NE Baker Creek Road to the south, but also via NE 27th Street further east of the study area. Major arterials are also meant to be the primary network for traffic in McMinnville. They typically have four or more lanes, and carry up to 32,000 vehicles a day.

### Pedestrian and Bicycle Facilities

NE Evans Street has a mix of sidewalks on both sides and one side of the street. The development site currently has no sidewalk on the west side of the street (the side where the property is located), and a sidewalk on the east side of the street. Immediately to the north and south of the property on NE Evans Street, there are sidewalks on both sides of the street. However, further to the north and south, the sidewalks are discontinuous, with some properties lacking sidewalks in front of them. It is important to note that the City TSP designates NE Evans Street as a Safe Routes to School (SRTS) route. As such, it is imperative that the proposed development construct a sidewalk on their NE Evans Street frontage.

In the TSP, NE Evans Street and NE 27th Street are classified as shared roadways, indicated with sharrows on them, while NE Baker Creek Road and Hwy 99W are classified as bikeways and the McMinnville TSP designates each route for future bike lanes. Sharrows are painted markings on the road that indicate that cyclists and drivers should share the street space.



### **Transit Facilities**

Yamhill County Transit Area (YCTA) Route 3 currently serves the study area. Route 3 is a local loop route, which in the study area, runs north along NE Evans Street. See Figure 2 for map of Route 3, with the development site indicated. Route 3 is a weekday only service, which runs from 8:00 AM to 5:00 PM and operates at one-hour headways.



FIGURE 2. STUDY AREA TRANSIT SERVICES.

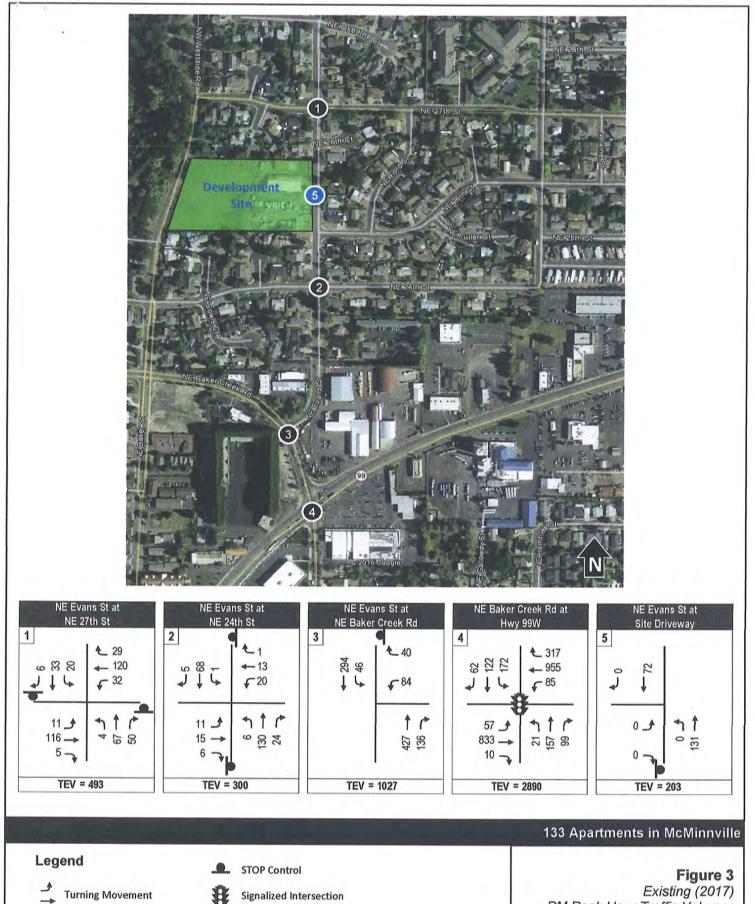
### Existing (2017) Traffic Conditions

PM peak (4:00 PM to 6:00 PM) traffic counts were conducted on Thursday, February 9, 2017 for the following intersections:

- 1. NE Evans St at NE 27th St
- 2. NE Evans St at NE 24th St
- 3. NE Evans St at NE Baker Creek Rd
- 4. NE Baker Creek Rd at Hwy 99W

The PM Peak Hour occurred on NE Baker Creek Rd at Hwy 99W from 4:40 PM to 5:40 PM. This common peak hour was used for all study area intersections. See Figure 3 for these existing volumes.





## **PM Peak Hour Volume** 

**TEV: Total Entering Volume** 

**Study Area Intersection** 1 1

Site Access Point

Existing (2017) PM Peak Hour Traffic Volumes

DAVID EVANS

Existing traffic operations were analyzed using the Highway Capacity Manual (HCM) 2010 standards for unsignalized intersections and HCM 2000 methodology for the signalized intersection; HCM 2010 does not report outputs for signalized intersections. See Table 1 for a summary of current operations.

**TABLE 1. SUMMARY OF CURRENT OPERATIONS** 

	Intersection		Operations		
1	NE Evans St at NE 27th St	V/C	0.24		
-	Unsignalized	LOS	В		
2	NE Evans St at NE 24th St	V/C	0.07		
	Unsignalized	LOS	В		
3	NE Evans St at NE Baker Creek Rd	V/C	0.41		
	Unsignalized	LOS	с		
4	NE Baker Creek Rd at Hwy 99W	V/C	0.60		
	Signalized	LOS	С		

### Assumptions and Methodology

Intersection operations were analyzed using Synchro, a microscopic traffic analysis program. As stated in the Executive Summary, the trip generation methodology used for the opening year analysis (2017) and the forecast year analysis (2037) varied as the two different analysis are designed to answer two distinctly different questions. Trip generation is based on the 9th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The generated trips were distributed based on local understanding of travel patterns. Background trips were increased annually based on observed trends. On opening day in 2019, the potential impacts of these 133 units were analyzed, while in 2037 the potential impact in the difference in trips from the apartment and single family homes were analyzed. Left turn warrants were also performed for both years.

The City's TSP states that the operational standard of McMinnville streets is a maximum v/c ratio of 0.90. The ODOT standard, however, applies only to the intersection of Evans Street at Hwy 99W and is a maximum v/c ratio of 0.85.

### **Trip Generation**

The maximum number of apartment units which could be built on the site under R-4 zoning is 133. The following analysis assumes that all 133 apartments are to be built; this was done to ensure that the maximum amount of potential trips are analyzed in this report. Should any fewer units be built, the analysis and recommendations of this report will still be valid. Generation rates were used for the weekday PM peak hour of adjacent street traffic. See Table 2 for a summary of apartment generated trips.



Description	Land Use Code	Size	ITE Average Trip Rate	Trips	Entering Percent	Entering Trips	Exiting Percent	Exiting Trips
Apartments	220	133 units	0.62 / unit	83	65%	54	35%	29

### **TABLE 2. TRIP GENERATION FOR APARTMENTS**

Trips were also calculated for 28 single-family homes, the maximum number that could be built on the site (see Table 2) under R-2 zoning. The reason for these single family home trips is that the site is currently zoned R-2, and should it be re-zoned from R-2 to R-4; the differences in trips resulting from the zone change represents additional (net new) trips to be analyzed in the forecast year. See Table 4 for the trips generated by the 28 single-family homes.

### **TABLE 3. TRIP GENERATION FOR SINGLE-FAMILY HOMES**

Description	Land Use Code	Size	ITE Average Trip Rate	Trips	Entering Percent	Entering Trips	Exiting Percent	Exiting Trips
Single-Family Homes	210	28 houses	1.00 / house	28	63%	18	37%	10

Table 4 below shows the difference in total, entering, and exiting trips as a result of the change in zoning. The Net New Driveway Trips will be added to the 2037 no-build volumes to determine the build volumes.

### TABLE 4. OPENING YEAR (2019) NET NEW TRIPS

		Trips	Entering Trips	Exiting Trips
Added	Apartments (proposed zoning)	83	54	29
Removed	Single Family Homes (current zoning)	28	18	10
Net New Driveway Trips		55	36	19

The new trips from the apartment units were distributed based on the percentages shown in Figure 4.

In addition to the new trips expected to be generated by the addition of 133 apartment units, an increase in background trips was also forecasted. A growth rate of 1.13% per year was calculated from link volumes from ODOT's Regional Travel Demand Model (RTDM).

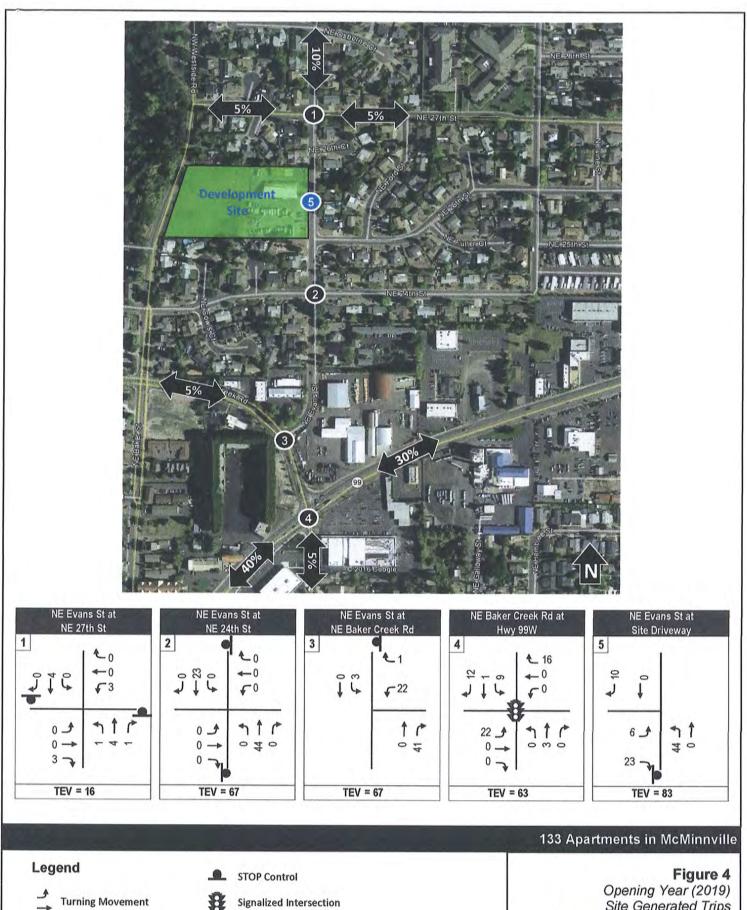
To validate the growth rate assumed in the RTDM several other methods were analyzed. A comparison was completed of total entering volume at the intersection of Evans Street at Hwy 99W between the 2006 count used for the TSP and the existing count collected for this study. This comparison showed that total entering volume had decreased over the last 11 years. This implies a negative growth rate. As a negative growth rate was deemed unacceptable for use in this analysis, a review of Automatic Traffic Recorder stations (ATRs) was also conducted at three locations. ATR 36-004 (Hwy 99W in Newberg)



indicated a 20-year historical trend of 1.11% growth per year. ATR 36-006 (OR 18 three miles west of 99W) indicated a 14-year (the longest period available) historical trend of 0.13% *decline* per year. ATR 36-005 (Hwy 99W in Amity) indicated a 20-year historical trend of 1.10% growth per year.

To be conservative, the highest calculated growth rate of 1.13% per year was used to growth existing volumes out to the analysis years of 2019 and 2037.





- ## PM Peak Hour Volume
- TEV: Total Entering Volume
- Study Area Intersection
  - Site Access Point

1

Site Generated Trips PM Peak Hour Traffic Volumes

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# **Opening Year Conditions**

The opening of 133 new apartment units is expected to be completed by 2019. At that time, there would be the 83 new trips calculated from the development of the apartments, as well as the 1.13% per year increase in background volumes.

# **Opening Year (2019)**

Figure 5 and Figure 6 summarize the future turn movement volumes for the study area and Table 5 summarizes the 2019 operations.

	Intersection		Operations			
	intersection		No Build	l Build		
1	NE Evans St at NE 27th St	V/C	0.26	0.30		
	Unsignalized	LOS	В	В		
2	NE Evans St at NE 24th St	V/C	0.09	0.10		
	Unsignalized	LOS	В	В		
3	NE Evans St at NE Baker Creek Rd	V/C	0.46	0.61		
	Unsignalized	LOS	D	D		
4	NE Baker Creek Rd at Hwy 99W	V/C	0.62	0.63		
	Signalized	LOS	С	С		
5	NE Evans St at Site Driveway	V/C N/A		0.05		
	Unsignalized	LOS	N/A	A		

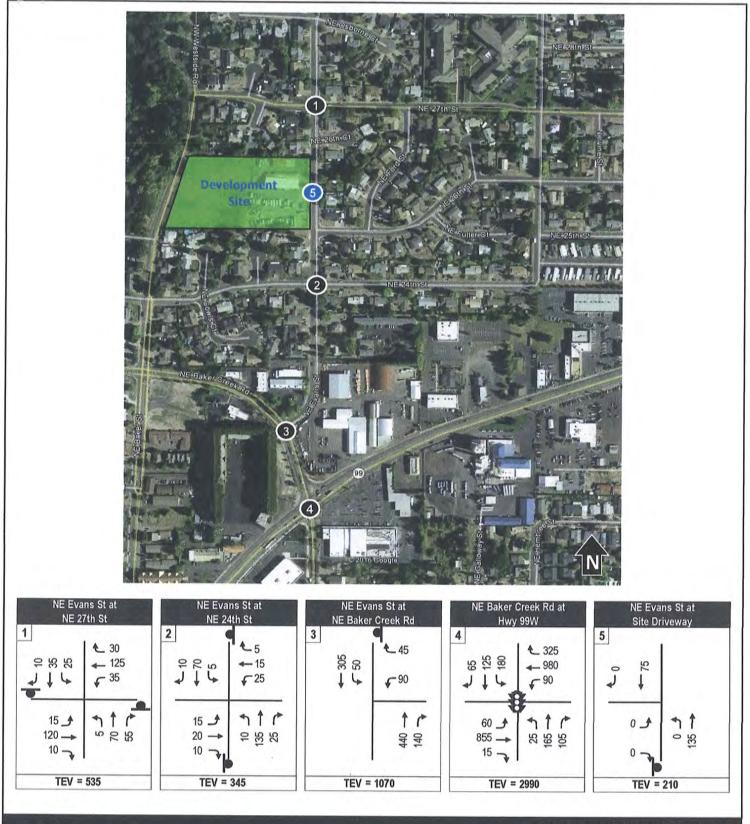
TABLE 5. OPENING YEAR (2019) OPERATIONS SUMMARY.

Source: DEA Synchro Model

# Turn Lane Warrant Analysis

To perform the turn lane warrant analysis at the site driveway for 2019 conditions, northbound and southbound volumes were combined and used with the northbound left turn volumes into the site driveway. These volumes were compared to the turn lane criterion plots in ODOT's Analysis and procedures Manual (APM). As seen in Figure 6, there are expected to be 135 northbound through movements, and 75 southbound through movements, for a total of 210, and 45 NBL turns. The speed of NE Evans Street is 25 mph. Given the anticipated 45 left turns, a turn lane would be warranted at greater than 300 combined northbound and southbound vehicles, and given the anticipated 210 northbound and southbound vehicles, the left turn volume would have to be greater than 60. Since neither of these conditions are met, a left turn lane is not warranted.





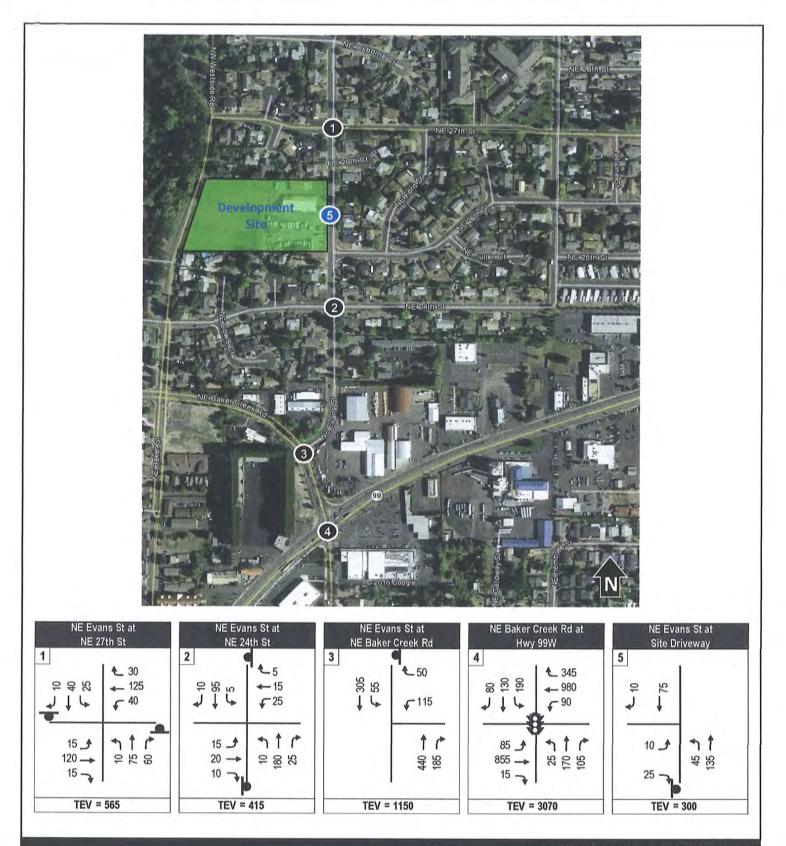
#### Legend

- **Turning Movement**
- ## **PM Peak Hour Volume**
- **TEV: Total Entering Volume**
- **STOP Control**
- Signalized Intersection X
- 1 **Study Area Intersection** 1
  - Site Access Point

133 Apartments in McMinnville

DAVID EVANS NPASSOCIATES INC.

Figure 5 Opening Year (2019) No-Build PM Peak Hour Traffic Volumes



#### Legend

- **Turning Movement**
- ## **PM Peak Hour Volume**
- **TEV: Total Entering Volume**
- Signalized Intersection ¥
- 1 **Study Area Intersection** 1
  - Site Access Point

**STOP Control** 

133 Apartments in McMinnville

Figure 6 Opening Year (2019) Build PM Peak Hour Traffic Volumes

AND ASSOCIATES

# **Planning Horizon Conditions**

As part of the long range planning process, conditions 20 years in the future (2037) were also analyzed. Two versions of the future were calculated: one with just background growth from 2017 to 2037, and one with the new trips from the change in zoning (the trips of the 133 new apartment units minus the trips of 28 single family homes) plus background growth from 2017 to 2037. Again, the reason for analyzing the difference between the trips from the apartments and the trips from the homes is that this analyzes the impact of the *change in zoning*, to determine if the proposed increase in density is consistent with the City's adopted TSP. See Figure 7 for the new trips and turn volumes from the change in zoning.

# Forecast Year (2037)

Figure 8 and Figure 9 show future volumes and turn movements for the study area in 2037 without development, and finally for 2037 with the additional trips from the change in zoning. Operations for the intersections in the study area are summarized in Table 6. All of the study area intersections are expected to meet the applicable operational standards.

	Intersection		Operations				
	Intersection		No Build	Build			
1	NE Evans St at NE 27th St	V/C	0.38	0.42			
	Unsignalized	LOS	С	С			
2	NE Evans St at NE 24th St	V/C	0.10	0.13			
	Unsignalized	LOS	В	В			
3	NE Evans St at NE Baker Creek Rd	V/C	0.75	0.88			
	Unsignalized	LOS	F	F			
4	NE Baker Creek Rd at Hwy 99W	V/C	0.79	0.82			
	Signalized	LOS	с	С			
5	NE Evans St at Site Driveway	V/C	NZA	0.03			
	Unsignalized	LOS	N/A	А			

TABLE 6. FORECAST YEAR (2037) OPERATIONS SUMMARY

# Left Lane Turn Analysis

The methodology for the left turn lane warrant analysis for 2037 was consistent with that of the 2019 analysis. As the combined through movements total 260 vehicles and the total northbound left turn volume into the site (not just the difference, but the total trips) is still expected to be 45 vehicles, the left turn lane is still not warranted.





NE Evans St at NE 27th St	NE Evans St at NE 24th St	NE Evans St at NE Baker Creek Rd	NE Baker Creek Rd at Hwy 99W	NE Evans St at Site Driveway	
1 $0$ $0$ $0$ $0$ $0$ $0$ $0$ $0$ $1$ $0$ $0$ $1$ $0$ $0$ $1$ $1$ $0$ $1$ $1$ $0$ $1$ $1$ $1$ $1$ $1$ $1$ $1$ $1$ $1$ $1$				5	
TEV = 11	TEV = 44	TEV = 44	TEV = 41	TEV = 55	

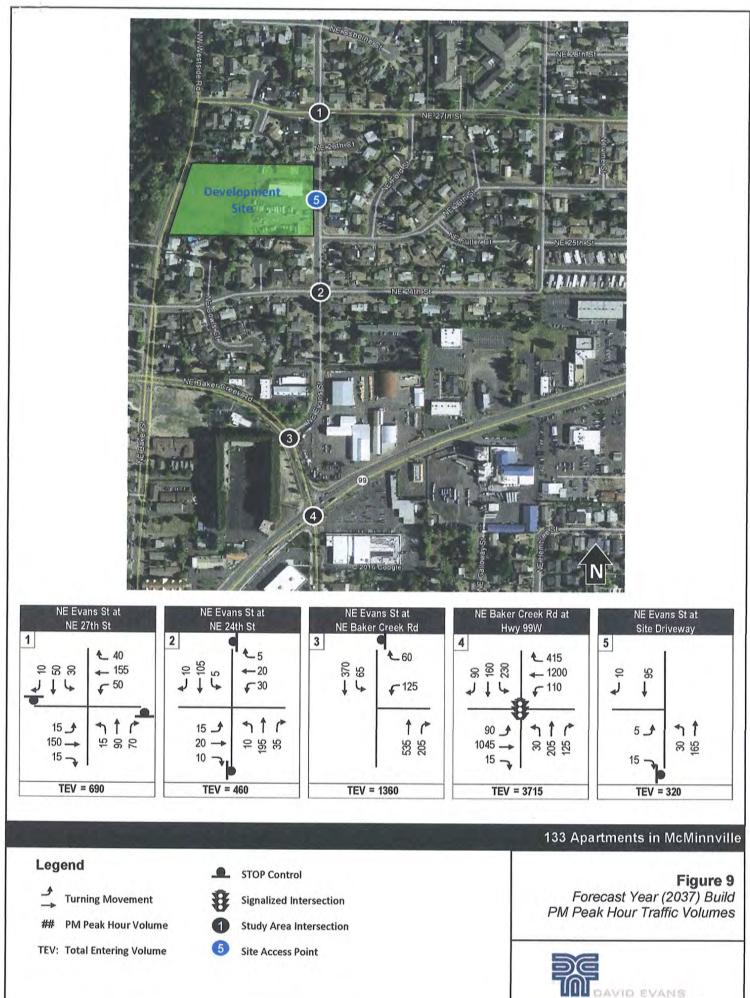
# Legend

- **Turning Movement**
- ## PM Peak Hour Volume
- **TEV: Total Entering Volume**
- STOP Control 0
- 我 Signalized Intersection
- 1 **Study Area Intersection**
- 1 Site Access Point

133 Apartments in McMinnville

**Figure 7** Forecast Year (2037) Site Generated Trips PM Peak Hour Traffic Volumes





AND ASSOCIATES

# **Findings and Recommendations**

For the opening year (2019) conditions, the additional trips caused by the 133 apartments are not expected to cause any intersections to exceed any City of McMinnville or ODOT operating standards. See Table 5 for full breakdown of anticipated V/C ratios. Based on the results of the analysis, no mitigations are necessary.

For the forecast year conditions (2037), the net increase in trips resulting from the R-2 to R-4 zone change did not cause any study area intersection to exceed either the City's (0.90) or ODOT's (0.85) v/c standard at any intersections in the study area. See Table 6 for a full summary of anticipated V/C ratios. Based on the results of the analysis, no mitigations are necessary.

Based on the anticipated volumes along NE Evans Street, and the and the Site driveway, left turn lane warrants are not met.

Based on the three findings above, the proposed zone change is commensurate with the City's TSP. It is recommended that the City of McMinnville approve the application to rezone the subject property from R2 to R4 with only one transportation related conditions of approval. This condition should require the construction of a sidewalk on the subject site frontage to further improve pedestrian connectivity commensurate with the City's TSP and Safe Routes to School plans.



#### NOTICE

#### Planning Commission

NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 20<sup>th</sup> day of April, 2017, at the hour of 6:30 p.m. in the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, relating to the following matter:

# CONDITIONAL USE PERMIT TO ALLOW SOCIAL RELIEF FACILITY TO BE CONSTRUCTED

#### DOCKET NUMBER: CU 1-17

TDJC, LLC, is requesting approval of a conditional use permit to allow for the construction and operation of a social relief facility at the property located at 1944 NE Baker Street. The social relief facility would be operated by Yamhill County Health and Human Services and would provide housing for individuals that are in need of assistance pertaining to individual independence. The property is more specifically described as Tax Lot 3400, Section 16CB, T. 4 S., R. 4 W., W.M.

## CONDITIONAL USE PERMIT FOR EXPANSION OF EXISTING ASSISTED LIVING FACILITY

#### DOCKET NUMBER: CU 2-17

RJ Development is requesting approval of a conditional use permit to allow for the expansion of the existing Parkland Village Assisted Living Facility. The expansion would allow for the addition of 18 units to the overall facility, resulting in a total of 68 units between the existing and proposed new buildings. The property is located at 3121 NE Cumulus Avenue, and is more specifically described as Tax Lot 100, Section 22DD, T. 4 S., R. 4 W., W.M.

# ZONE CHANGE FROM R-2 (Single-Family Residential) and LDR-9,000 (Low Density Residential -9,000 square foot minimum) to R-4 (Multiple-Family Residential)

#### DOCKET NUMBER: ZC 3-17/ZC 4-17

Premier Development, LLC, is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land. The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16BC, T. 4 S., R. 4 W., W.M., respectively.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE Fifth Street, McMinnville, Oregon, during working hours, and on the City of McMinnville website at <u>www.mcminnvilleoregon.gov</u>.

For additional information please contact Chuck Darnell, Associate Planner, at the above address, or by phone at (503) 434-7330.

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

Heather Richards

Planning Director

# **PUBLIC HEARING NOTICE**



NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 20<sup>th</sup> day of April, 2017, at the hour of 6:30 p.m. at the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

# ZONE CHANGE FROM R-2 (Single-Family Residential) and LDR-9,000 (Low Density Residential -9,000 square foot minimum) to R-4 (Multiple-Family Residential)

### DOCKET NUMBER: ZC 3-17/ZC 4-17

Premier Development, LLC, is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land. The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16 BC, T. 4 S., R. 4 W., W.M., respectively.

The Planning Commission will conduct a hearing and make a decision to recommend or deny the application to the McMinnville City Council. Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission and City Council in making a decision.

The Planning Commission's recommendation on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Testimony and evidence at the public hearing must be directed toward those criteria, which are generally as follows:

- 1. The goals and policies of the McMinnville Comprehensive Plan.
- 2. The requirements of McMinnville Ordinance No. 3380 (the Zoning Ordinance) with particular emphasis on Section 17.03.020 (Purpose), Chapter 17.21 (R-4 Multiple-Family Residential Zone), Chapter 17.72 (Applications and Review Process), and Chapter 17.74 (Review Criteria).

<u>17.74.020:</u> Comprehensive Plan Map Amendment and Zone Change - Review Criteria. An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

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

When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statute), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

The referenced zoning ordinance criteria is available for review in the Planning Department's portion of the city's website located at: <u>www.mcminnvilleoregon.gov</u>.

Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5th Street, McMinnville, Oregon, during working hours, and is available for review in the Planning Department's portion of the city's website located at: <u>www.mcminnvilleoregon.gov</u>.

For additional information contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.

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

Heather Richards Planning Director

(Map of area on back)

Recieved 4-14-178D Attachment 3

4/14/2017 @ Opposition to Reference zone change City File # ZC 3-17 Site Location and Description Property Address 2640 NE Baker Street McMinnville OR 97128 Assessor Map No R4416 BC 03201 Total Site Area 2.6 Acres Subdivision Joplin's Addition Block Lot 8 Comprehensive Plan Designation Residential Zoning Designation County VLDR-9000

3 Ruges w/2 Signi-Ture Roses

1. Comprehensive Plan Goal III 1: "Provide Positive Impacts on surrounding areas"

Citizens signing this petition believe the zone change to R4 is not compatible with this stated objective. The building of 133 units would disrupt the local community livability creating a different type of neighborhood. It would create higher traffic along NE Evans along with considerably more street congestion from increased parked cars affecting quality of life and public safety for pedestrians walking, riding, and using the Evans Street pocket park.

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

**General Housing Policies:** 

58.00 City land development ordinances shall provide opportunities for development of a variety of housing types and densities"

And

"61.00 The City of McMinnville shall monitor the conversion of lands to residential use to insure that adequate opportunities for development of all housing types are assured. Annual reports on the housing development pattern, housing density and mix shall be prepared for city review"

The proposed zone change in the greater neighborhood including Tice park demonstrates that the "Variety of Housing types and densities " will actually decrease the diversity of the area eliminating VLDR 9000 zoning area so that it does not exist in the surrounding area.

"71.06 Low Density Residential Development (R-1 and R-2) Low-density residential development should be limited to the following:

1. Areas which are committed to low density development and shown on the buildable lands inventory as "developed" land;

2. Areas where street facilities are limited to collector and local streets; "

The addition of high density R4 zoning with access only to NE Evans Street will put considerably more traffic and congestion onto the this street along with considerably more street parked vehicles as experienced in the Tice Apartment area.

"71.09 6. Areas that can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas. (Ord. 4961, January 8, 2013; Ord. 4796, October 14, 2003)"

In the opinion of the signers of the petition the R4 zoning proposal will not comply with the provisions of "71.09 6 buffering objective. This will greatly impact the livability of the single family housing that surrounds the area.

"71.10 1. The density of development in areas historically zoned for medium and high density development;"

"73.13 1. & 2.

The proposed zoning change is a deviation from the objective of 71.10 for "appropriate density "Changing the area from R2 to R4.

Policy 86 is violated in that the traffic and congestion in the area especially if limiting access only to N Evans will be increased as demonstrated by the Tice Park apartment area where street parking is a problem. Traffic most often moves through Evans from Tice Park.

An issue that has not been addressed is that schools in McMinnville are at capacity. More housing will send more students to Grandhaven Elementary School, placing pressure on facilities, classroom size, and educational quality.

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		ng.	aker-st-2501-ne-evans-st	6:30 pm		e-Family Residential )	Date	4-8-2017	4-8-2017	4-8-2017	LI02-8-7	1-8-2017	4-8 - 2017	4-8-2017	4-8-17	4-8-17	4-8-17	F1-8-H		4-8-19
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April 17, 2017

Mr. Ron Pomeroy Principal Planner McMinnville Planning commission 231 NE 5<sup>th</sup> Street McMinnville, OR



Dear Mr. Pomeroy,

I am writing today in response to a notification which I received on or around March 20<sup>th</sup> of this year. The notification was an announcement of a public hearing to be held on April 20<sup>th</sup>, 2017 and concerned a zone change requested by Premier Development, LLC and is Docket Number: <u>ZC #-17/ZC 4-17</u>.

Being a property owner who would be impacted by this proposed zone change I would like to offer my observations, opinions and concerns.

First off, the application posted online at the McMinnville planning web site states: "In addition to this completed application, the applicant must provide the following:

A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site such as: access; lot and street lines with dimensions; distances from property lines to structures; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.) If of a larger size, provide five (5) copies in addition to **an electronic copy** with the submittal."

Having searched the application, I found no such drawing. Without the ability to see a detailed site plan I found it difficult to answer important questions. My principle concerns regarding this proposal include, but are not limited to:

- 1. *Impact on the Baker Street traffic.* My house is located at 2430 Baker Street. With current traffic flow, I sometimes find it difficult to access and depart from this property. I want to be guaranteed there will never be access to this development via Baker Street.
- 2. Parking. Current zoning regulation provide for the following:

"17.21.020 Conditional uses. In an R-4 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74.030:

L. A multiple-family dwelling constructed to a higher density than normally allowed in the R-4 Multiple-Family zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met:

3. That off-street parking be provided at the rate of one and one-half parking stalls per unit. A variance to this requirement may be considered by the Planning Commission when the proposed housing structure is limited solely to elderly residents.

126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes."

There is no evidence this development is intended for habitation solely by elderly residents. It is therefore incumbent upon the applicant that they provide 199 off street parking places as well as provide the required 25% of the developed space to provide landscaping, room to maneuver vehicles and driving aisles. Again, not having seen a site plan I am unable to ascertain if these conditions have been met.

At this time, these are my concerns regarding this development. Should a detailed site plan emerge from these proceedings I may at that time have additional concerns.

Thank you for taking the time to review my response to the hearing notification regarding this zone change.

Respectfully,

Genh

Michael L Zenk 7875 Tarpiscan Road Malaga, WA 98828



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

www.mcminnvilleoregon.gov

# MEMORANDUM

DATE:	April 20, 2017
TO:	McMinnville Planning Commission
FROM:	Ron Pomeroy, Principal Planner
SUBJECT:	Additional testimony and staff response regarding ZC 3-16/ZC 4-17 (Premier Development, LLC)

# Additional Testimony received since the issuance of the Staff Report on April 13, 2017

A neighborhood petition in opposition to the Premier Development, LLC zone change proposal was received by the McMinnville Planning Department on April 14, 2017.

While the full text of this petition is provided as an attachment to this memo, the general concerns are summarized below in order for staff to provide written response:

 McMinnville Comprehensive Plan Goal III 1 states: "Provide positive impacts on surrounding areas." Redesignating this property to R-4 is not compatible with the surrounding area as it would disrupt the local community livability creating a different type of neighborhood, and increase street congestion from increased parked cars affecting the quality of life and public safety for pedestrians, bicycles and those using the Evans Street pocket park.

# Staff response:

Comprehensive Plan Goal III 1 relates to Cultural, Historical, and Educational Resources, not housing. This Goal states in full, "*To provide cultural and social services and facilities commensurate with the needs of our expanding population, properly located to service the community and to provide positive impacts on surrounding areas.*" The Policies that follow this Goal speak specifically to Community Center type facilities and not private residential development. This Goal is not applicable to the conclusionary findings of this application request.

Regarding the other concerns noted above, a traffic analysis was provided by the applicant modeling future impacts to the surrounding street system. This analysis concluded that the difference in impacts on the surrounding street system between the assumed R-2 (Single-Family Residential) zoning designation of the site through the year 2037, as modeled in the McMinnville Transportation System Plan (TSP), compared to impacts of the site being zoned R-4 were negligible and would not cause changes to the findings or recommendations of the TSP. The McMinnville Engineering Department concurs with this conclusion.

Memorandum

Date: April 20, 2017

Re: Additional testimony and staff response regarding ZC 3-17/ZC 4-17 (Premier Development, LLC)

#### Page 2

2. The petition references McMinnville Comprehensive Plan Goal V 1 and Policy 58.00. Goal V 1 states: "To promote development of affordable, quality housing for all city residents." Also referenced is Policy 58.00 which states: "City land development ordinance shall provide opportunities for development of a variety of housing types and densities." Also, Policy 61.00 stating; "The City of McMinnville shall monitor the conversion of lands to residential use to insure that adequate opportunities for development of all housing types are assured. Annual reports on the housing development pattern, housing density and mix shall be prepared for city review."

The petition states that changing the Yamhill County zone of LDR 9,000 to a City zone would decrease diversity.

#### Staff response:

For responses to Goal V 1 and Policy 58.00 I would direct the reader to Page 4 of the Decision Document where detailed findings are provided that speak to the variety of housing types and densities already present in the surrounding neighborhood. Additionally, urban development cannot occur on land within the city that yet carries a rural zone. In order for the western portion of this site to be provided City services such as sanitary and storm sewer service, or to receive issuance of building permits, the zone must be changed from a Yamhill County zone to a McMinnville zone. This action does not decrease diversity, rather it allows for residential development to occur commensurate with McMinnville comprehensive plan and zoning ordinance provisions.

3. The petition references Policies 71.06 and 71.10 which provide guidance for identifying appropriate locations for low-density (R-1 and R-2) and medium density (R-2 and R-3) residentially zoned land. The petition notes that zoning this site to R-4 would put considerably more traffic and congestion onto NE Evans Street and more vehicles parked along Evans Street as is experienced in the Tice Apartment area to the north.

#### Staff response:

Policies 71.06 and 71.10 do not apply to the relevant conclusionary findings as the applicant has not requested to rezone the site to either R-1, R-2 or R-3. Rather, the applicant has requested approval to rezone the site to R-4 which is addressed by Policies 71.09 and 71.13. These Policies are found on Page 5 of the Decision Document and the conclusionary findings on Pages 5 and 6. Additionally, the anticipated traffic impact is addressed by the traffic impact analysis provided by the applicant and reviewed by the Engineering Department.

4. The petition references Policies 73.13 1 and 2 noting that the proposal is a deviation from the objection of Policy 71.10.

#### Staff response:

In reviewing the Comprehensive Plan Policies, staff cannot identify Policy 73.13 1 or 2. There is a Policy identified as Policy 73.00 which speaks to Planned Developments, however there is no sub 1 or 2 and the applicant is not applying for a Planned Development zone change

Memorandum

Date: April 20, 2017

Re: Additional testimony and staff response regarding ZC 3-17/ZC 4-17 (Premier Development, LLC)

#### Page 3

5. The petition states that Policy 86.00 is violated due to anticipated traffic congestion in the area similar to the congestion demonstrated by the Tice Park apartment area.

#### Staff response:

Policy 86.00 and the relevant conclusionary finding is provided on pages 6 and 7 of the Decision Document and noted here for your reference. Policy 86.00 speaks generally to the desired dispersal of multiple-family housing throughout the community to avoid a concentration of people, traffic, congestion and noise.

6. The petition also notes that McMinnville schools are at capacity and additional housing will send more students to area schools.

#### Staff response:

This is not a criterion provided in the McMinnville comprehensive plan for consideration in land use matters. While this concern is noted and may be accurate, this is not part of the conclusionary findings applicable to this request

A letter dated April 17, 2017 was received through email by the Planning Department on April 17, 2017, and by postal mail on April 18, 2017, from Michael Zenk regarding the Premier Development, LLC zone change proposal.

While the full text of this letter is provided as an attachment to this memo, the general concerns are summarized below in order for staff to provide written response:

1. The letter notes that a site plan was not submitted as part of this application package with detail specified at the bottom of page four of the Comprehensive Plan Map Amendment/Zone Change Application which states:

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

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site, such as: access; lot and street lines with dimensions; distances from the property lines to structures, improvements and significant features (slope, vegetation, adjacent development, drainage, et.). If of a larger size, provide five (5) copies in addition to an electronic copy with the submittal.
- A legal description of the parcel(s), preferably taken from the deed.
- Payment of the applicable review fee, which can be found on the Planning Department web page."

#### Staff response:

Staff is satisfied that the applicant provide the required information as follows:

Memorandum

Date: April 20, 2017

- Re: Additional testimony and staff response regarding ZC 3-17/ZC 4-17
- (Premier Development, LLC)

Page 4

- Numerous graphics depicting the site including Google Earth images with scale noted. Yamhill County Tax Map identifying the site, and an additional site map provided on page 8 of the applicant's Hydraulic Analysis for the Baker/Evans Property technical memorandum. These maps and graphics together provide sufficient information to identify the site, existing improvements and surrounding development.
- A legal description of the site was provided by the applicant as well as the required application fee.
- The applicant's submitted material was of reproducible size.
- 2. The letter notes that the principal concerns regarding the proposal include impact on the Baker Street traffic and parking. Mr. Zenk references Chapter 17.21.020 (Conditional Uses) of the McMinnville Zoning Ordinance.

#### Staff response:

This reference relates to the potential ability to exceed the residential density by the R-4 zone. Subsection 5 of this reference identifies that this provision is only possible for those properties that are located within the McMinnville downtown core area bounded by First Street, Fifth Street, Adams Street and Johnson Street. The applicant's site is not within this area so this provision does not apply. Additionally, the applicant did not apply for and is not requesting a Conditional Use approval from the Planning Commission.

3. The letter notes that off-street parking should be provided at the rate of 1.5 parking stalls per multiple-family dwelling unit. Policies 126.00 and 127.00 regarding off-street parking are also referenced.

#### Staff response:

As the applicant has not submitted a development plan as part of this proposal, there is no parking plan to evaluate. The applicable parking requirements as stipulated in Chapter 17.60 of the McMinnville Zoning Ordinance will be applied upon the applicant's future submittal of a development plan for the site.

4. The letter notes that there is no evidence that this development is intended for habitation solely by elderly residents. Consequently, standard parking requirements shall apply as well as the provision of the required landscaping as part of future development.

#### Staff response:

Again, as the applicant has not submitted a development plan as part of this proposal, there is no parking plan to evaluate. The applicant has also not identified if this site will be designed specifically for habitation by "elderly residents." Landscaping and parking standards shall be applied to the future development of this site as required by the applicable portions of the McMinnville Zoning Ordinance based on the type and scale of development proposed.

# 1. Public Hearing (Quasi-Judicial)

# A. <u>Zone Change (ZC 3/4-17)</u> (Public Hearing Closed April 20, 2017, Deliberation Only)

1

- Request: Approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land.
- Location: 2501 NE Evans Street and 2640 NE Baker Street and more specifically described as Tax Lots 3200 and 3201, Section 16BC, T. 4 S., R. 4 W., W.M.
- Applicant: Premier Development, LLC

Chair Hall read the quasi-judicial hearing procedure. The public testimony portion of the hearing was closed on April 20, 2017. Commission deliberation was continued to this meeting to allow staff time to modify the conditions of approval.

Planning Director Heather Richards delivered the staff report. This was a zone change request for two parcels. The Commission reviewed the criteria for the request at the last Commission meeting. There was public testimony in support and some were opposed. The opposition focused on the negative impact to neighboring properties of going to a high density residential zone in proximity to a low density residential zone. The Commission asked staff to evaluate some proposed conditions of approval which were being brought back to the Commission tonight. The project was located between NE Baker and NE Evans. The existing zoning was R-2 and County zoning LDR-9,000 and the request was to change the zoning to R-4, the highest density residential zone.

Planning Director Richards explained that zone changes had to be consistent with the goals and policies in the Comprehensive Plan, had to be orderly and timely, consistent with the pattern of development in the area and be compatible with the neighborhood, and had to be effectively served with municipal utilities and services. When the proposed amendment concerned needed housing as defined in the Comprehensive Plan and State statutes, the criteria for neighborhood compatibility should not apply to the rezoning. There was a housing needs analysis from 2001 that showed the City needed 164 additional acres of R-4 and about 50 acres had been rezoned to R-4. There was a need for more R-4 and that extension did apply.

Planning Director Richards explained that the property was located on a collector, it was not an area of poor drainage, had adequate service from existing facilities, access to public transit, and was not geographically constrained. The one criterion it might not meet was whether it could be buffered from low density residential development. One of the things staff looked at as a potential condition of approval was how to mitigate the transition from high density to low density residential. Within a quarter mile and a half mile of the site, there was existing high density residential and parks. Access would be off of Evans Street, which was a minor collector. The maximum average number of daily trips would be 10,000 trips. The applicant did a traffic impact study and the study did not indicate any operational deficiencies on Evans or the surrounding street network. The public input received included a neighborhood petition with the following concerns: traffic on Evans and Baker Streets, elimination of the County zone which decreased diversity in the area, future multi-family development did not comply with the required buffering, impact to school capacity and classroom size, and an R-4 zone would create a different type of neighborhood with increased traffic.

Planning Director Richards explained that the conditions of approval that would be relevant for any development that would happen on this property as it developed into positing higher density. A public sidewalk on Evans would happen through the building permit process and it was not included as a condition. Condition 1 included land and design for a future bicycle and pedestrian connection to Baker. Baker was currently a County street and was not developed to City standards. If it was developed to City standards in the future, the land would be set aside to be able to make that connection. Commissioner Schanche wanted surety that this would happen, however the Code did not require that type of surety for improvements that were internal to the property and staff was not able to come back with that recommendation as part of the condition. There was concern about vehicular access on Baker, but the City never intended that when the site developed that there would be access on Baker. Not allowing access on Baker was recommended Condition 2. There were two recommendations to mitigate the high density development that was adjacent to low density. Condition 3 stated that for anything built over 35 feet in height, the side yard setback would be increased by one foot for each foot of building height over 35 feet. Condition 4 stated if the property was built as a multi-family development complex, buffering would be provided between the development and low density neighborhood in the form of berms or landscaping. Staff recommended approval of the application with conditions.

Commissioner Schanche was disappointed a walkway could not be required. She wanted to make sure the design included access.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Chroust-Masin MOVED to approve ZC 3/4-17 subject to the staff recommended conditions of approval as amended. SECONDED by Commissioner Geary. The motion CARRIED 5-0.

#### Planning Commission Minutes

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April 20, 2017

Commissioner Butler asked about the people furthest north, would they have to go through the original building and all the way back. Mr. Snodgrass said the existing figure eight was the assisted care and there would be a door between that and the new facility. If a family member brought them back, they would check in with the front desk and walk through the building.

Commissioner Dirks asked if they intended to incorporate all of the recommendations in the geotechnical report. The residents would have a difficult time in a seismic event and she wanted to make sure the recommendations were followed. Mr. Snodgrass said the engineers for the project would follow the report.

Associate Planner Darnell said it was in the conditions that the Building Official would require what needed to be done to make sure the facility was structurally sound. Planning Director Richards stated the Building Code was a mini-maxi code where a standard had to be achieved and the Building Official could not ask for more than that. If there were recommendations in the geotechnical report, but the Code did not require them, it was the owner's decision to move that forward or not. The Building Code had a higher standard for vulnerable populations.

Commissioner Dirks said a certain number of units would be reserved for moderate income individuals and asked exactly what that meant. Mr. Snodgrass said they would accept Medicaid.

Proponents and Opponents: None.

The applicant waived the 7 day period for submitting final written arguments in support of the application.

Chair Hall closed the public hearing.

Commissioner Chroust-Masin thought the application met all of the criteria. There was a need for this type of facility in the City. He was in favor of the application.

Commissioner Dirks stated the applicant had done a good job of placing the expansion where they did. It was a good plan and a good application.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Chroust-Masin MOVED to approve CU 2-17 subject to the staff recommended conditions of approval. SECONDED by Commissioner Dirks. The motion CARRIED 7-0.

#### C. Zone Change (ZC 3/4-17)

- Request: Approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land.
- Location: 2501 NE Evans Street and 2640 NE Baker Street and more specifically described as Tax Lots 3200 and 3201, Section 16BC, T. 4 S., R. 4 W., W.M.

Applicant: Premier Development, LLC

Chair Hall opened the public hearing and read the hearing statement. He asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Chair Hall asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none.

Chair Hall asked if any Commissioner had visited the site. If so, did they wish to discuss the visit to the site? Most of the Commission had visited the site. There was no discussion regarding the visits.

Principal Planner Ron Pomeroy presented the staff report. He entered an additional item into the record, a memo from staff to address two items of testimony that were provided after the issuance of the staff report. One of the items was a neighborhood petition and the other was an individual letter. He summarized the main concerns. Some of the criteria, policies, and goals identified in these two items were not applicable as review criteria as they spoke about other things that did not factor into the decision making of zone change requests. Most of the other items related to traffic and neighborhood fit. Those would be addressed in his presentation. He discussed the location of the site, which was made up of two parcels. It was located east of North Baker Street and west of Evans Street. The property was zoned R-2 on the eastern portion and LDR 9,000 on the western portion. The request was to change the zoning to be all R-4. The criteria for the zone change included being consistent with the goals and policies of the Comprehensive Plan, the proposal was orderly and timely, and it could be adequately served by municipal utilities and services. The proposal had direct access to collector and arterial streets and was in an area not prone to flooding. There were adequate services from existing facilities and public transit services were located within a quarter mile. It was not geographically constrained and it could be buffered from low density residential development which was adjacent to the property to the north and south. The property was also within one quarter mile from commercial services. The written testimony that had been received was summarized in the staff report. In terms of neighborhood fit, there were existing multi-family developments within a quarter mile and a half mile. Included in these multi-family developments were assisted living and retirement facilities. There were three schools located within a half mile of this location. Two parks were located in a quarter mile and there was a pocket park located adjacent to the property on the southern edge. He thought the R-4 matched the existing development pattern. Regarding street classification, Evans Street was a minor collector and was located on the eastern edge of the property. It had a carrying capacity of 10,000 trips per day. The Transportation System Plan assumed a density of R-2 for this site. The applicant commissioned David Evans and Associates to provide a transportation analysis if the property was rezoned to R-4 and built out to its fullest extent which would be 133 apartment units. When the consultant modeled what impacts there would be through 2037, he found negligible impact and had no recommendations for any different traffic improvements than what would be required for the property remaining R-2. The City's Engineering Department concurred. There is transit service on Evans adjacent to the eastern edge of the property. Staff recommended that the Commission recommend approval of the zone change to the City Council. There were no conditions of approval because there was no development plan included.

Commissioner Schanche said there was a condition in the David Evans traffic study, to add a sidewalk along Evans Street. She wanted to make sure there was pedestrian access to the park on Baker Street. Principal Planner Pomeroy said that would be part of the standard street improvement requirements. Planning Director Richards said that condition could be added to this application.

Commissioner Chroust-Masin asked if the applicant owned both properties. Principal Planner Pomeroy said the applicant owned one and was in the process of acquiring the other. The existing business on the eastern property was legally non-conforming as to use.

Commissioner Geary asked for clarification on the next steps in the process. Principal Planner Pomeroy explained if the zone was changed to R-4 and there was an application for multifamily development, they would be allowed to proceed through the building permit process. There was no planned development overlay or other requirement to come back to the Planning Commission for review. If they did not develop to R-4 but wanted to put in a subdivision, if it was ten lots or less it would be a Planning Director review. If it was 11 or more lots, it would come back to the Planning Commission. Whether the Commission saw this property again for development review and a public process depended on what the applicant ultimately proposed to develop.

Commissioner Geary asked if they could include a condition that it come back to the Planning Commission regardless. Planning Director Richards said the process for the types of land use applications and how they were reviewed was spelled out in the zoning ordinance and there were no exemptions to that. If there were concerns about safe access to the park or full sidewalk construction, those could be added as part of the zoning decision and those would run with the property. Multi-family was an outright permitted use in this zone and there was no process for reviewing multi-family development in the City's code. They could change that for the future, as most communities had a review process for multi-family development. When there was a building permit application, there would be a site and design review by staff. There would be no land use decision and no notice would be sent out.

Commissioner Dirks said Yamhill County was concerned about access from Baker because the street was already full, but the neighborhood was concerned about traffic on Evans. She asked what the process would be for site and design review about those issues and whether those opinions would be factored into the review. Principal Planner Pomeroy said yes, the City had long held that the property would not be able to access Baker because of distance from a nearby intersection and because Baker was an arterial. Access would be on Evans and the design and access point would be taken from the David Evans traffic study and Transportation System Plan. Planning Director Richards said the traffic analysis was reviewed by Engineering and was based on a national manual in terms of the science that was applied to it. The City relied on it for forecasting traffic and the impacts to intersections.

Applicant: Lori Zumwalt, representing the applicant, stated staff had described the application well and she was there to answer any questions.

Commissioner Chroust-Masin asked if they were planning to purchase both properties and what was the plan for the properties. Ms. Zumwalt said yes, they had purchased the property

to the west and were in contract with the one to the east. The plan was to develop multi-family housing as it was the most cost effective for the site.

Commissioner Butler asked if they planned to develop 133 units. Ms. Zumwalt said they used that number because it was the City's criteria for evaluating how many units could go on the site. Physically they were not sure if that many would fit with the amount of landscaping and parking required.

Proponent: Mark Davis, McMinnville resident, was in support of the application as the City was lacking in R-4 land. The neighbors had some valid objections, but more land needed to be available for higher density, and the only way to get it currently in the City was through zone changes. This application was a good idea because of the need for R-4 land.

Dennis Lauber, McMinnville resident, said buffering between the low density and high density was one of the objectives, but it was not addressed. He wondered how that would be handled. Ms. Zumwalt said it was required to have 25% of the land used for landscaping and it would have to be reviewed by the Landscape Review Committee. Buffering would be one thing the Committee would look at. Associate Planner Darnell said when the landscape plan came to the Landscape Review Committee, it would be a public meeting and citizens could provide input at that time. Planning Director Richards said it could be a condition of approval that there would be buffering on the sides of the property adjacent to single family residential. They could also make a condition that when the landscape plan was submitted to the Landscape Review Committee that notification be sent to surrounding property owners within so many feet. The Landscape Review Committee reviewed applications against Code criteria.

Opponents: Gloria Martin, McMinnville resident, lived directly beside this property on the north. She did not think they needed more multi-family housing in this area. There had been multiple accidents on Evans and 27<sup>th</sup> as it was an unsafe intersection and there was heavy congestion on Evans in the peak morning hours. There had been a shooting at the park. She thought this would deplete property values. This was not the area for more multi-family housing.

Mr. Lauber asked when a traffic study was done if they took into account the number of parked cars on the road that caused additional congestion. He thought they should take into account that directly across from the commercial property entrance there were houses that emptied onto the road. If they weren't going to make improvements, that would be a big mistake.

Principal Planner Pomeroy said traffic studies relied on the previous modeling that was done for the Transportation System Plan. It took into account current traffic flows and traffic flows that were anticipated based on future zoning that was incorporated in the model in 2010. It also took into account the number of vehicle parking spaces that were along existing streets. It could not take into account speeding or other crimes.

Chair Hall clarified the conclusion was not that there would be no effect, but that the effect would remain within acceptable limits of the designed infrastructure. Planning Director Richards said in regard to the on-street parking, the traffic analysis looked at the street specifications for each type of street. If the street was designed to accommodate parking it would be taken into account. In terms of land use impacting parking on the street, ideally there should be enough off street parking required so people were not parking on the street. The

traffic analysis looked at the types of street, how it was designed, and the type of traffic it would accommodate.

Dewey McClure, McMinnville resident, owned property adjacent to this site. He thought this development would clean up the mess that had been on the site for a long time. He was concerned about the traffic, density, and the effect on property values. He was specifically concerned about drainage on his property. During the winter, there was standing water in his backyard as it did not run off to the street or tax lot behind him due to the way the drainage was set up. He did not think they should approve a zone change without a development plan. He also requested there be mitigation for the drainage problem. Planning Director Richards said when it came in for building permit review, part of the review was drainage. Stormwater had to be retained and drained on site.

The applicant did not present rebuttal. She waived the 7 day period for submitting final written arguments in support of the application.

Chair Hall closed the public hearing.

Commissioner Schanche suggested a condition of approval that stated "future development shall include construction of a sidewalk along Evans Street and pedestrian access to Baker Street consistent with the City's Transportation System Plan and Safe Roads to Schools Plan and Policy 132.15 to provide pedestrian connections with adjacent neighborhoods". There should be no access onto Baker Street for vehicles, and that might also need to be a condition.

Commissioner Dirks said there was concern about what this development would be like. She asked if it could come back before the Commission so the neighbors could have input on the land use. She would like to build in as much review as possible for the public to know what was going to happen and to comment on it. Planning Director Richards said staff would have to come back with information on that option.

Commissioner Schanche also wanted to add in the condition that buffering techniques would be provided to screen the existing residential homes in the form of vegetation, fencing, and berms.

Principal Planner Pomeroy said if this application was approved, the Code allowed them to proceed with a multi-family development without additional public land use review. Staff could check with legal counsel to find out if there was a way to require a public land use review.

Chair Hall was in favor of continuing the hearing for staff to draft some conditions to address the concerns that had been discussed and to research the possibility for a future public land use review.

Commissioner Butler thought there was a need for multi-family housing and was in favor of approving the zone change without conditions.

Commissioner Thomas agreed with Commissioner Butler.

Commissioner Geary concurred that R-4 was greatly needed in the City. The application exposed a weakness in the process which could be addressed at a later time. This was a straightforward request and he was confident the end product would be of benefit to the area and the concerns would be alleviated.

Commissioner Dirks thought there was a need for R-4 and the zone change should be approved. Her suggestion was to give the neighbors awareness and the opportunity for more input on how the property would be developed as they went forward.

Commissioner Schanche agreed there was a need for R-4, however in this situation there were too many questions. She preferred to have the conditions included.

Commissioner Butler was in favor of a condition notifying the surrounding area when it went to the Landscape Review Committee.

Planning Director Richards said the Commission could make a decision based on the decision document in front of them tonight, the Commission could amend the decision document and add conditions of approval, or the Commission could continue the public hearing to have staff draft conditions and a decision would be made at the next hearing.

Commissioner Geary MOVED to DIRECT staff to draft conditions addressing the concerns that were raised and to CONTINUE the public hearing to the May Commission meeting. SECONDED by Commissioner Schanche. Motion PASSED 4-3 with Commissioners Chroust-Masin, Butler, and Thomas opposed.

#### 5. Old/New Business

None.

#### 6. Commissioner Comments

None.

7. Staff Comments

None.

#### 8. Adjournment

Chair Hall adjourned the meeting at 9:08 p.m.

Heather Richards

Secretary



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

www.mcminnvilleoregon.gov

# **STAFF REPORT**

**DATE:** June 13, 2017

TO: Mayor and City Councilors

FROM: Ron Pomeroy, Principal Planner

**SUBJECT:** Ordinance No. 5023 – G 2-17 (Zoning Ordinance Text Amendment to amend Chapter 17.53.101(L) (Land Division Standards – Street Grades and Curves)

# Council Goal:

Promote Sustainable Growth and Development

# **Report in Brief:**

This is the consideration of Ordinance No. 5023 (attached to this Staff Report), an ordinance amending Chapter 17.53.101(L) of the McMinnville Zoning Ordinance, (Land Division Standards – Street Grades and Curves) to allow local street grades up to and including fifteen (15) percent grades.

On May 18, 2017, the McMinnville Planning Commission voted to recommend to the McMinnville City Council that they approve the proposed McMinnville Zoning Ordinance Text Amendment.

Exhibit A of Ordinance No. 5023 contains the Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings.

#### Background:

In recent years, local development has encountered challenges to subdivision design (e.g., street grade, street orientation, lot configuration) in the McMinnville West Hills area due to the existence of numerous steep slopes and associated ravines traversing the hillside often at discordant angles. As urban development continues to move into more geographically challenging areas, increasing the allowable street grade for local streets may help to further efficient development supportive of greater densities and help provide additional residential housing opportunities for area residents.

The maximum street grade allowed for construction of local streets (non arterial and non collector streets) is currently limited by Section 17.53.101 (L) of the McMinnville Zoning Ordinance to a grade not to exceed 12 (twelve) percent. Currently the Planning Commission is provided the ability to approve steeper grades where existing conditions, particularly topography, make it otherwise impractical to create buildable lots. This action requires approval of a Variance or Planned Development application and is somewhat costly for the applicant in time and treasury. And due to the safety implications of street grades for emergency responders, the City felt it was more appropriate to establish a maximum threshold for street grades.

Attachments:

Ordinance No. 5023 including Exhibit A – G 2-17 Decision Document

Attachment 1: Table of Maximum Street Grades in Oregon

Attachment 2: Public Notices

Attachment 3: Public Testimony Received

Attachment 4: Draft Planning Commission Meeting Minutes, May 18, 2017

Staff researched what other municipalities did in terms of street grades and worked with local partners, including the McMinnville Fire Department and Engineering to draft a code that the City feels is safe and allows development to occur in the West Hills. (Please see Attachment 1 of this staff report).

Through these discussions, and some informal positive vetting with a local developer currently challenged with this limitation, staff is proposing amendments to a specific element of the Land Division Standards chapter of the McMinnville Zoning Ordinance. The proposed amendments address three areas: 1) street grade; 2) length of the steep street section; and, 3) residential fire suppression and are summarized below.

1) Street Grade

The City of Tigard has years of experience in allowing steep street residential development in numerous hillside areas; perhaps most notably in the Bull Mountain area located near the City's southern edge and west of Highway 99W. McMinnville Planning staff contacted the Tigard Engineering Department and discusses their City's allowance for the development of steeper streets. They indicated that some streets with up to an 18 percent grade have been locally permitted although this circumstance is not desirable from the engineering or fire safety perspective and not common. Rather, construction of local residential streets with grades up to 15 (fifteen) percent are permitted as a city standard as found in Tigard's development ordinance (Section 18.810.030(N)).

McMinnville Planning staff shared this information with the McMinnville Fire Department and found a commonality in that the McMinnville Fire Department also allows for street grades of up to 15 (fifteen) percent for construction in rural areas. There are also other provisions that apply to the often uneven and gravel based rural roads that are not applicable to paved streets constructed to urban standards located within the city limits. The McMinnville Fire Department concurs with and supports an amendment to allow local residential streets to be constructed with grades up to and including 15 (fifteen) percent with provisions noted below.

The Planning Department also recently discussed the possibility of this amendment with a developer currently facing this type of design challenge. In those discussions the developer, and their associated engineers, voiced great support for adoption of an amendment to increase the local residential street grade limitation from 12 (twelve) to 15 (fifteen) percent. Such an amendment would allow for additional flexibility in the design of the local street network and may result in the creation of additional residential building lots rather than the result of potentially oversized lots due to accessibility constraints.

2) Length of Steep Street Section

In considering adoption a standard to allow local streets of steeper grades, consideration of the practical movement and operation of Fire Department apparatus along those grades is critical. Increased grades place additional strain on the heavier Fire Department vehicles and can have the effect of decreasing speed of reaching their emergency destination. Shorter lengths of steeper grades can be more easily accommodated by these vehicles as the flatter intersections or sections of shallower grade act as "refuges" allowing the heavier vehicles to regain momentum. In rural areas, the McMinnville Fire Department allows street lengths with grades of 15 (fifteen) percent to be no more than 200 feet in length to help mitigate the grade effect on speed described above. In urban areas, it is recommended that the 200 foot maximum length for street lengths with grades of 15 (fifteen) percent also be adopted. This maximum street section length exhibiting an increased grade is based on Fire

Attachments:

Ordinance No. 5023 including Exhibit A – G 2-17 Decision Document Attachment 1: Table of Maximum Street Grades in Oregon Attachment 2: Public Notices Attachment 3: Public Testimony Received Attachment 4: Draft Planning Commission Meeting Minutes, May 18, 2017 Department operational constraints. In particular, operation of the fire engine's pumps while the engine is parked on grades exceeding 12 (twelve) percent can cause increased load on the pumps potentially leading to equipment failure. Additionally, having "refuges" of shallower street grade spaced no more than 200 feet apart allows an operationally safer angle on which to park the engine and operate the pumping system. As seen in the recommended code amendments below, these "refuges" would be a minimum of 75-feet in length and may often be found to occur at street intersections which are already locally constructed to national recommended Public Rights-of-Way Accessibility Guidelines (PROWAG) allowing a maximum five (5) percent slope. This also allows the Fire Department to pull hoses feet in any direction to reach all properties.

3) Residential Fire Suppression

For residences where access would be provided by streets with grades exceeding the City's historic standard of 12 (twelve) percent, additional street design standards and fire safety measures are recommended. This is to help provide an extra measure of safety not only for the individual residence that may be at risk, but also for additional adjacent or nearby residences that could easily be affected should there be an occurrence of a large residential fire. In response to that concern, it is recommended not only by the McMinnville Fire Department and the McMinnville Building Official, but is also becoming an industry standard, that residences that can only be reasonably reached by travel along a street with a grade exceeding 12 (twelve) percent must be provided with a residential fire suppression sprinkler system prior to the issuance of the final occupancy for the residence.

A draft version of Chapter 17.53.101 (Streets) – (L) Grades and curves, showing proposed amendments and deletions of existing text, are provided below. Text proposed to be added is shown in **bold underlined** font while text proposed to be removed is shown in strikeout font. The specific amendments that are being proposed are as follows:

"Chapter 17.53.101 (Streets) – (L) Grades and curves.

Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street <u>except as described below</u>. <u>Any local street grade</u> <u>exceeding 12 (twelve) percent shall be reviewed for approval by the Fire Code Official during the land use application review process. When a local residential street is approved to exceed 12 (twelve) percent the following shall be required:</u>

- 1. <u>A maximum of 200 feet of roadway length may be allowed with a grade between 12</u> (twelve) percent and 15 (fifteen) percent for any one section. The roadway grade must reduce to no more than 12 (twelve) percent for a minimum of 75 linear feet of roadway length between each such section for firefighting operations.
- 2. Fire sprinklers shall be installed in all residential and commercial structures whose access road is constructed at a grade higher than 12 (twelve) percent. The approval of such fire sprinklers shall be accomplished in accordance with the provisions of ORS 455.610(6).

Centerline radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 (ten) feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept steeper grades and sharper curves"

Attachments:

Ordinance No. 5023 including Exhibit A – G 2-17 Decision Document

Attachment 1: Table of Maximum Street Grades in Oregon

Attachment 2: Public Notices

Attachment 3: Public Testimony Received

Attachment 4: Draft Planning Commission Meeting Minutes, May 18, 2017

# Discussion:

The Planning Commission received both written and oral testimony in support and opposition to this legislative text amendment.

Supportive testimony focused on the following elements:

- Reasonable accommodations
- Opens up development in the West Hills and helps to preserve land better suited for farming.

Oppositional testimony focused on the following elements:

- Concern about the grade of the streets relative to safety (fire apparatus capacity, skateboarders, vehicular speeds)
- Concern about the ability for fire apparatus and school buses to navigate the street grade.
- Concern about whether or not all homes over a 12% street grade need to be sprinklered even if the home is built on one of the flat plateaus.

Representatives from McMinnville Fire and McMinnville Engineering were available to address the questions and concerns.

All written public testimony received by the Planning Commission is provided as Attachment 3 to this staff report. And Attachment 4 is the draft Planning Commission meeting minutes summarizing the oral testimony of the public hearing.

# Fiscal Impact:

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

#### **Council Options:**

- 1. **ADOPT** Ordinance No. 5023, approving G 2-17 and adopting the Decision, Findings of Fact and Conclusionary Findings.
- 2. ELECT TO HOLD A PUBLIC HEARING date specific to a future City Council meeting.
- 3. DO NOT ADOPT Ordinance No. 5023.

#### **Recommendation/Suggested Motion:**

Staff recommends that the Council adopt Ordinance No. 5023 which would approve the application for a planned development amendment as the proposal meets the policies of the McMinnville Comprehensive Plan and the criteria of the McMinnville Zoning Ordinance.

"THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE TO ADOPT ORDINANCE NO. 5023."

Attachments:

Ordinance No. 5023 including Exhibit A – G 2-17 Decision Document

Attachment 1: Table of Maximum Street Grades in Oregon

Attachment 2: Public Notices

Attachment 3: Public Testimony Received

Attachment 4: Draft Planning Commission Meeting Minutes, May 18, 2017

#### ORDINANCE NO. 5023

# AN ORDINANCE AMENDING THE MCMINNVILLE ZONING ORDINANCE SPECIFIC TO SECTION 17.53.101(L) LAND DIVISION STANDARDS – STREET GRADES AND CURVES) TO ALLOW LOCAL STREET GRADES UP TO AND INCLUDING FIFTEEN (15) PERCENT.

#### RECITALS:

In recent years, local development has encountered challenges to subdivision design (e.g., street grade, street orientation, lot configuration) in the McMinnville West Hills area due to the existence of numerous steep slopes and associated ravines traversing the hillside often at discordant angles. As urban development continues to move into more geographically challenging areas, increasing the allowable street grade for local streets may help to further efficient development supportive of greater densities and help provide additional residential housing opportunities for area residents; and

In concert with the McMinnville Engineering Department and Fire Department, staff drafted proposed amendments (G 2-17) to McMinnville Zoning Ordinance (Ordinance 3380) specific to Section 17.53.101(L) (Land Division Standards – Street Grades and Curves) for consideration by the McMinnville Planning Commission and the McMinnville City Council; and

A Planning Commission work session on this matter was held on April 20, 2017. The first public hearing before the McMinnville Planning Commission was held on May 18, 2017, after due notice had been provided in the local newspaper on Tuesday, May 9, 2017. At the May 18, 2017, Planning Commission public meeting, after the application materials and a staff report were presented and testimony was received, the Commission closed the public hearing, deliberated and, and voted unanimously to recommend approval of G 2-17 to the City Council; and

The City Council, being fully informed about said request, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the comprehensive plan text amendment criteria listed in Section 17.72.020 of the McMinnville Zoning Ordinance based on the material submitted and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The City Council having received the Planning Commission recommendation and staff report, and having deliberated;

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

1. That the Council adopts the Findings of Fact, Conclusionary Findings and Decision as documented in Exhibit A for G 2-17; and

2. That Chapter 17.53.101 (Streets) – (L) Grades and curves, is amended as provided below. Text that is added is shown in <u>**bold underlined**</u> font while text that is removed is shown in <del>strikeout</del> font. The specific adopted amendments are as follows:

Chapter 17.53.101 (Streets) – (L) Grades and curves

Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street <u>except as described below</u>. <u>Any local street grade</u> <u>exceeding 12 (twelve) percent shall be reviewed for approval by the Fire Code Official during the land use application review process. When a local residential street is approved to exceed 12 (twelve) percent the following shall be required:</u>

- <u>A maximum of 200 feet of roadway length may be allowed with a grade between</u> <u>12 (twelve) percent and 15 (fifteen) percent for any one section. The roadway</u> <u>grade must reduce to no more than 12 (twelve) percent for a minimum of 75</u> <u>linear feet of roadway length between each such section for firefighting</u> <u>operations.</u>
- 2. Fire sprinklers shall be installed in all residential and commercial structures whose access road is constructed at a grade higher than 12 (twelve) percent. The approval of such fire sprinklers shall be accomplished in accordance with the provisions of ORS 455.610(6).

Centerline radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 (ten) feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept **steeper grades and** sharper curves."

3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 13<sup>th</sup> day of June 2017, by the following votes:

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

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

MAYOR

Attest:

Approved as to form:

CITY RECORDER

CITY ATTORNEY



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

503-434-7311 www.mcminnvilleoregon.gov

#### DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF LEGISLATIVE AMENDMENTS TO CHAPTER 17.53 (LAND DIVISION STANDARDS) OF THE MCMINNVILLE ZONING ORDINANCE.

**DOCKET:** G 2-17

- **REQUEST:** The City of McMinnville is proposing to amend Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance to update provisions related to street grade limitations and requirements.
- LOCATION: N/A
- ZONING: N/A
- APPLICANT: City of McMinnville
- **STAFF:** Ron Pomeroy, Principal Planner
- **HEARINGS BODY:** McMinnville Planning Commission
- **DATE & TIME:** May 18, 2017. Meeting held at the Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.

DECISION MAKING

- BODY: McMinnville City Council
- **DATE & TIME:** June 13, 2017. Meeting held at the Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.
- **COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Engineering Department, McMinnville Fire Department, McMinnville Building Department, and McMinnville Public Works Department. No comments in opposition have been received.

# DECISION

Based on the findings and conclusions, the Planning Commission recommends **APPROVAL** of the legislative zoning text amendments (G 2-17) to the McMinnville City Council.

City Council:	Date:
Scott Hill, Mayor of McMinnville	
Planning Commission: Roger Hall, Chair of the McMinnville Planning Commission	Date:
Planning Department: Heather Richards, Planning Director	Date:

#### Application Summary:

The City of McMinnville is proposing to amend Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance to update provisions related to maximum street grade of non-arterial and non-collector streets.

The maximum street grade allowed for construction of local streets (non arterial and non collector streets) is currently limited by Section 17.53.101(L) of the McMinnville Zoning Ordinance to a grade not to exceed 12 (twelve) percent. While the Planning Commission is provided the ability to approve steeper grades where existing conditions, particularly topography, make it otherwise impractical to create buildable lots, this action requires approval of a Variance or Planned Development application and is somewhat costly for the applicant in time and treasury.

In recent years, local development has encountered challenges to subdivision design (e.g., street grade, street orientation, lot configuration) in the McMinnville West Hills area due to the existence of numerous steep slopes and associated ravines traversing the hillside often at discordant angles. As urban development continues to move into more geographically challenging areas, increasing the allowable street grade for local streets may help to further efficient development supportive of greater densities and help provide additional residential housing opportunities for area residents.

In concert with the McMinnville Engineering Department and Fire Department, staff has drafted the following proposed amendments to McMinnville Zoning Ordinance (Ordinance 3380) specific to Section 17.53.101(L) (Land Division Standards – Grades and Curves) for consideration by the McMinnville Planning Commission and the McMinnville City Council.

The main topics that are proposed to be amended relate to street grade, length of steep street section, and residential fire suppression and are as follows:

Chapter 17.53.101 (Streets) – (L) Grades and curves, showing proposed amendments and deletions of existing text, are provided below. Text proposed to be added is shown in <u>bold</u> <u>underlined</u> font while text proposed to be removed is shown in <u>strikeout</u> font. The specific amendments that are being proposed are as follows:

"Chapter 17.53.101 (Streets) – (L) Grades and curves.

Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street <u>except as described below</u>. <u>Any local street</u> <u>grade exceeding 12 (twelve) percent shall be reviewed for approval by the Fire Code</u> <u>Official during the land use application review process</u>. When a local residential <u>street is approved to exceed 12 (twelve) percent the following shall be required:</u>

- 3. <u>A maximum of 200 feet of roadway length may be allowed with a grade between 12 (twelve) percent and 15 (fifteen) percent for any one section. The roadway grade must reduce to no more than 12 (twelve) percent for a minimum of 75 linear feet of roadway length between each such section for firefighting operations.</u>
- 4. Fire sprinklers shall be installed in all residential and commercial structures whose access road is constructed at a grade higher than 12 (twelve) percent. The approval of such fire sprinklers shall be accomplished in accordance with the provisions of ORS 455.610(6).

Centerline radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 (ten) feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept **steeper grades and** sharper curves"

#### CONDITIONS OF APPROVAL

None.

### ATTACHMENTS

Public Notices (on file) Public Comments (on file) Planning Commission Meeting Minutes, May 18, 2017 (on file)

#### **COMMENTS**

This matter was referred to the following public agencies for comment: McMinnville Engineering Department, McMinnville Fire Department, McMinnville Building Department, and McMinnville Public Works Department. No comments in opposition have been received.

#### FINDINGS OF FACT

- 1. The City of McMinnville is proposing to amend Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance to update provisions related to allowable street grade for non-arterial and non-collector streets.
- 2. The maximum street grade allowed for construction of local streets (non arterial and non collector streets) is currently limited by Section 17.53.101(L) of the McMinnville Zoning Ordinance to a grade not to exceed 12 (twelve) percent. While the Planning Commission is provided the ability to approve steeper grades where existing conditions, particularly topography, make it otherwise impractical to create buildable lots, this action requires approval of a Variance or Planned Development application and is somewhat costly for the applicant in time and treasury.

In concert with the McMinnville Engineering Department and Fire Department, staff has drafted the following proposed amendments to McMinnville Zoning Ordinance (Ordinance 3380) specific to Section 17.53.101(L) (Land Division Standards – Grades and Curves) for consideration by the McMinnville Planning Commission and the McMinnville City Council.

- 3. This matter was referred to the following public agencies for comment: McMinnville Engineering Department, McMinnville Fire Department, McMinnville Building Department, and McMinnville Public Works Department. No comments in opposition have been received.
- 4. Public notification of the public hearing held by the Planning Commission was published in the May 9, 2017 edition of the News Register. No comments in opposition were provided by the public prior to the public hearing.

#### CONCLUSIONARY FINDINGS

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

- GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.
- Policy 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.
- Policy 118.00 The City of McMinnville shall encourage development of roads that include the following design factors:
  - 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.
  - 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.
  - 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.
  - Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)
  - 5. Connectivity of local residential streets shall be encouraged. Residential culde-sac streets shall be discouraged where opportunities for through streets exist

# Policy 123.00 The City of McMinnville shall cooperate with other governmental agencies and private interest to insure the property development and maintenance of the road network within the urban growth boundary.

<u>Finding</u>: Goal VI 1 and Policies 117.00, 118.00, and 123.00 are satisfied by this proposal in that in that the proposed modifications would allow and enable the safe provision or access to each residential lot approved through land use reviews. The proposed modifications to local streets are designed in a manner to work with existing topography and reduce the amount of cut and fill that would otherwise need to occur to establish a street network in such affected areas while maintaining public safety and maintenance standards. Approval of these modifications will support a continued implementation of Complete Streets networks and designs by supporting additional opportunities for residential street connectivity. Additionally, these proposed modifications were developed in cooperation with the City of McMinnville Engineering and Fire Departments.

Policy 132.31.00 The City of McMinnville shall make the design, construction, and operation of a safe transportation system for all modes of travel a high priority.

Policy 132.32.00 The safe, rapid movement of fire, medical, and police vehicles shall be an integral part of the design and operation of the McMinnville transportation

Ordinance No. 5023 (G 2-17, City of McMinnville – Chapter 17.53)

system.

- Policy 132.33.00 The McMinnville transportation system shall be designed with consideration of the needs of persons with disabilities by meeting the requirements set forth in the Americans with Disabilities Act (ADA).
- Policy 132.41.00 Residential Street Network A safe and convenient network of residential streets should serve neighborhoods. When assessing the adequacy of local traffic circulation, the following considerations are of high priority:
  - 1. Pedestrian circulation;
  - 2. Enhancement of emergency vehicle access;
  - 3. Reduction of emergency vehicle response times;
  - 4. Reduction of speeds in neighborhoods; and,
  - 5. Mitigation of other neighborhood concerns such as safety, noise, and aesthetics.
- Policy 132.52.00 Compliance with ADA Standards The City shall comply with the requirements set forth in the Americans with Disabilities Act regarding the location and design of sidewalks and pedestrian facilities with the City's right-of-way.
- Policy 153.00 The City of McMinnville shall continue coordination between the planning and fire departments in evaluating major land use decisions.
- Policy 155.00 The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

<u>Finding</u>: Policies 132.31.00, 132.32.00, 132.33.00, 132.41.00, 132.52.00, 153.00, and 155.00 are satisfied by this proposal in that in that the proposed modifications would ensure the operation of a safe transportation system for all modes of travel by, in part, supporting the rapid movement of fire, medical, and police vehicles through McMinnville's residential neighborhoods. Additionally, the proposed modifications allow for coordination with the national Public Right of Way Accessibility Standards (PROWAG) utilized by the McMinnville Engineering Department ensuring compliance with applicable Americans With Disabilities Act (ADA) requirements for street and intersection construction. These amendments, drafted with the assistance with the McMinnville Engineering and Fire Departments, would enhance the accessibility and operation of emergency vehicles to developed residential land in topographically challenging areas.

- GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.
- Policy 188.00 The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

<u>Finding</u>: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the holding of advertized public hearing(s). All members of the public have

access to provide testimony and ask questions during the public review and hearing process.

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

General Provisions:

<u>17.03.020</u> Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

<u>Finding</u>: Section 17.03.020 is satisfied by the request for the reasons enumerated in Conclusionary Finding for Approval No. 1.

RP:sjs

### Attachment 1

#### **EXAMPLE STREET GRADE POLICIES - Residential Streets**

Jurisdiction/Reference	Max Grade	Max Street Grade Policy
AASHTO*	15%	Grades for local residential streets should be as level as practical, consistent with the surrounding terrain. Grades for local residential streets should be less than 15%.
City of Beaverton	15%	Maximum street gradients shall be fifteen (15) percent for local streets and neighborhood routesGrades in excess of fifteen (15) percent must be approved by the City Traffic Engineer on an individual basis
City of Canby	15%	Maximum street gradients shall be fifteen (15) percent for collector, and local streetsGrades in excess of the standards must be approved by the City Administrator
City of Eugene	20%	New street grades in excess of 20% are prohibited. Maximum grade of 15% with up to 200' lengths of grade up to 20% is allowed.
City of Portland	22%	Grades for newly platted local service streets, whether public or privateshall not exceed 18%. Where designs limiting the grade to 18% are impractical, maximum grades up to 22% will be approved when the Fire Chief finds conditions offered by the developer will reduce the risks associated with potential delayed response.
City of Gresham	15%	Local streets may exceed 12%, but in no case permitted to exceed 15%. The Engineer may approve a grade greater than 12%
City of Silverton	15%	Street other than arterials and collectors shall be 12%, except that 15% grades, not exceeding 200' and not at intersections, are allowed.
City of Tigard	15%	Grade shall not exceed 12% on local or residential access streets, except that those streets may have segments with grades up to 15% for distances of no greater than 250 feet.
City of West Linn	15%	Maximum grades for neighborhood route / local / cul-de-sac streets shall be 15%, except as approved by the City Engineer.

\* AASHTO: American Association of State Highway and Transportation Officials (AASHTO) - A Policy onGeometric Design of Highways and Streets, 6th Edition, 2011: The intent of this reference is to provide guidance to the designer by referencing a recommended range of values.

#### NOTICE

#### Planning Commission

NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 18<sup>th</sup> day of May, 2017, at the hour of 6:30 p.m. in the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, relating to the following matter:

#### MODIFICATION OF AN EXISTING PLANNED DEVELOPMENT – WEST HILLS PROPERTIES, LLC

#### DOCKET NUMBER: ZC 6-17

West Hills Properties, LLC, is requesting approval to amend Planned Development Ordinance No. 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested is approval to amend an approved residential subdivision and phasing plan on approximately 132 acres of land. The subject site is located north of West Second Street, west of NW Mt. Mazama Street and south of NW Fox Ridge Road and is more specifically described as Tax Lot 801, Section 24, T. 4 S., R. 5 W., W.M.

#### AMENDMENTS TO THE MCMINNVILLE ZONING ORDINANCE

#### DOCKET NUMBER: G 2-17

The City of McMinnville is proposing to amend Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance to update provisions to allow local street grades up to and including fifteen (15) percent.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE Fifth Street, McMinnville, Oregon, during working hours, and on the City of McMinnville website at www.mcminnvilleoregon.gov.

For additional information please contact the Planning Department at the above address or by phone at (503) 434-7311.

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

Heather Richard

Planning Director

Publish in the Tuesday, May 9, 2017, News Register

#### ZONING TEXT AMENDMENT (G 2-17) PLANNING COMMISSION PUBLIC HEARING (MAY 18, 2017) ITEM C NEIGHBORHOOD SUBMISSION TO PUBLIC RECORD

Steep Street Zoning Text Amendments

The proposed revision of City Code for road gradients allows for up to 15% gradients. This should not be accepted for the following reasons:

- 1) Increases speed through residential area with accompanying car accidents
- 2) Increased legal risk to town due to skateboard injuries; creates "Attractive Nuisance"

1) Increased speed through residential area with accompanying car accidents Experience with the road gradient along the existing NW Horizon Drive provides ample reason to hold to the existing code limit of 10% for collector roads and 12% for residential streets.

A survey of roadway gradients along NW Horizon Drive revealed a two-block stretch between the intersection of NW Horizon Drive and Mt. Bachelor (near the top of the current hill) and 2571 NW Horizon Drive (below the intersection with Hillcrest Street) where the gradient averages around 10%, but has a couple of stretches that exceed that value to as high as 12.5%. Details are provided in Appendix A.

Many drivers start at the top of the hill at the intersection with Mt. Mazama, accelerating down the hill. Their acceleration is due to both the road gradient and the natural use of vehicle accelerators. Many do not apply brakes. Speeds estimated to be around 35 mph are achieved by the intersection with NW Morningview Court and 40 mph at the intersection with Mt. Jefferson Way, a block further down. The intersection of NW Horizon Drive and Mt. Jefferson Way is where the road gradient notably eases to less than 2% as it continues east toward Hill Road. Nonetheless, inattentive drivers (there are many) might continue to accelerate to the intersection with NW Wintergreen before finally slowing toward the stop at Hill Road.

Note that the existing NW Horizon Drive uses a meandering course, very similar to the roads proposed in the Hillcrest Development. Visibilities are impacted by both the road curves and the road gradient. One cannot see from the top of NW Horizon Drive to the intersection with NW Hillcrest Street, let alone down to the easing of the slope at Mt. Jefferson Way. It is a wonder we have not had more accidents along this stretch of Horizon Drive. It already leads to high caution by Horizon Drive residents as they back out onto the street when exiting their garages. We have seen multiple near-misses.

2) Increased legal risk to town due to skateboard/bicycle injuries creates; "Attractive Nuisance" Another activity takes place on this stretch of NW Horizon Drive. Skateboarders rate this slope as one of the top skateboard slopes in Yamhill County. There apparently is either a webpage or Facebook page that rates road slopes around the County. This attracts skateboarders and other gravity device users such as bicycles to test the NW Horizon Street hill. We have observed both minor and at least one major spill by skateboarders. The major spill resulted in hospitalization. We have observed skateboarders being pulled with a rope back up the hill by automobiles. although City Police have been notified on a number of occasions, this falls low in their priority list. It remains a traffic hazard. Hence, skateboarders are already drawn to the area of NW Horizon Street due to the existing steep slopes beyond planning code as well as internet postings and word of mouth. A number of them have already been injured including trips to the hospital. Building more "skating" slopes with over 10% grade just a few blocks away increases litigation risks that the town should have known better from its learning's on Horizon Drive and not allowed further steep slope construction to create a new and potentially dangerous "Attractive Nuisance" for youth. In speaking with one injured youth to ask if he needed a ride home he indicated that was not possible since he rode the bus down from Portland to skate Horizon Drive, because comments suggest it is the " best hill" in the whole area.

#### SUMMARY

Using road gradients of 15% as a normal matter of development should be rejected. Any code change to allow this should require methods to control speed (speed bumps?) and grade/distance limits to reduce attractiveness of hilly road to skating and bicycle activity.

William A. Decker, LTC USA Ret, Retired NASA Research Engineer 2474 NW Horizon Drive McMinnville, OR 97128

#### APPENDIX A ROAD GRADIANT SURVEY ON HORIZON DRIVE

To help place the proposed 15% road gradient into perspective, a survey of grades on the existing NW Horizon Drive was made. The measurement device used was a digital level, sold by MicroMark and others. This particular device is only 2 inches square, so some local measurement error can be expected. Nonetheless, the measurements are representative and serve to visualize the impact of the proposed grades in the new development.

The survey was conducted working eastbound (downhill) from the middle of the intersection of NW Horizon Drive and NW Mt. Mazama. Gradient measurements were made in roughly the center of the reference address lots. The street name references are for the middle of the intersection.

NW Horizon Dr.	Gradient percent
Address	_
Mt. Mazama	4.0 %
2663	7.3%
Mt. Bachelor	10.0%
2615	12.5%
2585	9.3%
2571	11.0%
2542	3.75%
2513	6.4%
2474	7.25%
2448	5.6%
Mt. Jefferson Way	1.75%

Table 1. NW Horizon Drive Gradient Survey

The measured gradients confirm the visual impression of NW Horizon Drive. It begins with a very steep gradient at or exceeding the 10 % gradient specified in City Code. This steep section extends more than two blocks. There is a brief section of relief, followed by another moderately steep (7.25%) section before becoming gentler by the point NW Horizon Drive reaches the Mt. Jefferson Way intersection.

William A. Decker 2474 NW Horizon Drive McMinnville, OR 97128

May 13, 2017

### C. Zoning Text Amendment (G 2-17)

- Request: The City of McMinnville is proposing to amend Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance to update provisions to allow local street grades up to and including fifteen (15) percent.
- Applicant: City of McMinnville

Chair Hall opened the public hearing.

Planning Director Richards gave the staff report. These were proposed modifications to the residential street grade standards. The Commission would be making a recommendation to the City Council. In recent years there had been more residential development occurring in the west hills. In the process of examining where the City could grow, it was decided that McMinnville's growth would happen on the western side of the City in the hills area because the area was not good for crop growing. As they were continuing to expand in to the hills, there were constraints in terms of development because they were no longer building on flat lands. Because of the steeper slopes, steeper streets were being created. Currently the zoning ordinance limited street grades to 6% on arterials, 10% on collectors, and 12% on any other streets. It also stated where existing conditions, particularly topography, made it otherwise impractical to provide buildable lots, the Planning Commission could accept steeper grades and sharper curves. Staff thought it would be good to put some parameters on these exceptions.

Planning Director Richards explained that staff had talked to other communities to see what they were doing in terms of steep street grades. It was not unusual for cities to have a 15% or more grade. They also discussed this with partners such as the Fire Department and Engineering Department. Some of the considerations from the Fire Department were fire engines could safely navigate 15% grades in most weather situations, the engines could provide service to grades up to 12% without risking damage to their pumping systems but above the 12% it put undue stress on the pumping systems, fire hoses could be pulled a distance of just over 100 feet, and consequently any street section between 12% and 15% grade could be no longer than 200 feet in length, a street section less than 12% grade must be provided between steeper sections to enable safety equipment operations, and a refuge area less than 12% grade was needed and it needed to be at least 75 feet in length. Staff also talked to the Building Department about what needed to be considered for homes built above 12% grade. They recommended requiring fire sprinkling in homes above 12% grade. The Engineering Department recommended accessibility guidelines for how people navigated intersections, and it was recommended they were not to exceed 5%.

Planning Director Richards explained that public testimony had been received which expressed concerns about how steep streets increased vehicular speeding and attracted skateboarding which were liabilities to the community. Staff recommended language be added to this chapter of the zoning ordinance that said grades would not exceed 6% on arterials, 10% on collectors, or 12% on any other streets with the exception that any local street grade exceeding 12% shall be reviewed for approval by the Fire Code Official during a land use application review process. When a local residential street was approved to exceed 12%, the following shall be required: a maximum of 200 feet of roadway length may be allowed with a grade between 12% and 15% for any one section, the roadway

grade must reduce to no more than 12% for a minimum of 75 linear feet of roadway length between each section for firefighting operations, fire sprinklers shall be installed in all residential and commercial structures that accessed a road constructed at a grade higher than 12%, and the approval of the fire sprinklers shall be accomplished in accordance with the provisions in the Oregon Revised Statutes. Staff recommended deleting the language that gave the Commission the discretion to increase the grade in land use applications as other partners were comfortable with what the maximum standards were. Staff recommended the Commission recommend approval of these changes to the City Council.

William Decker, McMinnville resident, said staff had done a good job of answering the question of could they go to higher grades than what was in the City code. The real question was should they, and he thought the answer was no. This was based on the current conditions on Horizon Street. He conducted a survey on Horizon, which was a collector street that went above the 10% that it should have been limited to. The neighbors on Horizon experienced traffic that routinely was speeding on the hill. Skateboarders were attracted to the hill as well. There was a website that rated skateboard hills in Yamhill County and this one was in the top ten. There had been many skateboard accidents. It put the City at risk and the homeowners did not appreciate it either.

Robert Galati, McMinnville resident, said the amendment to the grade was consistent with what other cities did. However, the language regarding what the limits were was somewhat ill-defined. He asked where the maximum of 15% and 200 feet were measured from: the point of vertical curvature, beginning or ending point of a vertical curve, point of intersection on a vertical curve, or the point of a vertical curve where the grade going downhill began to exceed 12%? If they had a 200 foot vertical curve, the portion that exceeded 12% could take up 25 or 35 feet of the overall length. If they began the assessment of grade at the end point, and said 200 feet from the end point of the vertical curve, they were really saying they were 225 or 235 feet in length. They needed to clearly identify the impacts of vertical curvature, both crest and sag curves. He thought it would be beneficial if the actual length would be the portion of the road that exceeded the 12%, not on a straight grade but including vertical curvature.

Brad Bassitt, McMinnville resident, asked why homes that had access by a grade greater than 12% needed sprinklers.

Fire Marshal Debbie McDermott answered that Oregon statutes said this was an alternative to allow steeper streets to be built. Commissioner Geary said they were assuming there would be a delayed response from the Fire Department to get there and in inclement weather they might not be able to get there at all.

Mr. Bassitt said he lived on a very flat street and nothing stopped people from speeding. People sped on flat land just as much as sloped land. They should not be limiting what could be built on just because of speeding.

Vickie Gross, McMinnville resident, concurred with Mr. Decker's comments regarding skateboarders. They were on Mt. Mazama Street as well. She had observed skateboards going from the top of the hill at Horizon Drive and Mt. Mazama continuing all the way down Mazama and crossing 2<sup>nd</sup> Street without regard for the stop sign. They also came down

the hill and made a left turn onto Mt. Hood and the visibility for skateboarders was not good on Mt. Hood. They were not using sidewalks, but were using the thoroughfares. She also observed school buses as they had attempted to climb up Mt. Mazama every morning with groaning and grating of the buses. The School District was not consulted in this process. They had a lot of hills that bicyclists used for training. There was a problem with the stop sign on Mt. Mazama and 2<sup>nd</sup> Street. The bike lane ended at that corner and the traffic continued on 2<sup>nd</sup> Street as a merged area. The bicyclists that flew down the hills were entering the access points at a higher speed and made it difficult for traffic to observe them.

Howard Aster, McMinnville resident, was in favor of these changes. He had been building homes in McMinnville since 1981. Most of the homes were on flat lots, but as the City grew to the west it was hillier land. This was a good time for the City to pass these amendments as it would help developers build better and safer neighborhoods. Most of the hilly land was poor quality for agriculture which meant that less good quality farmland would be used to build houses on.

Nick Scarla, McMinnville resident, said the land they had to build on would create steep streets. People were speeding on Baker Creek, which was flat. The speeding issue was not relevant. There were skateboarders and bicyclists who would seek out steep streets, and he did not think they should stop a subdivision from coming in because of it. He asked regarding the fire sprinklers, did other cities, like Tigard, require fire sprinklers?

Fire Marshal McDermott said yes, other cities required them over a certain percentage of slope. Other communities had a much larger fire service and the operation needs would not be at the same level. They had to look at the City's operational abilities as well as what their engine manufacturer specs allowed. Those specs stated the steepest maximum the engines could operate was 12%.

Mr. Scarla was not opposed to fire sprinklers, but it might be an issue with affordable housing. The more things that had to be added to a house, the more they lost affordability.

John Dan, McMinnville resident, was in favor of the amendments. He doubted that in inclement weather a fire engine could get up a 10% or 12% grade. Was it due to response time that the fire sprinklers were being required?

Fire Marshal McDermott stated that this winter the fire engines did get stuck due to snow and ice. These conditions and steeper streets were new. They were looking at how to provide the best possible response and ensure people's homes were safe. It would be a slower deployment and the fire sprinklers would help save homes and the people in them.

Mr. Dan asked if it would make more sense to limit the sprinkler requirement to homes that were built on a grade that was steeper than 12% rather than homes that were accessed by a grade steeper than 12%. There might be homes on a flat street that were accessed by a road that was 13% grade and they were required to have sprinklers when it did not seem like it would take much more time to deploy there.

Mike Ard was a professional transportation engineer with 20 years of practice in the field. Regarding the specificity of the tangent point of crest and sag vertical curves, he did not think there was ambiguity in the way the Code was written. It stated that any slope in excess of 12% or between 12% and 15% needed to be no greater than 200 feet long. He thought it was a firm point of demarcation where the 200 foot limits existed. Regarding the sprinklers, he deferred to the Fire Department requirements for their apparatus. There was some ambiguity with saying anything accessed by a road greater than 12% required sprinklers. There were situations where there was a connected street network where a street would be in excess of 12% and an alternative path was available that was less than 12%. The language could be changed to say that if the primary point of access was off of a greater than 12% grade, they might be required to install fire sprinklers even though there was an alternative route available.

Fire Marshal McDermott said that could be clarified if it was any access point or the main access point or if there were alternatives. The straightest route would be the main access point.

Larry Snider, McMinnville resident, lived on Horizon Drive. There were speeders in the neighborhood. The important issue was safety. Someone driving on a flat road could stop a lot faster than someone driving on a 10% to 12% grade. It was not a safe situation. People tended to back out up the hill and then come down the hill. It was difficult to see the traffic when backing out, especially those going at high speed.

Cheryl Nangerom, McMinnville resident, also lived on Horizon Drive. She had some issues regarding the planned development nearby. She was concerned about the traffic coming out onto Horizon Drive down Mt. Mazama to 2<sup>nd</sup> and no changes were going to be made at the intersection of Hill Road and 2<sup>nd</sup> and Horizon Drive and no left turn signals were going to be installed because they thought the traffic would be handled by the streets. Right now 2<sup>nd</sup> and Hill Road was a problem as a four way stop. Limited intersections in this development and no extra access to a bigger collector would create more traffic problems because of the grade at the intersections.

Chair Hall thought that testimony was more relevant to the next public hearing.

Mark Davis, McMinnville resident, supported the proposed changes for the same reasons Mr. Aster stated.

Commissioner Geary asked if all of Horizon exceeded the maximum slope requirement. City Engineer Mike Bissett said the design grade on Horizon was 12%. He did not know what the Code requirements were at that time or if an exception was given for the slope at the time of development.

Chair Hall closed the public hearing.

Commissioner Schanche thought everything had been looked at carefully. Would the requests for grades greater than 12% come to the Planning Commission?

Planning Director Richards stated any local street grade exceeding 12% would be reviewed for approval by the Fire Code Official.

Commissioner Chroust-Masin was in favor of these amendments. They were running out of flat lands and had to go to the hills. New housing had to go somewhere and it would preserve agricultural land.

Commissioner Geary thought this was headed in the right direction to increase the ability to build out in the hills. However there were enough questions raised and items that needed to be discussed further and he preferred to send it back to staff to review and to make it a more robust document.

Commissioner Chroust-Masin was not opposed to bringing it back to the next meeting.

Commissioner Schanche asked what needed to be further investigated. Commissioner Geary said the issue of where to measure the grade needed to be addressed, they needed to explore the verbiage of alternative routes and the fire sprinkler requirement, and they needed to come up with creative solutions to Fire Department response time and ways to address safety for slopes above 12%.

Chair Hall said there were two types of safety issues that had been brought up, those involving the Fire Department and those involving speeding and skateboarding. They could not change human nature. Speed humps or mobile traffic control devices might be needed, but those issues should be dealt with separately and should not factor into whether or not they approved the amendments. They were trying to address the Fire Department and safety issues through these amendments. He did not think they needed to postpone the decision.

Commissioner Schanche agreed they did not need to postpone it. She thought it had been looked at thoroughly and was in support.

Commissioner Geary stated he was in favor overall, but given the testimony received that night, he thought more due diligence was needed on the issues that were raised.

Commissioner Butler thought a lot of good work had been done. She did not think it needed to be continued. She was in favor of moving forward.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the City of McMinnville, Commissioner Schanche MOVED to recommend to the City Council approval of G 2-17 and the zoning text amendments as recommended by staff. SECONDED by Commissioner Butler. The motion PASSED 4-1 with Commissioner Geary opposed.



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

www.mcminnvilleoregon.gov

# **STAFF REPORT**

DATE:	June 13, 2017
	00110 10, 2017

TO: Mayor and City Councilors

FROM: Ron Pomeroy, Principal Planner

**SUBJECT:** Ordinance No. 5024 – ZC 6-17 (Planned Development Amendment to an existing multi-phase residential subdivision master plan for Hillcrest Development

#### Council Goal:

Promote Sustainable Growth and Development

#### **Report in Brief:**

This is the consideration of Ordinance No. 5024 (attached to this Staff Report), an ordinance approving a planned development amendment including an amended subdivision layout and phasing plan to an existing multi-phase residential subdivision master plan located generally north of Redmond Hill Road and West of Mt. Mazama and south of Fox Ridge Road and more specifically described as Tax Lot 801, Section 24, T. 4 S., R. 5 W., W.M.



- Ordinance No. 5024 including Exhibit A ZC 6-17 Decision Document
- Attachment 1: ZC 6-17 Application and Attachments
- Attachment 2: Public Notices
- Attachment 3: McMinnville Ordinance No. 4868
- Attachment 4: Geotech Report by GeoPacific for West Hills Properties dated May 19, 2015
- Attachment 5: Public Testimony Received
- Attachment 6: Draft Planning Commission Meeting Minutes, May 18, 2017
- Attachment 7: Memo from AKS Engineering and Forestry, dated May 30, 2017

West Hills Properties, LLC, is requesting approval to amend Planned Development Ordinance No. 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested as part of this Planned Development Amendment request is approval of an amended residential subdivision and phasing plan on approximately 132 acres of land.

On May 18, 2017, the McMinnville Planning Commission voted to recommend to the McMinnville City Council that the West Hills Properties, LLC application for a planned development amendment (ZC 6-17) be approved.

Exhibit A of Ordinance No. 5024 contains the Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings.

#### Background:

The applicant is requesting approval to amend Planned Development Ordinance 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards and to amend an approved residential subdivision and phasing plan on approximately 132 acres of land.

This request is to amend a Planned Development approved on April 24, 2007, when the McMinnville City Council adopted Ordinance No. 4868 for a zone change request from an R-1 (Single-Family Residential) zone to an R-2 PD (Single-Family Residential Planned Development) zone on a parcel of land approximately 164 acres in size. At the same time a phased subdivision request for approximately 4.0 acres of multifamily housing, 7.2 acres for park and storm water detention, and approximately 153 acres of residential housing (441 single-family detached residences, 50 single-family attached residences and 60 apartment units) was approved. It is the modification of this Ordinance and its implications to the attendant phased subdivision that is the subject of this Planned Development Amendment application.

Since that time, portions of that phased subdivision plan (referred to as the Hillcrest Planned Development) have been developed including the public park and storm water detention facility, multiple-family residential apartment complex and the Valley's Edge Phases 2 and 3 of the phased development plan. The remaining 132 acres of the original 164-acre multi-phase plan are the subject of this current zone change request.

#### Summary of Application:

The applicant has submitted a proposal to modify the existing Planned Development that currently encumbers this site to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested as part of this Planned Development Amendment request is approval of an amended residential subdivision and phasing plan on the remaining approximately 132 acres of land.

As noted in the Section 1 (Executive Summary) of the applicant's submittal, at the end of 2007 and continuing through 2009, the U.S. and local housing market experienced one of the most significant declines in many years. This recession quelled demand for new houing in McMinnville and across the Country and, according to the applicant, is the main cause for the delay in the further develoment of the

Attachments:

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- Attachment 3: McMinnville Ordinance No. 4868

Attachment 5: Public Testimony Received

Ordinance No. 5024 including Exhibit A – ZC 6-17 Decision Document

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Hillcrest Planned Development. The current demand for housing now makes it possible for the applicant to move forward with development of the balance of the previously approved Hillcrest Planned Development. However, during the interim years, new and udpated Americans with Disabilities Act (ADA) standards have been recommended and cities, including McMinnville, are requiring that these recommendations be implemented; the ADA standards related to development of rights-of-way are referenced as Public Right of Way Accessibility Guidelines (PROWAG).

Implementation of the PROWAG standards at street intersections necesssitate a redesign of some elements of the original street layout and subdivision plan and result in associated modifications to other elements of the plan. A brief description of each of the proposed types of modification that comprise this Planned Development amendment request are as follows:

1. Street Grade – Approval of the original subdivision concept was based, in part, on street intersections being designed with intersections grades of 10% or more. The applicant notes that the flattening of these intersections to 5% or less, based on new PROWAG standards and construction tolerances, requires that street segments leading into and exiting the flatter intersections must now be graded even steeper to make up for the grade lost by this flattening. Additionally, because streets must be designed with appropriate transitions (vertical curve) between the steep street segments and the shallow intersections to ensure safe sight distance and vehicle clearance, the grade of street segments outside of the intersection can be excessive if the original number and locations of intersections were to be held constant. This relationship is graphically demonstrated in Figure 1 on page 26 of the applicant's narrative.

As a practical matter, the resulting steeper street grades exceed that which is recommended by current standards of the Land Division chapter of the McMinnville Zoning Ordinance (Chapter 17.53.101(L). Current standards allow a maximum local (residential) street grade of up to 12% which is less than the 15% maximum grade requested by the applicant. The applicant is requesting an amendment to this standards to allow residential streets grades up and including 15% for street segments no longer than 200 linear feet.

- 2. Lot Depth to Width Standard Section 1.53.105(B)(1) of the McMinnville Zoning Ordinance states that the depth of a lot shall not ordinarily exceed two times the average width. Page 10 of the applicant's narrative states that approximately 114 of the proposed lots throughout the site exceed this guideline due primarily to the need to accommodate an acceptable building envelope on lots where natural drainage ways and/or steep slopes occupy a portion of the rear yard area. Consequently, the applicant is seeking the ability to plat such lots through the allowance that can be made possible through the planned development amendment process.
- 3. Block Length In redesigning the street grades to meet current PROWAG standards in combination with the geography of the area, the block length in numerous locations is proposed to exceed the maximum allowance of 400 feet between street corners as specified in Section 17.53.103(B) of the McMinnville Zoning Ordinance. This is also, in part, due to the topographical features of the West Hills area of McMinnville being characterized by numerous ridges, steep slopes and ravines.

Attachments:

Ordinance No. 5024 including Exhibit A – ZC 6-17 Decision Document

Attachment 1: ZC 6-17 Application and Attachments

Attachment 2: Public Notices

Attachment 3: McMinnville Ordinance No. 4868

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4. Block Circumference – Due to the physical topographic challenges of the area noted above and implementation of the more recently applied PROWAG standards, the block circumference in numerous instances is proposed to be exceeded in the proposed plan. Section 17.53.103(B) of the McMinnville Zoning Ordinance limits block circumference to a maximum of 1,600 feet unless topography or the location of adjoining streets justifies an exception.

For the benefit of context for the City Council, the originally approved (2007) conceptual subdivision plan for this site is provided below:



The applicant has provided a detailed narrative and numerous exhibits to support the submitted Planned Development amendment land use request. The findings offered by the applicant are extensive and shall be included by reference in the Decision Document (Exhibit A) attached to Ordinance No. 5024, and Attachment 1 of this staff report. A summary discussion of selected elements is provided below.

#### DENSITY:

While the differences between these two phased development plans graphically presented above may not be readily apparent, Table 1 as provided on page 5 of the applicant's narrative, and reproduced below, provides a comparison of dwelling unit counts for both the originally approved and the proposed revised phased development plans for this site. As the shapes and sizes of the individual subdivision phases have changed due to the topographic and regulatory factors previously noted, it is perhaps most informative to review the total lots provided at the bottom of the Table.

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Ordinance No. 5024 including Exhibit A – ZC 6-17 Decision Document

Phase	Original Approval No. of Lots	Proposed No. of Lots	Already Constructed	Pct. Change from Ord. 4868
Hillcrest Phase 6	36	13		
Hillcrest Phase 7	34	26		
Hillcrest Phase 8	50	44		
Hillcrest Phase 9-10		57		
Hillcrest Total	120	140	0	16.67%
Northridge	43	43		
Northridge Total	43	43	0	0.00%
Valley's Edge Phase 2	52		36	
Valley's Edge Phase 3	50		28	
Valley's Edge Phase 4	69	10		
Valley's Edge Phase 5	56	25		
Valley's Edge Phase 6		23		
Brookshire Phase 1		46		
Brookshire Phase 2	· · · · · · · · · · ·	48		
Valley's Edge Total	227	152	64	-4.85%
West Hills Phase 1-5	122	153		
Valley's Edge Total	122	153		25.41%
TOTAL	512	488	64	7.81%

In particular, 512 lots were approved for the original Planned Development phased development plan with 64 of those lots having now been constructed. Adding those 64 existing units, to the proposed 488 dwelling unit yields a new total of 552 dwelling units. This results in a proposed increase of 40 additional residential dwelling units above that which was originally approved in 2007. While the base zone of R-2 would allow a theoretical 821 dwelling units on the gross 132-acre site, the applicant is proposing a total of 552 dwelling units which is well under that number. The applicant proposed 446 lots to be detached single-family residences and 42 dwelling lots are proposed to be single-family attached dwellings and planned to be platted in the Northridge Phase of the development which is consistent with the originally approved 2007 phasing plan.

As shown in the various graphics provided on Sheets SU-01 – SU 03 in Exhibit A of the applicant's submittal, lot sizes in the modified Planned Development are proposed to range from 5,292 square feet

Attachments:

- Attachment 1: ZC 6-17 Application and Attachments
- Attachment 2: Public Notices

Attachment 5: Public Testimony Received

Ordinance No. 5024 including Exhibit A – ZC 6-17 Decision Document

Attachment 3: McMinnville Ordinance No. 4868

Attachment 4: Geotech Report by GeoPacific for West Hills Properties dated May 19, 2015

Attachment 6: Draft Planning Commission Meeting Minutes, May 18, 2017

Attachment 7: Memo from AKS Engineering and Forestry, dated May 30, 2017

to 33,942 square feet in size (Lot 217) with an average lot size of 9,547 square feet; while the applicant's narrative notes that the largest lot would be 35,305 square feet in size, the largest proposed lot, as confirmed through as email exchange with the applicant on May 5, 2017, confirms that Lot 217 on Sheet SU-03 is to be the largest lot with a proposed size of 33,942 square feet. This average lot size exceeds the minimum lot size of 7,000 square feet required by the R-2 zone by approximately 2,547 square feet (an average lot size approximately 36% greater than the minimum required lot size).

#### STREET GRADE

In order to implement PROWAG standards and achieve efficient development of the site, the applicant is requesting approval to construct certain street segments exceeding the 12% maximum grade permitted for local streets in Section 17.53.101(L) of the McMinnville Zoning Ordinance. The applicant proposed constructing certain street segments with up to a 15% street grade with segments of street grade between 15% and 12% being limited to no more than 200 linear feet in length as shown on Sheet P-02 of Exhibit A of the applicant's submittal. Such street segments are proposed to be separated by at least 75 linear feet of street grade not to exceed 12% to permit proper functioning of Fire Department apparatus in emergency operation conditions. This street layout and street grade proposal has been reviewed by the McMinnville Fire Department which finds that this proposal provides sufficient opportunity for emergency and fire response to be safely and adequately provided to each lot in these proposed neighborhoods. Additional comments from the Fire Department regarding these design standards is provided below in the Referrals section of this report.

#### BLOCK LENGTH

The applicant proposed to frequently exceed the maximum block length allowance of 400 feet between street intersections as specified in Section 17.53.103(B) of the McMinnville Zoning Ordinance. An overview of the topographic challenges of this site is provided on Sheet GR-00 of Exhibit A of the applicant's submittal. Additional graphic sheets that follow (GR-01, GR-02 and GR-03) provide a more detailed representation of how the various elements of the proposed phased development overlay with the existing site topography.

The applicant submitted a supplemental narrative on May 9, 2017, providing additional information relative to the proposed longer block lengths. The applicant indicates that applying the ADA standard makes it impossible to meet the City's block length standard in the context of this relatively steep sloped site because each new public street intersection results in interim street grades that are prohibitively steep. Therefore, eliminating some public street intersections, and subsequently lengthening the block length and block perimeters, is the best way to achieve the ADA guidelines at proposed intersections, while minimizing steep street grades, and maintain a 10% maximum street grade on collector roadways such as W 2<sup>nd</sup> Street. Sheet B-1 of that supplemental narrative provides the resultant block lengths should this planned development amendment be approved. For reference, Sheet B-2 of that supplement provides the originally approved (2007) block lengths for this phased subdivision. It is important to observe that the approved 2007 plan permitted block lengths of up to 1,802 linear feet (located along the south and west side of W 2<sup>nd</sup> Street as it traversed through the West Hills Phases 1 and 3 and Valley's Edge Phase 4 areas of the plan) compared to a proposed block length of 1,895 linear feet located in effectively the same location in this current plan (a difference of 93 linear feet). There are also other such similarities between these two plans. However, this observation

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Ordinance No. 5024 including Exhibit A – ZC 6-17 Decision Document

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is to note that the necessity to exceed this block length standard given the unique topography of this site was understood and endorsed by both the Planning Commission and the Council in the 2007 approval of the original planned development request for this site.

#### BLOCK CIRCUMFERENCE

The applicant also proposes to exceed the maximum block circumference maximum of 1,600 feet as specified in Section 17.53.103(B) of the McMinnville Zoning Ordinance. The applicant is requesting an exception to this limitation based on the topography of the site as allowed by this code section. The applicant provides a justification for this request based partially on topography and partially due to the implementation of the more recently applied PROWAG standards and their effect on engineering streets on steep, varied terrain. This justification can be found on page 35 of their submitted narrative and in the supplemental narrative provided on May 9, 2017. Additionally, the applicant's graphics referenced above regarding Block Length are also instructive in demonstrating the topographic constraints leading to the request to exceed the City's block circumference standard. Those graphics are found on Sheets GR-00 through GR-03 of Exhibit A of the applicant's submittal.

#### OPEN SPACE

As part of the previously approved master plan for this development the applicant coordinated with the McMinnville Parks Department in the provision of a 7-acre park and associated storm water detention facility located along the south side of W 2<sup>nd</sup> Street and adjacent to the west edge of the existing multiple-family phase of this development.

Due to the topography of the site, quite a lot of the open space is actually found along and within the numerous drainage ravines that traverse this hillside in often divergent and meandering directions. However, originally only the stream corridor on the east side of the site was identified and protected through centering the stream corridor along common backyard property lines and protecting them with restrictive backyard easements. The requirements for protection of development of these areas is more stringent now than those in place when the original Planned Development was reviewed ten years ago. These drainage ravines for the entire site have now been fully mapped by the applicant and are proposed to be protected by way of private drainage easements of variable widths to be provided along the common backyard property lines of residential lots. This approach is the same as was endorsed and approved by the City in 2007 and is an effective and way to provide protection and preserve the natural storm conveyance function of these natural drainageways. While amassing these drainageways into a larger public open space is not feasible, a large public park has been developed within the neighborhood designed to serve the larger community.

It is recommended that in order to ensure adequate capacity of the channels to convey larger storm events, the subdivision plats shall state that the areas within the storm drainage easements shall be kept in their natural condition, and that no fill or other construction activities (including the construction of fences) will be allowed within the easement areas. Additionally, the covenants shall identify and specify the maintenance responsibilities for those easement areas. Staff recommends this same condition being carried forward to similarly protect these areas.

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Ordinance No. 5024 including Exhibit A – ZC 6-17 Decision Document

#### STORM WATER

The applicant has provided a Storm Water Report prepared by AKS-Engineering for the Hillcrest Planned Development master plan amendment proposal (Exhibit E of the applicant's submittal). The purpose of the report was to provide an evaluation of the effects of the master plan update on the existing seasonal drainage swales and downstream system. The system was modeled on the original 164 acre planned development approval inclusive of the single-family attached and detached lots, the multiple-family apartment complex, Westside public park and detention facility, proposed storm water facility Tract G (identified on Sheet ST-01 of Exhibit A of the applicant's narrative) and associated streets, sidewalks and underground utilities. The McMinnville Engineering Department has thoroughly reviewed this analysis and report and finds that the analysis and its findings are acceptable to the Engineering Department.

#### WATER

While McMinnville Water & Light had no comments on this application (see Referral section below) it is commonly known that McMinnville's water is provided by a gravity pressure system. Consequently, the current water pressure can sufficiently serve residential uses up to an elevation of 275 feet. Residential service above of this elevation will either need to be served by private water pump system(s) or by a second tier water reservoir system to be constructed by McMinnville Water & Light at a higher elevation at a later date. This elevation line is shown on Sheet P-01 of Exhibit A of the applicant's submittal.

#### TRAFFIC

The applicant has provided a Traffic Analysis Update Memo prepared by AKS-Engineering for the Hillcrest Planned Development master plan amendment proposal (Exhibit F of the applicant's submittal). The purpose of the report was to provide an evaluation of the effects of an increase of 40 dwelling units above that approved in the 2007 adoption of the original Hillcrest phased development plan. The analysis concludes that the improvement recommendations as noted in the 2007 decision remain valid. The McMinnville Engineering Department has thoroughly reviewed this analysis and report and finds that the analysis and findings are acceptable to the Engineering Department.

#### PEDESTRIAN

Pedestrian connections in the form of public sidewalks are required as part of public street design standards adopted in the McMinnville Transportation System Plan (TSP, 2010). Public sidewalks will be required along both sides of all public streets should the proposed Planned Development amendment be approved. This is an appropriate requirement for much of the development that occurs locally. However when a planned development is proposed, even an amendment to an existing planned development, an additional level of importance is placed on pedestrian connections.

Comprehensive Plan Policy 77.00 states "the internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways." The pedestrian pathways mentioned here are in addition the public sidewalks mentioned above. Toward this, the applicant notes that three mid-block pedestrian connections are proposed to provide for enhanced pedestrian circulation in situations where block length exceeds the

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Ordinance No. 5024 including Exhibit A – ZC 6-17 Decision Document

Attachment 3: McMinnville Ordinance No. 4868

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city standard or where cul-de-sacs make pedestrian connections more challenging. Specifically, to address this, the applicant is proposing the provision of pedestrian access tracts in six locations:

- Tract A connecting two segments of Road A between the Northridge Phase and Hillcrest Phases 9-10
- Tract B connecting Road A in Hillcrest Phases 9-10 and NW Valley's Edge Street in the Hillcrest Phase 7
- Tract C connecting NW Valley's Edge Street in the Hillcrest Phase 7 and a variable width private backyard drainage easement that would be established along the backyards of the easterly lots in Hillcrest Phases 6 and 7 between Lot 380 of Hillcrest Phase 7 and W 2<sup>nd</sup> Street; the purpose of this tract is to provide a secondary access point to this drainage easement
- Tract D connecting a portion of Road A in Hillcrest Phases 9-10 and NW Mt. Ashland Lane in Valley's Edge Phase 5
- Tract E connecting C Loop in Brookshire Phase 2 to D Court in West Hills Phase1
- Tract F connecting C Loop to W 2<sup>nd</sup> Street both in West Hills Phase 1

Given the topography of this west hills area, the applicant has attempted in good faith to provide these additional pedestrian access and circulation amenities where possible. As some of these connections traverse steep terrain, it is envisioned that some of these pedestrian connections will be provided with stairs to enable safe movement between adjoining elevations.

#### STREET TREES

The standards require street tree spacing of between 20 (twenty) and 40 (forty) feet apart dependent on the mature branching width of the approved tree(s). The McMinnville Zoning Ordinance requires that a street trees planting plan be submitted to and reviewed by the Landscape Review Committee as a condition of approval for residential subdivision development.

#### REFERRALS

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas, Oregon Department of Transportation, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. As of the date this report was written, the following comments had been received:

#### McMinnville Engineering Department

The applicant is proposing to construct the extensions of 2<sup>nd</sup> Street and Horizon Drive to the minor collector standard contained in the Transportation System Plan (TSP). Per the adopted 2010 TSP, all remaining streets (including the extensions of 2<sup>nd</sup> Street and Horizon Drive) within the development area can be constructed to the local residential street standard. Conditions 14, 15, and 16 of the existing subdivision approval for ZC18-06/S13-06 should be modified to reflect that the remaining streets shall be improved with a 28-foot wide paved section, 5-foot wide curbside

- Attachment 1: ZC 6-17 Application and Attachments
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Ordinance No. 5024 including Exhibit A – ZC 6-17 Decision Document

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planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets.

- Condition 10 of the existing subdivision approval for ZC18-06/S13-06 should be modified to read, and is represented as Condition of Approval #8 in the Decision Document for this Planned Development Amendment.
  - 10. The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associated with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat.
- The requested street grade and block length exceptions are acceptable to the Engineering Department.
- The submitted Preliminary Stormwater Management Memo is acceptable to the Engineering Department.
- The submitted Traffic Analysis Update Memo acceptable to the Engineering Department.

#### **McMinnville Fire Department**

- 1) <u>GRADE:</u> Average road grade shall not exceed 12% except that any grade exceeding 12% shall be approved by the Fire Code Official (*during land use application*). No road grade shall exceed 15%.
- 2) When approved to exceed 12% grade, the following condition shall apply:

a) A maximum of 200 feet of road length may be allowed with a grade between12% to 15% in any one section. The roadway must then level out below 12% for a minimum of length of 75 feet for firefighting operations.

b) Fire sprinklers shall be installed in any residential or commercial structure that is built on or whose access road is constructed to a grade of 12% or greater. The approval of fire sprinklers as an alternate means of fire safety shall be accomplished in accordance with the provisions of ORS 455.610(6) – (Low Rise Residential Dwelling Code).

#### McMinnville Water & Light

MW&L has no comments on this application.

#### McMinnville Parks Department

After reviewing the material about the planned development changes, I do not find any changes that impact the neighborhood park detention area (2.77 acres). I imagine the park will receive a greater volume of water over time as hard surfaces are more fully developed and the neighborhood is complete. However, that is what was intended with the detention capacity within the park. We shall

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see if the original calculations were accurate. But there are no concerning issues relative to anticipated impacts to the park of immediate surrounds with the proposed plans.

#### Discussion:

The Planning Commission received both written and oral testimony in support and opposition to this application request.

Supportive testimony focused on the following elements:

- Existing planned subdivision
- Need for more buildable housing lots
- Developer is proven quality McMinnville developer
- Requests appear reasonable and meet the criteria of the Comprehensive Plan and Zoning Ordinance

Oppositional testimony focused on the following elements:

- Concern about the grade of the streets relative to safety (fire apparatus capacity, skateboarders, vehicular speeds)
- Concern about the amount of traffic planned to use Horizon Drive
- Concern about the water capacity and pressure above 275'
- Concern about soil erosion on the hill as it is built out.

Representatives from McMinnville Fire, McMinnville Engineering and McMinnville Water and Light were available to address the steep streets, traffic and water capacity concerns.

The concern about the soil erosion was reviewed with the building official and Condition of Approval #12 was added to ensure that future building plan reviews for individual home construction are aware of the need for additional geo-technical engineering. (Please see Attachment 4 to this staff report).

Additionally Condition of Approval #11 was developed as part of the Planning Commission motion to recommend approval of the request to ensure that pedestrian connectivity was provided for the extended block lengths. This was agreed to by the developer and a Memo was provided with a connectivity plan on May 20, 2017. (Please see Attachment 7 to this staff report).

All written public testimony received by the Planning Commission is provided as Attachment 5 to this staff report. And Attachment 6 is the draft Planning Commission meeting minutes summarizing the oral testimony of the public hearing.

#### Fiscal Impact:

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

Ordinance No. 5024 including Exhibit A – ZC 6-17 Decision Document

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#### Council Options:

- 1. **ADOPT** Ordinance No. 5024, approving ZC 6-17 and adopting the Decision, Conditions of Approval, Findings of Fact and Conclusionary Findings.
- 2. ELECT TO HOLD A PUBLIC HEARING date specific to a future City Council meeting.
- 3. **DO NOT ADOPT** Ordinance No. 5024, providing findings of fact based upon specific code criteria to deny the application for the denial in the motion to not approve Ordinance No. 5024.

#### **Recommendation/Suggested Motion:**

Staff recommends that the Council adopt Ordinance No. 5024 which would approve the application for a planned development amendment as the proposal meets the policies of the McMinnville Comprehensive Plan and the criteria of the McMinnville Zoning Ordinance.

"THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE TO ADOPT ORDINANCE NO. 5024."

RP:sjs

- Ordinance No. 5024 including Exhibit A ZC 6-17 Decision Document
- Attachment 1: ZC 6-17 Application and Attachments
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#### ORDINANCE NO. 5024

AN ORDINANCE AMENDING PLANNED DEVELOPMENT ORDINANCE NO. 4868 TO ALLOW EXCEPTIONS TO CURRENT STREET GRADE, BLOCK LENGTH, BLOCK CIRCUMFERENCE AND LOT DEPTH TO WIDTH STANDARDS AND TO AMEND AN APPROVED RESIDENTIAL SUBDIVISION AND PHASING PLAN ON APPROXIMATELY 132 ACRES OF LAND.

#### RECITALS:

The subject site is located north of NW Redmond Hill Road, west of NW Mt. Mazama Street and south of NW Fox Ridge Road and is more specifically described as Tax Lot 801 Section 24, T. 4 S., R. 5 W., W.M.; and

The Planning Department received application ZC 6-17 on April 5, 2017, and deemed it complete on April 11, 2017. The first public hearing before the McMinnville Planning Commission was held on May 18, 2017, after due notice had been provided in the local newspaper on May 9, 2017, and written notice had been mailed to property owners within 300 feet of the affected property. At the May 18, 2017, Planning Commission public meeting, after the application materials and a staff report were presented and testimony was received, the Commission voted unanimously to recommend approval of ZC 6-17 to the McMinnville City Council; and

The City Council, being fully informed about said request, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the zone change review criteria listed in Section 17.74.020 and Planned Development Amendment review criteria listed in Section 17.74.070 of the McMinnville Zoning Ordinance based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The City Council having received the Planning Commission recommendation and staff report, and having deliberated;

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

1. That the Council adopts the Findings of Fact, Conclusionary Findings, Decision and Conditions of Approval as documented in Exhibit A for ZC 6-17; and

2. That the Conditions of Approval as documented in Exhibit A for ZC 6-17 are as follows:

1. That the planned development overlay shall require the following setbacks:

- A. Development of the multi-family lot and single-family lots within the Northridge subdivision shall be to standard R-4 zone setbacks.
- B. Lots within the Valley's Edge Phase 2 subdivision shall be to a standard R-3 zone setback.

C. All other lots shall meet applicable R-2 zoning setbacks.

The Planning Director is authorized to permit reductions or increases to these setback standards as may be necessary to provide for the retention of trees greater than nine (9) inches in diameter measured at 4.5 feet above grade. In no case, however, may the side yard setback be reduced to less than five feet, or the exterior side yard setback to less than 12 feet, or the distance from the property line to the front opening of a garage be reduced to less than 18 feet without approval of the Planning Commission pursuant to the requirements of Chapter 17.69 (Variance). A request to adjust the setbacks for these lots shall be accompanied by a building plan for the subject site that clearly indicates the location of existing trees. Trees to be retained shall be protected during all phases of home construction.

- 2. That existing trees greater than nine inches in diameter above grade shall not be removed without prior review and written approval of the Planning Director. In addition, all trees shall be protected during home construction. A plan for such protection must be submitted with the building permit application and must meet with the approval of the Planning Director prior to release of construction or building permits within the subject site. Requests for removal of such trees based upon claims of disease, or hazard should be accompanied by a report from a licensed arborist.
- 3. That the "Hillcrest" phased tentative subdivision plan (revised as necessary to comply with the adopted conditions of approval) be placed on file with the Planning Department and that it become a part of the zone and binding on the property owner and developer, and shall in no way be binding on the City.

The developer shall be responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

- 4. That site plans and building elevations for the proposed multi-family units must be submitted to the Planning Director for review and approval prior to the issuance of any building permits for said units. The following criteria shall apply:
  - A. The building layout must be nonlinear in design, even if to meet this goal the number of units has to be reduced.
  - B. The building roof lines and facades must be broken so as to avoid a flat, uniform appearance.
  - C. The site shall be heavily landscaped with emphasis on those sides facing a public street. Street-side landscaping shall include berming, and street trees a minimum of two-inch caliper at time of planting. In

addition, parking lots shall be broken up by landscaping, and usable open space shall be provided within the development.

- D. Signage shall be limited to a maximum of two free-standing monument-type signs, each not more than four feet in height and not exceeding 36 square feet in area. The signs, if illuminated, must be indirectly illuminated and non flashing.
- E. Horizontal lap siding or similar type siding must be used (no T-111 or similar), and architectural composition roofing or a similar or higher grade type of roofing must be applied.
- 5. Prior to the issuance of the 290<sup>th</sup> building permit for the master planned development, the developer shall complete the installation of left-turn-lane improvements, meeting the City's and Yamhill County's standards, at the intersections of Hill Road / Horizon Drive and Hill Road / West Second Street.
- 6. That minimum lot sizes within the Hillcrest development may be reduced below 7,000 square feet, provided the overall residential density within the subject site (less the parkland and storm detention areas) does not exceed the net density allowed by the R-2 zone (gross density reduced by 25 percent to account for public infrastructure).
- 7. Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street except as described below. Any local street grade exceeding 12 (twelve) percent shall be reviewed for approval by the Fire Code Official during the land use application review process. When a local residential street is approved to exceed 12 (twelve) percent the following shall be required:
  - A. A maximum of 200 feet of roadway length may be allowed with a grade between 12 (twelve) percent and 15 (fifteen) percent for any one section. The roadway grade must reduce to no more than 12 (twelve) percent for a minimum of 75 linear feet of roadway length between each such section for firefighting operations.
  - B. Fire sprinklers shall be installed in all residential and commercial structures whose access road is constructed at a grade higher than 12 (twelve) percent. The approval of such fire sprinklers shall be accomplished in accordance with the provisions of ORS 455.610(6).

Centerline radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 (ten) feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept sharper curves.

8. That condition of approval number 10 of S 13-06 is supplanted as follows: "The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associate with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat."

- 9. That condition of approval numbers 14, 15 and 16 of S 13-06 is supplanted as follows: "Per the adopted 2010 Transportation System Plan (TSP), all remaining streets (including the extensions of 2<sup>nd</sup> Street and Horizon Drive) within the development area can be constructed to the local residential street standard. All streets shall be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets."
- 10. That the applicant shall provide information detailing the number of lots that will be made available for individual sale to builders for review and approval by the Planning Director prior to recording of the final plat. Upon approval, the referenced lots will be made available for sale to the general public for a minimum of one hundred twenty (120) days prior to building permit issuance for said lots.
- 11. That in addition to the pedestrian connections shown on Sheet SU-00 of the applicant's submittal, pedestrian connections shall also be provided between NW Brookshire and NW Canyon Creek Drive, NW Canyon Creek Drive and Road A, between Road A and the adjacent westerly edge of the subdivision (Tax Lot 809), between NW C Loop and NW Elizabeth, between Road D and the northwesterly edge of the subdivision (Tax Lot 809) and between Road E and NW 2<sup>nd</sup> Street. All private pedestrian connections shall be dedicated as tracts commonly held and maintained by a Homeowner's Association.
- 12. That based on a Geo-Technical Engineering report dated May 10, 2016, and the soils conditions shown in this report, foundations will necessitate design by a Geo-Technical Engineer. Each design must take into account what might occur to the down slope construction (Phase 4), when further development of the hillside occurs in the future. Since the May 10, 2016, report this hillside has been saturated with substantial rainfall. How this has affected any construction on the downside as well as future development should be taken into consideration in the design of Phase 4.
- 13. That Planned Development Ordinance No. 4868 is repealed in its entirety.
- 3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 13<sup>th</sup> day of June 2017, by the following votes:

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

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

MAYOR

Attest:

Approved as to form:

CITY RECORDER

CITY ATTORNEY



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

503-434-7311 www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A PLANNED DEVELOPMENT AMENDMENT REQUEST (ZC 6-17), TAX LOT 801, SECTION 25, T.4 S., R. 5 W., W.M., LOCATED GENERALLY NORTH OF REDMOND HILL ROAD AND WEST OF MT. MAZAMA AND SOUTH OF FOX RIDGE ROAD.

- **DOCKET:** ZC 6-17
- **REQUEST:** West Hills Properties, LLC, has submitted an application requesting approval of a Planned Development Amendment (ZC 6-17) to an existing multi-phase residential subdivision master plan. The proposed modifications are summarized as follows:

Street Grade – The applicant is requesting approval to exceed the maximum grade of 12% for local residential streets.

Lot Depth to Width Standard – The applicant is requesting approval to exceed the lot depth to width standard of 2 to 1 that is not ordinarily exceeded.

Block Length – The applicant is requesting approval to exceed the maximum block length of 400 feet.

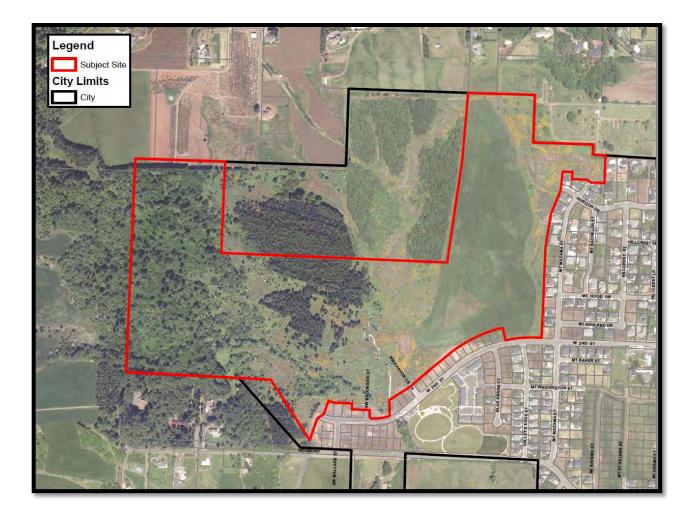
Block Circumference – The applicant is requesting approval to exceed the maximum block circumference of 1,600 feet.

As part of this Planned Development amendment application the applicant is also requesting approval of an amended subdivision layout and phasing plan that would also increase by 40 the number of residential lots in the multi-phase development plan.

- LOCATION: Tax Lot 801, Section 24, T.4 S., R. 5 W., W.M.
- **ZONING:** The subject site's current zoning is R-2 PD

APPLICANT: West Hills Properties, LLC 2300 SW 2<sup>nd</sup> Street, Suite B McMinnville, OR 97128

**STAFF:** Ron Pomeroy, Principal Planner



<b>HEARINGS BODY:</b>	McMinnville Planning Commission
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DATE & TIME: May 18, 2017, 6:30 p.m, McMinnville Civic Hall, 200 NE Second Street McMinnville, OR 97128

#### DECISION-MAKING

**BODY:** McMinnville City Council

- DATE & TIME: June 13, 2017, 7:00 p.m, McMinnville Civic Hall, 200 NE Second Street McMinnville, OR 97128
- **COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

#### DECISION

Based on the findings and conclusions, the Planning Commission recommends that the City Council **APPROVE** zone change ZC 6-17 **subject to the conditions of approval provided in this document.** 

DECISION: APPROVAL WITH CONDITIONS		

City Council: Scott Hill, Mayor of McMinnville	Date:
Planning Commission: Roger Hall, Chair of the McMinnville Planning Commission	_ Date:
Planning Department: Heather Richards, Planning Director	Date:

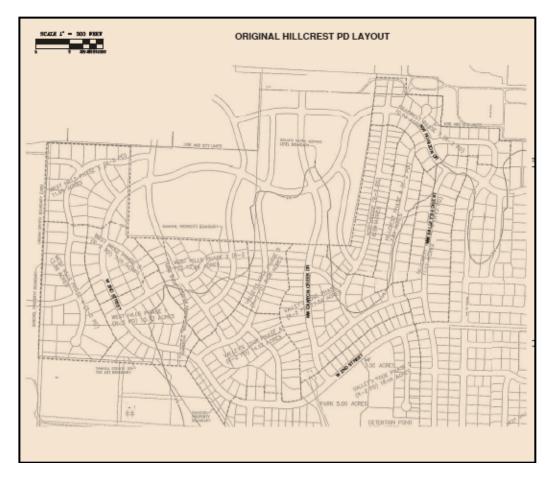
#### **APPLICATION SUMMARY:**

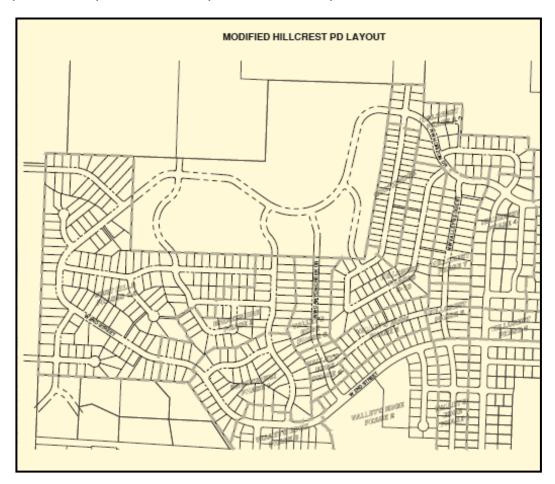
The applicant is requesting approval to amend Planned Development Ordinance 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also are quested is approval to amend an approved residential subdivision and phasing plan on approximately 132 acres of land.

This request is to amend a Planned Development approved on April 24, 2007, when the McMinnville City Council adopted Ordinance No. 4868 for a zone change request from an R-1 (Single-Family Residential) zone to an R-2 PD (Single-Family Residential Planned Development) zone on a parcel of land approximately 164 acres in size. At the same time a phased subdivision request for approximately 4.0 acres of multifamily housing, 7.2 acres for park and storm water detention, and approximately 153 acres of residential housing (441 single-family detached residences, 50 single-family attached residences and 60 apartment units) was approved. It is the modification of this Ordinance and its implications to the attendant phased subdivision that is the subject of this Planned Development Amendment application.

Since that time, portions of that phased subdivision plan (referred to as the Hillcrest Planned Development) have been developed including the public park and storm water detention facility, multiple-family residential apartment complex and the Valley's Edge Phases 2 and 3 of the phased development plan. The remaining 132 acres of the original 164-acre multi-phase plan are the subject of this current zone change request.

For the benefit of context for the Commission, the originally approved (2007) conceptual subdivision plan for this site is provided below:





The proposed conceptual subdivision plan for this site is provided below:

#### **CONDITIONS OF APPROVAL:**

The following conditions of approval shall be required to ensure that the proposal is compliant with the City of McMinnville's Comprehensive Plan and Zoning Ordinance:

- 14. That the planned development overlay shall require the following setbacks:
  - A. Development of the multi-family lot and single-family lots within the Northridge subdivision shall be to standard R-4 zone setbacks.
  - B. Lots within the Valley's Edge Phase 2 subdivision shall be to a standard R-3 zone setback.
  - C. All other lots shall meet applicable R-2 zoning setbacks.

The Planning Director is authorized to permit reductions or increases to these setback standards as may be necessary to provide for the retention of trees greater than nine (9) inches in diameter measured at 4.5 feet above grade. In no case, however, may the side yard setback be reduced to less than five feet, or the exterior side yard setback to less than 12 feet, or the distance from the property line to the front opening of a garage be

reduced to less than 18 feet without approval of the Planning Commission pursuant to the requirements of Chapter 17.69 (Variance). A request to adjust the setbacks for these lots shall be accompanied by a building plan for the subject site that clearly indicates the location of existing trees. Trees to be retained shall be protected during all phases of home construction.

- 15. That existing trees greater than nine inches in diameter above grade shall not be removed without prior review and written approval of the Planning Director. In addition, all trees shall be protected during home construction. A plan for such protection must be submitted with the building permit application and must meet with the approval of the Planning Director prior to release of construction or building permits within the subject site. Requests for removal of such trees based upon claims of disease, or hazard should be accompanied by a report from a licensed arborist.
- 16. That the "Hillcrest" phased tentative subdivision plan (revised as necessary to comply with the adopted conditions of approval) be placed on file with the Planning Department and that it become a part of the zone and binding on the property owner and developer, and shall in no way be binding on the City.

The developer shall be responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

- 17. That site plans and building elevations for the proposed multi-family units must be submitted to the Planning Director for review and approval prior to the issuance of any building permits for said units. The following criteria shall apply:
  - A. The building layout must be nonlinear in design, even if to meet this goal the number of units has to be reduced.
  - B. The building roof lines and facades must be broken so as to avoid a flat, uniform appearance.
  - C. The site shall be heavily landscaped with emphasis on those sides facing a public street. Street-side landscaping shall include berming, and street trees a minimum of two-inch caliper at time of planting. In addition, parking lots shall be broken up by landscaping, and usable open space shall be provided within the development.
  - D. Signage shall be limited to a maximum of two free-standing monument-type signs, each not more than four feet in height and not exceeding 36 square feet in area. The signs, if illuminated, must be indirectly illuminated and non flashing.
  - E. Horizontal lap siding or similar type siding must be used (no T-111 or similar), and architectural composition roofing or a similar or higher grade type of roofing must be applied.
- 18. Prior to the issuance of the 290<sup>th</sup> building permit for the master planned development, the developer shall complete the installation of left-turn-lane improvements, meeting the City's

and Yamhill County's standards, at the intersections of Hill Road / Horizon Drive and Hill Road / West Second Street.

- 19. That minimum lot sizes within the Hillcrest development may be reduced below 7,000 square feet, provided the overall residential density within the subject site (less the parkland and storm detention areas) does not exceed the net density allowed by the R-2 zone (gross density reduced by 25 percent to account for public infrastructure).
- 20. Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street except as described below. Any local street grade exceeding 12 (twelve) percent shall be reviewed for approval by the Fire Code Official during the land use application review process. When a local residential street is approved to exceed 12 (twelve) percent the following shall be required:
  - A. A maximum of 200 feet of roadway length may be allowed with a grade between 12 (twelve) percent and 15 (fifteen) percent for any one section. The roadway grade must reduce to no more than 12 (twelve) percent for a minimum of 75 linear feet of roadway length between each such section for firefighting operations.
  - C. Fire sprinklers shall be installed in all residential and commercial structures whose access road is constructed at a grade higher than 12 (twelve) percent. The approval of such fire sprinklers shall be accomplished in accordance with the provisions of ORS 455.610(6).

Centerline radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 (ten) feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept sharper curves.

- 21. That condition of approval number 10 of S 13-06 is supplanted as follows: "The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associate with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat."
- 22. That condition of approval numbers 14, 15 and 16 of S 13-06 is supplanted as follows: "Per the adopted 2010 Transportation System Plan (TSP), all remaining streets (including the extensions of 2<sup>nd</sup> Street and Horizon Drive) within the development area can be constructed to the local residential street standard. All streets shall be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets."
- 23. That the applicant shall provide information detailing the number of lots that will be made available for individual sale to builders for review and approval by the Planning Director prior to recording of the final plat. Upon approval, the referenced lots will be made available for sale to the general public for a minimum of one hundred twenty (120) days prior to building permit issuance for said lots.
- 24. That in addition to the pedestrian connections shown on Sheet SU-00 of the applicant's submittal, pedestrian connections shall also be provided between NW Brookshire and NW

Canyon Creek Drive, NW Canyon Creek Drive and Road A, between Road A and the adjacent westerly edge of the subdivision (Tax Lot 809), between NW C Loop and NW Elizabeth, between Road D and the northwesterly edge of the subdivision (Tax Lot 809) and between Road E and NW 2nd Street. All private pedestrian connections shall be dedicated as tracts commonly held and maintained by a Homeowner's Association.

- 25. That based on a Geo-Technical Engineering report dated May 10, 2016, and the soils conditions shown in this report, foundations will necessitate design by a Geo-Technical Engineer. Each design must take into account what might occur to the down slope construction (Phase 4), when further development of the hillside occurs in the future. Since the May 10, 2016, report this hillside has been saturated with substantial rainfall. How this has affected any construction on the downside as well as future development should be taken into consideration in the design of Phase 4.
- 26. That Planned Development Ordinance No. 4868 is repealed in its entirety.

## ATTACHMENTS:

- 1. ZC 6-17 Application and Attachments (on file)
- 2. Public Notices (on file)
- 3. McMinnville Ord. No. 4868 (on file)
- 4. Geotech Report by GeoPacific for West Hills Properties dated May 19, 2016 (on file)
- 5. Public Testimony Received (on file)
- 6. Planning Commission, May 18, 2017 Meeting Minutes (on file)
- 7. Memo from AKS Engineering and Forestry, dated May 30, 2017 (on file)

#### COMMENTS:

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

#### McMinnville Engineering Department

- The applicant is proposing to construct the extensions of 2<sup>nd</sup> Street and Horizon Drive to the minor collector standard contained in the Transportation System Plan (TSP). Per the adopted 2010 TSP, all remaining streets (including the extensions of 2<sup>nd</sup> Street and Horizon Drive) within the development area can be constructed to the local residential street standard. Conditions 14, 15, and 16 of the existing subdivision approval for ZC18-06/S13-06 should be modified to reflect that the remaining streets shall be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets.
- Condition 10 of the existing subdivision approval for ZC18-06/S13-06 should be modified to read:
  - 10. The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associated with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat.
- The requested street grade and block length exceptions are acceptable to the Engineering Department.
- The submitted Preliminary Stormwater Management Memo is acceptable to the Engineering Department.
- The submitted Traffic Analysis Update Memo acceptable to the Engineering Department.

#### McMinnville Fire Department

- <u>GRADE:</u> Average road grade shall not exceed 12% except that any grade exceeding 12% shall be approved by the Fire Code Official (*during land use application*). No road grade shall exceed 15%.
- 2) When approved to exceed 12% grade, the following condition shall apply:

a) A maximum of 200 feet of road length may be allowed with a grade between12% to 15% in any one section. The roadway must then level out below 12% for a minimum of length of 75 feet for firefighting operations.

b) Fire sprinklers shall be installed in any residential or commercial structure that is built on or whose access road is constructed to a grade of 12% or greater. The approval of fire sprinklers as an alternate means of fire safety shall be accomplished in accordance with the provisions of ORS 455.610(6) – (Low Rise Residential Dwelling Code).

#### McMinnville Water & Light

MW&L has no comments on this application.

#### McMinnville Parks Department

After reviewing the material about the planned development changes, I do not find any changes that impact the neighborhood park detention area (2.77 acres). I imagine the park will receive a greater volume of water over time as hard surfaces are more fully developed and the neighborhood is complete. However, that is what was intended with the detention capacity within the park. We shall see if the original calculations were accurate. But there are no concerning issues relative to anticipated impacts to the park of immediate surrounds with the proposed plans.

#### FINDINGS OF FACT

- West Hills Development, LLC, has submitted a Planned Development Amendment request (ZC 6-17) requesting approval to amend Planned Development Ordinance 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested is approval to amend an approved residential subdivision and phasing plan on approximately 132 acres of land. The property is located generally north of Redmond Hill Road and West of Mt. Mazama and South of Fox Ridge Road and is more specifically described as Tax Lot 801, Section 24, T. 4 S., R. 5 W., W.M.
- 2. The site is currently zoned R-2 PD (Single-Family Residential Planned Development) and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
- 3. Sanitary sewer and municipal water and power can serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
- 4. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas, Oregon Department of Transportation, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. No comments in opposition have been provided.
- 5. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

#### CONCLUSIONARY FINDINGS:

The applicant provided findings for a wide range of Comprehensive Plan goals and policies, many of which were found to not apply to the request as the submitted application was for review of an approved Planned Development. However, all of the applicant's findings are incorporated herein as they were provided in the application. Staff concurs with the applicable findings provided by the applicant and offers the following additional findings.

<u>Comprehensive Plan Volume I –</u>

#### Planned Developments:

"The planned development (PD) is a method by which creative, large-scale development of land is encouraged for the collective benefit of the area's future residents. [..] As written, the planned development provisions are intended to provide specific benefits to a development (e.g., developed parks, retention of unique natural areas, etc.) [..] It is important that the City continue to scrutinize planned development designs to insure that amenities are being provided in excess of what is normally required.

4. Future planned developments should be carefully scrutinized to insure that there are trade-offs favorable to the community when zoning ordinance requirements are varied. Those trade-offs should not just include a mixture of housing types.

#### Additional Design Considerations:

Pedestrian paths (sidewalks) are required by ordinance to be constructed in all new residential developments. Bike paths, however, have only been constructed in a few selected areas. The City should encourage the development of bike paths and foot paths to activity areas, such as parks, schools, and recreation facilities, in all development designs.

2. Open space is required in all residential developments in several ways. Traditional zoning setbacks reserve a large portion of each individual lot for potential open space. Planned developments can preserve large open areas for open space by clustering development in smaller areas. [..]

5. The City should encourage the provision of bike and foot paths within residential developments to connect to public and/or private parks, or recreation facilities and to connect to any paths which currently abut the land."

<u>Finding</u>: Based on materials submitted by the applicant this proposal meets the intent of this portion of Volume I of the Comprehensive Plan relative to park space, open space and the provision of bike paths. Following the 2007 Planned Development approval for this site, the applicant worked with the McMinnville Parks Department to achieve the approximately 7-acre public park incorporating a functioning storm water facility sited along the major access into this development area. Additionally, the applicant has mapped the drainage ravines that carry storm runoff and traverse and meander throughout the site. The revised phased subdivision plan has aligned these natural drainageways with the common rear property lines of residential lots as much as practicable to allow their protection through restrictive easements to be maintained through homeowners associations to be created commensurate with the platting of subdivision phases. Additionally, the applicant has proposed the platting of six access tracts to serve as pedestrian connections at cul-de-sac and mid-block locations to enhance pedestrian connections through the topographically challenging hillside development area. Bikeways shall be provided as required by the adopted 2010 McMinnville Transportation System Plan (TSP).

In addition to that provided by the applicant, the following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are also applicable to this request:

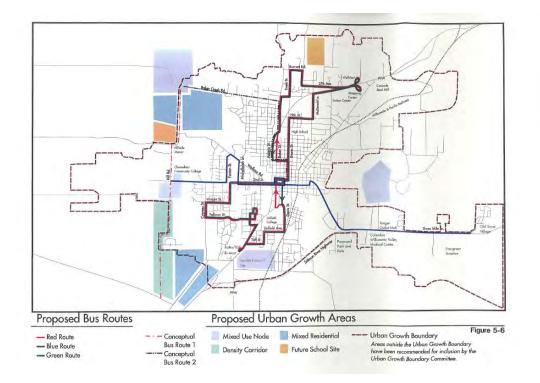
### <u>Comprehensive Plan Volume II –</u>

#### Chapter V. Housing and Residential Development

#### Westside Density Policy:

- 71.01 The City shall plan for development of the property located on the west side of the city that is outside of planned or existing transit corridors (1/4 mile either side of the route) to be limited to a density of six units per acre. It is recognized that it is an objective of the City to disperse multiple family units throughout the community. In order to provide higher density housing on the west side, sewer density allowances of trade-offs shall be allowed and encouraged.
- 71.10 The following factors should be used to define appropriate density ranges allowed through zoning in the medium density residential areas:
  - 1. The density of development in areas historically zoned for medium and high density development;
  - 2. The topography and natural features of the area and the degree of possible buffering from established low density residential areas;
  - 3. The capacity of the services;
  - 4. The distance to existing or planned public transit;
  - 5. The distance to neighborhood or general commercial centers; and
  - 6. The distance from public open space.

<u>Finding</u>: Policies 71.01 and 71.10 are met by this proposal in that the development site is located on the west side of the city, proposed less than an average of the six dwelling units per acres and is located outside of existing or planned transit corridors as demonstrated by Figure 5-6 of the adopted McMinnville Public Transit Plan (below). The multiple-family component of the approved 2007 Planned Development for this area has already been constructed in a manner that dispersed this more dense type of development within the west hills area. Public open space has already been provide and developed as a public park adjacent to the multiple-family residential development. Additionally, this development site is adjacent to areas similarly zoned R-2 PD and developed accordingly with medium density residential development. While distance to neighborhood or general Commercial centers is not as critical to medium density residential development as it is to residential development of much higher densities, a neighborhood serving professional and commercial center exists eastward from this site along W 2<sup>nd</sup> Street which is the main roadway that will traverse the subject site.



Planned Development Policies:

- 72.00 Planned unit developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.
- 74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.
- 77.00 The internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways.
- 78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.

<u>Finding</u>: Policies 72.00, 74.00, 77.00 and 78.00 are met by this proposal in that the proposal encourages social and environmental benefits and retains natural and aesthetic features within the planned development area by moving proposed roadways away from natural drainageways and requiring their protection through the creation of restrictive easements. Additionally, the proposed street design complies with current adopted City public street standards as defined by the adopted 2010 McMinnville Transportation System Plan (TSP) and extends opportunities for continuation of public streets to other adjacent properties beyond the scope of this development. Pedestrian connections are also proposed at numerous mid-block and cul-de-sac locations to enhance pedestrian access and circulation throughout the neighborhood.

Residential Design Policies:

79.00 The density allowed for residential developments shall be contingent on the zoning classification, the topographical features of the property, and the capacities and

availability of public services including but not limited to sewer and water. Where densities are determined to be less than that allowed under the zoning classification, the allowed density shall be set through adopted clear and objective code standards enumerating the reason for the limitations, or shall be applied to the specific area through a planned development overlay. Densities greater than those allowed by the zoning classification may be allowed through the planned development process or where specifically provided in the zoning ordinance or by plan policy.

- 80.00 In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.
- 81.00 Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as schools, commercial facilities, parks, and other residential areas, shall be encouraged.
- 82.00 The layout of streets in residential areas shall be designed in a manner that preserves the development potential of adjacent properties if such properties are recognized for development on the McMinnville Comprehensive Plan Map.
- 83.00 The City of McMinnville shall review the design of residential developments to insure site orientation that preserves the potential for future utilization of solar energy.

<u>Finding</u>: Policies 79.00, 80.00, 81.00, 82.00 and 83.00 are met by this proposal in that the overall residential density, while less than the underlying R-2 zone, can be allowed through the review and approval of the requested modification of the previously approved planned development zoning designation. While maximum density under the opportunity presented by the R-2 zone is not occurring with this proposal, it is important to note that, due to the topographic constraints and regulatory requirements applicable to this site, the applicant has achieved re-phasing plan that accommodates an additional 40 residential lots above that which was previously approved for this site in 2007. The proposed amended street layout demonstrates connection with the existing surrounding street network and preserves the development potential of other adjacent land. Other areas within the development are proposed to be connected by pedestrian pathways increasing opportunities for off-street pedestrian mobility. In addition, given the physical dimensions of the site, streets have been oriented to create opportunities for solar access as practicable.

#### Lot Sales Policy:

99.10 The City of McMinnville recognizes the value to the City of encouraging the sale of lots to persons who desire to build their own homes. Therefore, the City Planning staff shall develop a formula to be applied to medium and large size subdivisions that will require a reasonable proportion of lots be set aside for owner-developer purchase for a reasonable amount of time which shall be made a part of the subdivision ordinance.

Finding: Policy 99.10 shall be satisfied by Condition of Approval #10.

#### Streets

Policies:

118.00 The City of McMinnville shall encourage development of roads that include the

following design factors:

- 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.
- 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.
- 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.
- 4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)
- 5. Connectivity of local residential streets shall be encouraged. Residential cul-desac streets shall be discouraged where opportunities for through streets exist
- 119.00 The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.

<u>Finding</u>: Goal VI 1 and Policies 117.00, 118.00, and 119.00 are satisfied by this proposal in that the each of the proposed lots will abut public streets developed to City standards with adequate capacity to safely accommodate the expected trip generation from this development. Residential streets proposed within the development will connect at intersections except for the proposed cul-de-sac streets due to the presence topographical and water course constraints. The proposed street design will utilize connections to adjacent street stubs and have minimal adverse effects on the natural features of the land. In addition, street grades shall be designed in cooperation with the McMinnville Engineering and Fire Departments as reflected in the conditions of this Decision Document.

### Bike Paths

Policies:

- 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.
- 132.15 The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.

<u>Finding</u>: Policies 132.00 and 132.15 are satisfied by this proposal in that the applicant proposes additional pedestrian pathways providing mid-block connections within the subdivision in situations where unique topography and steep water courses prevent other public connections. While the terrain makes the provision of separated bikeways challenging, public streets will be constructed to City standards to provide the opportunity for bicycle connections through this development area and beyond as required by the McMinnville TSP.

### Supportive of General Land Use Plan Designations and Development Patterns

Policies:

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.

<u>Finding</u>: Policy 132.27.00 is satisfied by this proposal in that the proposed street design reflects and supports the land use designation of the site and urban development patterns within the surrounding area.

#### Circulation

Policies:

- 132.41.00 Residential Street Network A safe and convenient network of residential streets should serve neighborhoods. When assessing the adequacy of local traffic circulation, the following considerations are of high priority:
  - 1. Pedestrian circulation,
  - 2. Enhancement of emergency vehicle access,
  - 3. Reduction of emergency vehicle response times,
  - 4. Reduction of speeds in neighborhoods, and
  - 5. Mitigation of other neighborhood concerns such as safety, noise, and aesthetics. (Ord. 4922, February 23, 2010)
- 132.41.05 Cul-de-sac streets in new development should only be allowed when connecting neighborhood streets are not feasible due to existing land uses, topography, or other natural and physical constraints. (Ord. 4922, February 23, 2010)
- 132.41.20 Modal Balance The improvement of roadway circulation must not impair the safe and efficient movement of pedestrians and bicycle traffic. (Ord. 4922, February 23, 2010)
- 132.41.25 Consolidate Access Efforts should be made to consolidate access points to properties along major arterial, minor arterial, and collector roadways. (Ord. 4922, February 23, 2010)
- 132.41.30 Promote Street Connectivity The City shall require street systems in subdivisions and development that promote street connectivity between neighborhoods. (Ord. 4922, February 23, 2010)

<u>Finding</u>: Policies 132.41.00, 132.41.05, 132.41.20, 132.41.25 and 132.41.30 are satisfied by this proposal in that the proposed street pattern provides a safe and efficient network of residential streets to serve the proposed and adjacent existing residential neighborhoods. The cul-de-sac streets are proposed in response to the noted existence of topographic and environmental constraints. The proposed street system is also designed to promote a balance of safe and efficient movement of vehicles, pedestrians and bicycles as required by the requirements of the McMinnville TSP and provision of additional private pedestrian pathways. Vehicular access points to the adjacent street system comply with this policy and

promote safe street connectivity to the surrounding transportation network.

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.

#### Sanitary Sewer System

Policies:

- 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines with the framework outlined below:
  - 1. Sufficient municipal treatment capacities exist to handle maximum flows of effluents.
  - 2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.
  - 3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized
  - 4. Extensions will implement applicable goals and policies of the comprehensive plan.

#### Storm Drainage

Policies:

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

#### Water System

Policies:

- 144.00 The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.
- 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:
  - 1. Facilities are placed in locations and in such manner as to insure compatibility with surrounding land uses.

- 2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.
- 3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized;
- 4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.
- 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

#### Water and Sewer – Land Development Criteria

Policies:

- 151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:
  - 1. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.
  - 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.
  - 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.
  - 4. Federal, state, and local water and waste water quality standards can be adhered to.
  - 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.

<u>Finding</u>: Goal VII 1 and Policies 139.00, 142.00, 143.00.20, 144.00, 145.00, 147.00 and 151.00 are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

#### Police and Fire Protection

#### Policies:

- 153.00 The City of McMinnville shall continue coordination between the planning and fire departments in evaluating major land use decisions.
- 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.

<u>Finding</u>: Policies 153.00 and 155.00 are satisfied in that emergency services departments have reviewed this request. The concerns raised by the McMinnville Fire Department have been addressed with proposed modifications to street grade designs represented in the conditions of this Decision Document sufficient to ensure safe and efficient emergency access to protection to each lot.

#### **Open Space**

- 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.
- 168.00 Distinctive natural features and areas shall be retained, whenever 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.

<u>Finding</u>: Policies 167.00, 168.00 and 169.00 are satisfied in that, in addition to the approximately 7-acre public park and adjacent storm water detention facility located along the north side of W 2<sup>nd</sup> Street, the applicant proposes to provide open spaces in the form of preserved drainage greenways that traverse the development area. These areas shall be maintained by a Home Owners Association according to CC&Rs as required by the 2007 Planning Commission subdivision approval that shall be recorded following approval of the Planning Director. The applicant is also proposing an additional storm water detention area near the southern edge (downhill side) of the development site to accommodate natural run-off which shall be designed and maintained in compliance with City requirements.

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

Policies:

- 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.
- 177.00 The City of McMinnville shall coordinate with natural gas utilities for the extension of transmission lines and the supplying of this energy resource.

<u>Finding</u>: Goal VIII 1 is satisfied in that the City of McMinnville will continue coordinate with the various suppliers of energy and energy transmission systems commensurate

with proposed developments. No such concerns were raised during the review of this proposal.

#### **Energy Conservation**

Policies:

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

<u>Finding</u>: Policy 178.00 is satisfied in that the applicant's proposal has utilized density averaging through the Planned Development process to achieve a mix of residential lot sizes, along with the developed multiple-family component, in addition to the proposed single-family attached and detached residential dwelling opportunities achieving a more compact form of urban development and energy conservation than would have otherwise been achieved.

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

Policies:

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.

<u>Finding</u>: Goal VII 3 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the holding of advertised public hearing(s). All members of the public have access to provide testimony and ask questions during the public review and hearing process.

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

General Provisions:

<u>17.03.020</u> Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

<u>Finding</u>: Section 17.03.020 is satisfied by the request for the reasons enumerated in Conclusionary Finding for Approval No. 1.

Planned Developments:

<u>17.51.010</u> 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.

<u>Finding</u>: Section 17.51.010 is satisfied by the request in that the applicant proposes a development plan to provide for single-family detached and detached lots. City policies noted above speak to proposing lower density than that allowed by the underlying zone due to unique circumstances or limitations on specific sites. It this instance, the development site is very challenging due to the steep and varied topography as well as the natural drainage ravines that traverse the site. These features combined make the provision of public streets and the creation of buildable lots challenging. However, the applicant has proposed modifying the existing approved phased development plan in a way that attains a greater number of residential building lots while identifying and protecting additional natural resources to a greater extent than was approved in the 2007 Planned Development approval. Specifically dedicated pedestrian walkway connections are also proposed for further enhance connectivity and circulation throughout the various phases of this Planned Development.

<u>17.51.020</u> Standards and requirements. The following standards and requirements shall govern the application of a planned development in a zone in which it is permitted:

- A. The principal use of land in a planned development shall reflect the type of use indicated on the comprehensive plan or zoning map for the area. Accessory uses within the development may include uses permitted in any zone, except uses permitted only in the M-2 zone are excluded from all other zones. Accessory uses shall not occupy more than twenty-five percent of the lot area of the principal use;
- B. Density for residential planned development shall be determined by the underlying zone designations. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

<u>Finding</u>: Section 17.51.020 (A-B) are satisfied by the request in that the applicant proposes a development type (single-family attached and detached residential) consistent with the residential zoning indicated on the comprehensive plan map and zoning map. This proposed amendment to the existing planned development approval for this site complies with Sub B of this standard.

<u>17.51.030</u> Procedure. The following procedures shall be observed when a planned development proposal (or in this case, an amendment to a previously approved Planned Development) is submitted for consideration:

- C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:
  - There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;

- (2) Resulting development will not be inconsistent with the comprehensive plan objectives of the area;
- (3) The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels (as amended by Ordinance No. 4242, April 5, 1983);
- (4) The plan can be completed within a reasonable period of time;
- (5) The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- (6) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- (7) The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the City as a whole.

<u>Finding</u>: Section 17.51.030 (C) is satisfied by the request in that the design objective of this proposal is to fulfill the City's policy direction to residential development commensurate with the underlying zone given topographic and environmental constraints. The applicant has indicated that this proposal can be completed in a reasonable period of time as long as the economy does not experience another drastic downturn that recently slowed down the development of other phases of this previously approved plan. The proposed street network is adequate to support anticipated traffic which can also be supported by the surrounding existing street network. Public facilities have the capacity to adequately serve the proposed development and there are no indications that the proposal will have an adverse effect due to pollutants or noise on surrounding areas or the City as a whole.

Review Criteria:

<u>17.74.070</u> Planned Development Amendment - Review Criteria. An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:

- An increase in the amount of land within the subject site;
- An increase in density including the number of housing units;
- A reduction in the amount of open space; or
- Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas and access.

An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;

- D. The plan can be completed within a reasonable period of time;
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

<u>Finding</u>: The requirements of Section 17.74.070 are met by this major modification to an existing planned development for the reasons enumerated in the finding provided for the Section 17.51.030(C) requirements provided above. In addition, the applicant has determined the ability to increase the number of single-family lots while providing additional environmental protections to existing drainageways. The proposed Planned Development amendment also offers a partially reconfigured local street system that, while providing access to each proposed lot, meets acceptable Fire Department standards while employing grades that, for shorter distances, exceed standard grade limitations. The applicant has proposed an innovative approach to increasing density while ensuring public safety and enhancing environmental protection.

2. Ordinance No. 4868 is applicable to this request and is noted in Attachment 4 of this Decision Document.

<u>Finding</u>: The subject request generally complies with the requirements of Ordinance 4868 as the proposal seeks to modify the Planned Development (zone change) approved by this ordinance. As a practical matter of administration, should this request be approved, Ordinance 4868 will be repealed and replaced with the ordinance enacting the approval of this request. Most of the elements of Ordinance 4868 will remain in addition to new conditions reflecting the modifications to the phased development plan proposed by the applicant. This newly enacted ordinance will also serve to continue the Planning Commission's 2007 approval of the phased subdivision plan as amended (S 13-06) in the same manner that Ordinance 4868 enabled that phased subdivision plan.

RP:sjs

Attachment 1

# Modification of a Planned Development

**Date:** 

**Submitted to:** 

**Applicant:** 

March 30, 2017

City of McMinnville 231 NE Fifth Street McMinnville, Oregon 97128

West Hills Properties, LLC P.O. Box 731 McMinnville, Oregon 97128



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## **Exhibits**

Exhibit A: Preliminary Development Plans
Exhibit B: Application Form
Exhibit C: Property Ownership Information
Exhibit D: City of McMinnville Ord. 4868
Exhibit E: Preliminary Stormwater Management Report
Exhibit F: Traffic Analysis Update Memo

## Land Use Application for a PUD Modification

Submitted to:	City of McMinnville Planning Department 231 NE Fifth Street McMinnville, OR 97128			
Applicant/Owner:	West Hills Properties, LLC P.O. Box 731 McMinnville, OR 97128			
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 Contact(s): Paul Sellke, P.E., G.E. Email: pauls@aks-eng.com Phone: (503) 563-6151 Fax: (503) 563-6152			
Site Location:	North of NW 2nd Street, West of NW Mt. Mazama Street, South of NW Fox Ridge Road in McMinnville, OR			
Yamhill County Tax Map:	4S-5-24 Lot 801			
Site Size:	± 132.2 acres			
Land Use Districts:	PD (R-2)			



|

## I. Executive Summary

AKS Engineering & Forestry, LLC (AKS) is pleased to submit this application on behalf of West Hills Properties, LLC for a modification of the Hillcrest Planned Development (PD; approved via Ordinance [Ord.] 4868).

The Hillcrest PD was approved by the City of McMinnville (City) Council on April 24, 2007. At the end of 2007, and continuing through 2009, the U.S. housing market experienced one of the most significant declines of the last century. The Great Recession quelled demand for new housing in McMinnville and across the Country and is attributed to the delay in the development of the Hillcrest PD. During this period of delay, new and updated Americans with Disabilities Act (ADA) standards have been recommended and cities are requiring that these recommendations be implemented. To meet these ADA standards, new public street intersections are generally required to be flattened to grades of less than 5%.

While Ord. 4868 established an R-2 zoning designation on the site, the approval specified a mix of lot sizes that would accommodate a wide range of housing types and sizes. This modification respects the intent of the original approval and maintains a mix of larger hillside lots, single-family attached units in the Northride Phase of development, and smaller detached lots near the south end of the site. The modification also preserves the general circulation pattern established in the original approval by maintaining Redmond Hill Road, W 2nd Street, and NW Horizon Drive as the backbone of the street network. Although implementation of the new ADA requirements results in a reduction of overall site connectivity, the application includes 4 mid-block pedestrian accessways that enhance pedestrian mobility throughout the site.

The current demand for housing makes it possible to move forward with development in the Hillcrest PD. However, due to the new ADA standards that have been enacted since the original approval, it is necessary to modify the original site plan before moving ahead. In revising intersection grades to meet the new ADA standards on this site, it is subsequently necessary to reconfigure the overall layout of streets and lots.

This is because the original PD was approved with intersection grades of 10% or more. Flattening these intersections to 5% (or less to allow for construction tolerances) requires that street segments leading into and exiting them must be graded even steeper to make up for the grade lost by this flattening. Also, because streets must be designed with appropriate transitions (vertical curve) between the steep street segments and shallow intersections to ensure safe sight distance and vehicle clearance, the grade of street segments outside of the intersection can be excessive where the number and location of intersections is held constant. An illustration of this relationship is shown in Figure 1.

The only practical solution to this problem, in the context of the relatively steep topography characteristic of this site, was to reconfigure the street network to seek more shallow grades and to eliminate several public street intersections. Through these modifications, the site can satisfy the ADA maximum intersection grade requirement at all new public street intersections. Even with these modifications, however, certain local street segments (see Exhibit A) must still exceed the 12% maximum established in the City's zoning ordinance. We are therefore seeking an adjustment through this PUD to MZO Section 17.53.101.L to permit the grade of certain new local streets up to a maximum of 15%.

A street grade adjustment is appropriate in the context of development on this site due to topographical characteristics that are atypical of other development sites in the City of McMinnville. The plans included in this application incorporate feedback from City Planning, Engineering, and local Fire Department staff to ensure the overall health and community wellbeing objectives of the City's Zoning Ordinance are



respected. This feedback resulted in revisions to the plan that limit steep street segments to a maximum of 200 feet as well as a condition that all homes accessed by a street exhibiting a grade of 12% percent or more, will include a residential fire suppression system.

In addition to street grade, the new ADA requirements and elimination of some public street intersections, makes it necessary to seek an adjustment to the block length and perimeter standards of MZO Section 17.53.103. Mid-block pedestrian accessways have been added where practical, to facilitate pedestrian movement through the site.

Ord. 4868 approved a total of 513 lots. The final piece of this modification is a new arrangement of residential lots caused by the reconfiguration of streets throughout the site. The reconfigured residential lots respect the variety of lot sizes found desirable by the City in Ord. 4868 and will do an even better job of protecting natural drainage channels on the site.

This application includes the City application forms, written materials, and preliminary plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of the application.

## II. Site Description/Setting

The subject site is approximately 132.2 acres in size and contains a single parcel located in the West Hills of the City. The site is currently vacant and flanked by single-family residences on the abutting properties to the east and south. The site includes grades ranging from 1 to 30% and drainage generally flows southeasterly from the northwest corner of the site. The high point of the site is located north and west of the property's center. The property is located within the City's R-2 Zoning District and has received tentative plat approval through Ord. 4868.

## III. Applicable Review Criteria

## **CITY COUNCIL FINDINGS IN ORD. 4868**

Observations

Tentative Subdivision Plan (S 13-06)

The applicant has submitted a tentative multi-phase subdivision plan for the entire 164.1 acres comprising the subject site. This tentative plan proposes the platting of 441 detached housing units, 50 attached housing units, a four-acre parcel for multi-family housing to accommodate an estimated 60 residential units, and the setting aside of some 5.1 acres for public park space adjacent to a 2.1-acre storm water detention area. As part of the development of this subdivision, the applicant would construct several new public streets, and improve existing streets, as may be required by the City Engineer or Yamhill County. West Second Street and Horizon Drive, for example, would be extended west of their present termini, and Redmond Hill Road would be improved as necessary to support the anticipated traffic needs.

Further information regarding each of these applications and elements of the submitted proposal are found in the following observations and the applicant's submitted materials.

The applicant, KHA Properties, LLC, has submitted a detailed, multi-phased master plan for the entire site. In the applicant's supplemental information sheets, you will find categories providing a count of the number of lots, number of residential units by type, and other summary information. In some instances, however, this information differs slightly from that which is depicted on the tentative subdivision plan and other graphics provided by the applicant. As this plan was recently modified from an earlier draft version, this is simply an oversight in preparation of the application submittal



and not material to these requests. The tentative plan, however, does clearly represent the applicant's request and will be used in review of these requests.

• The plan depicts a total of 487 single-family residential lots dispersed according to the following 13 phases:

Hillcrest Phase 6	36 Lots			
Hillcrest Phase 7	34 Lots			
Hillcrest Phase 8	50 Lots			
Northridge	43 Lots (single-family attached)			
Valley's Edge Phase 2	51 Lots (additional lots/tract for park and detention facility)			
Valley's Edge Phase 3	50 Lots			
Valley's Edge Phase 4	45 Lots (one additional lot for multi-family housing)			
Valley's Edge Phase 5	56 Lots			
West Hills Phase 1	16 Lots			
West Hills Phase 2	21 Lots			
West Hills Phase 3	29 Lots			
West Hills Phase 4	28 Lots			
West Hills Phase 5	28 Lots			

**Response:** As shown in Exhibit A, the application includes a modification to the Hillcrest PD (Ord. 4868) as approved by the City Council on April 24, 2007. The purpose of the modification is to accommodate new ADA requirements for maximum grades at public street intersections as well as to locate natural drainageways within protective easements along shared rear property lines to the maximum extent practicable.

In preparation for submitting the final plats for Valley's Edge Phase 4 and Hillcrest Phase 6, the applicant and their consultant discovered that streets throughout the Hillcrest PD would not meet new ADA standards, which require a maximum grade of 5% within the vicinity of a public street intersection. Given the relatively challenging topography on the 132-acre Hillcrest PD site, reconfiguration of the street network was necessary to satisfy these ADA requirements. Revisions to the arrangement of streets subsequently required a revision to residential lots accessed by these streets. Following discussions with City staff, the course of action determined to be most optimal was to simultaneously seek a modification from the original Hillcrest PD and a street grade adjustment to ensure future development throughout the Hillcrest PD would meet current ADA standards.

The street grade adjustment is a result of the need to create public street intersections that do not exceed 5% because to accommodate the shallower intersection grades, it is necessary that local street segments outside of the intersection area will have grades of up to 15% in some cases. Because the City's maximum grade for local streets is 12%, the application includes a street grade adjustment (permissible as part of a PD) which would permit 15% grades for certain local street segments.

The modification will affect the lot and street configuration, as well as the total area of the individual development phases. For this reason, it is not possible to compare the lot



changes on a per phase basis. Nonetheless, to provide a general comparison of where changes to the number of lots will occur on site, we have included Table 1 below. The modified Hillcrest PD included in this application will comprise 488 lots (446 detached and 42 attached single family lots) across 15 phases. This is a 13% increase in the total number of lots and a 5% increase in the overall gross density, but remains more than 250 lots fewer than would be allowed on this site under R-2 zoning standards. The phases shown in Exhibit A are approximate at this time and may change in size and location as the project proceeds.

Phase	Original Approval No. of Lots	Proposed No. of Lots	Already Constructed	Pct. Change from Ord. 4868
Hillcrest Phase 6	36	13		
Hillcrest Phase 7	34	26		
Hillcrest Phase 8	50	44		
Hillcrest Phase 9-10		57		
Hillcrest Total	120	140	0	16.67%
Northridge	43	43		
Northridge Total	43	43	0	0.00%
Valley's Edge Phase 2	52		36	
Valley's Edge Phase 3	50		28	
Valley's Edge Phase 4	69	10		
Valley's Edge Phase 5	56	25		
Valley's Edge Phase 6		23		
Brookshire Phase 1		46		
Brookshire Phase 2		48		
Valley's Edge Total	227	152	64	-4.85%
West Hills Phase 1-5	122	153		
Valley's Edge Total	122	153		25.41%
TOTAL	512	488	64	7.81%

 Table 1
 Comparison of Lots by Phase

• The applicant's narrative further clarifies that Hillcrest Phases 6-8, located in the northeastern portion of the site, would consist of larger hillside lots that would typically be found on R-1 zoned land. Valley's Edge Phases 2-5, located in the southern and central portions of the site, will consist of middle and lower end housing typically found on R-2 and R-3 zoned properties. A four-acre multi-family parcel is proposed within Valley's Edge Phase 4. West Hills Phases 1-5 consist of larger, hillside lots varying in size between 10,000 and 30,000 square feet in size. This area is generally located in the northwest portion of the site; significant stands of trees are found here.



Northridge is sited on top of the north-south ridge in the eastern portion of the site and is proposed to be developed with common wall, mostly single-level, housing to meet the need of the retiring, downsizing baby boomer market. In addition, the plan also proposes the platting of a 7.2-acre combination park/storm water detention facility (5.1-acre public park, and 2.1-acre storm water detention) as part of the platting of Phase 2 of Valley's Edge. These uses are proposed to be located in the southeast portion of the site with the public park space being bounded by Redmond Hill Road to the south, West 2nd Street to the north, single-family residential to the east and multi-family residential to the west. A four- acre lot would be included in the Valley's Edge Phase 4 development for multi-family housing. It has been positioned adjacent to the planned public parkland and on collector streets, thereby taking advantage of open space for the future residents, and to afford appropriate access consistent with City policy for the siting of such housing.

**Response:** As shown in Exhibit A, the modification will reconfigure the area of individual phases approved with Ord. 4868. However, the Hillcrest phases will remain within the eastern and northeastern portions of the site. Lots within the Hillcrest phases will continue to be larger hillside lots, which resemble lots typically found in the City's R-1 zoning district. Additionally, while Valley's Edge Phase 2 has been completed, the Valley's Edge phases will include relatively smaller lots consistent with the original approval. This variation in lot sizes throughout the Hillcrest PD will create new residential lots with the ability to accommodate a wide range of housing demand across a variety of age and income groups. The phases shown in Exhibit A are approximate at this time and may change in size and location as the project proceeds.

The multi-family housing initially planned for Phase 4 of Valley's Edge has since been completed in the location originally identified as Valley's Edge Phase 2. This housing abuts the combination park/stormwater facility planned for this area. These new multi-family units will help satisfy the need for more affordable housing in the City.

Finally, 42 of the 43 lots in the Northridge Phase of the PD remain intended for single-family attached homes as approved in Ord. 4868.

- The street pattern for this multi-phased residential development proposes the westerly extensions of Horizon Drive, West 2nd Street, and Redmond Hill Road as the "backbone" of the internal street network. More specifically, West Second Street is proposed to be extended through the site toward its western edge to then turn north and east, joining with Horizon Drive in the proposed Hillcrest Phase 7 subdivision. This forms an effective looped end to West Second Street. This looping of West Second Street to join with Horizon Drive is proposed to be developed with a 36-foot-wide paved section with five- foot-wide curbside planters and five-foot-wide sidewalks within of a 60-foot-wide right-of- way to match the existing improvement of Horizon Drive.
- **Response:** As shown in Exhibit A, westerly extensions of Horizon Drive, W 2nd Street, and Redmond Hills Road will continue to make up the backbone of the Hillcrest PD. As mentioned above, the precise location of these new streets has been slightly modified to accommodate new requirements for shallow grades at public street intersections. Per the City's current Minor Collector Street standard, West 2nd Street is designed in a 30-foot-wide paved section with 6.5-foot-wide curbside planters and 5-foot wide-sidewalks in a 56-foot-wide right-of-way.



Redmond Hill Road will continue to serve as part of the site's southern edge and will be developed with a three-quarter street improvement; 27-foot-wide paved section with a five-foot-wide curbside planter strip and five-foot-wide sidewalk on the north side within what will eventually be a 60-foot right-of-way (see "Redmond Hill Road Typical Section" found on Sheet 2 of 6 of the Hillcrest Master Plan drawings). This improvement would extend the entire distance that Redmond Hill Road will abut the subject site. The applicant will not be required to provide the remaining improvements along the southern portion of the right-of-way as such will be the responsibility of adjacent land owners either as conditions of approval based on their future development requests, or by participation in a local improvement district (LID) if so formed at a future time.

**<u>Response:</u>** As shown in Exhibit A, the phases of the original Hillcrest PD abutting Redmond Hills Road have been constructed. No additional improvements to Redmond Hills Road are either necessary or anticipated to accommodate development within the remaining portions of the Hillcrest PD.

A number of local residential streets would then extend from these main streets to create a modified grid street network to ensure adequate access to each of the proposed lots. This network will also provide stubs to the north, west and south to serve other future development on adjacent land.

**<u>Response:</u>** As shown in Exhibit A, the revised street network will eliminate several public street intersections previously included in the Hillcrest PD. This is largely attributed to the need to maintain a maximum grade of 5% at public street intersections, as discussed above.

Although no detail has been provided at this time, it appears that the applicant is proposing the creation of three landscaped medians marking the entrances to the Northridge subdivision. Staff understands these to be similar to the existing median constructed within the NW Meadows Drive right-of-way located at the south entrance to the Park Meadows Third residential subdivision. The proposed medians would similarly signify a transition from the adjacent single-family detached subdivisions to the Northridge single-family attached subdivision.

- As part of their submittal, the applicant contracted with Lancaster Engineering to perform a traffic impact study for the proposed Hillcrest development; a copy of this analysis is attached to this report. A brief summary of the study's conclusions is provided below; please refer to page 27 of the study for additional detail.
  - 1. The results of the analysis indicate that the impact area intersections are capable of supporting traffic from either the proposed or the highest allowable density under the proposed zone change with minimal operational and safety mitigations.
  - 2. Left-turn lane warrants were examined for Hill Road at the three study intersections. The analysis concluded that the intersections of Hill Road at Horizon Drive and Hill Road at West Second Street will meet left-turn lane warrants with development of the proposed subdivision. Left turn lanes will be needed for these intersections after the site is developed with more than 289 homes. Left-turn lane warrants will not be met at the intersection of Hill Road and Redmond Hill Road.
  - 3. Traffic signal warrants were examined for future traffic conditions at the three study intersections.



Based on the analysis, it is anticipated that signal warrants will not be met at any of the subject intersections under year 2026 traffic conditions either with or without the proposed zone change. No traffic signal installations are recommended in association with the proposed development.

- 4. The intersection of Hill Road at Horizon Drive is currently operating acceptably and will continue to operate acceptably through 2026 either with or without the proposed zone change. No operational mitigations are needed for the zone change or the proposed development plan. Note: A left-turn pocket will be needed as noted in #2 above.
- 5. The intersection of Hill Road at Second Street is currently operating acceptably but is projected to operate at level of service "F" under year 2016 traffic conditions with development of the proposed subdivision. If the intersection is converted to fourway stop control, intersection operation is projected to be acceptable.
- 6. The intersection of Hill Road at Redmond Hill Road is currently operating acceptably and will continue to operate acceptably through 2026 either with or without the proposed zone change. No mitigations are required for the proposed zone change or development plan. Based upon this analysis, staff has drafted recommendations that would obligate the developer to mitigate anticipated traffic impacts, in part, through the construction of left turn lanes at the intersections of Hill Road and West Second Street, and Hill Road and Horizon Drive. These improvements will require coordination with Yamhill County and the City.
- **<u>Response:</u>** As shown in Exhibit F, Lancaster Engineering provided an updated Traffic Memo (dated March 8, 2017) to confirm that area roadways have capacity to serve traffic generated by this development with the recommended mitigation measures included in the original Traffic Analysis.
  - Detail as to specific site and building design elements for the proposed multi-family lot have not been provided at this time. In the absence of such details from the applicant, staff recommends that several site and building design conditions be incorporated into the planned development for this site, should the zone change and subdivision requests be approved. These would include conditions related to the landscaping of the multifamily site with emphasis along the perimeter of the site, and the physical arrangement and architectural scale of the future multifamily buildings, exterior lighting, landscaping and off-street parking. These are modeled on similar conditions applied in recent years to other vacant land rezoned for multi-family development, including the initial Hillsdale development proposal.

Staff estimates that, given the density of other garden apartment projects in McMinnville (two-story buildings; surface parking; appropriate landscaping) that this site would develop at a density of 15 to 18 dwelling units per acre, or a total of 60 to 72 dwelling units.



- **<u>Response:</u>** The multi-family component of the original Hillcrest PD has been constructed and is currently occupied. This modification does not include revisions to this element of the PD.
  - The Planning Commission is aware that land zoned for multi-family development in McMinnville is virtually non-existent. Aside from a 3.5 acre parcel of land situated at the southeast corner of Baker Creek Road and Hill Road, staff is unaware of any other vacant multi-family zoned lands larger than three acres in size in McMinnville. The siting of nearly any new multi-family housing within McMinnville will therefore require rezoning, and in some cases, amending the comprehensive plan designation, of a particular property to allow such use.

Elements that restrict site selection and development of multi-family housing are City policies regarding dispersal of such housing, and density limitations applied to development occurring on the west side of McMinnville. Specifically, Comprehensive Plan Policy 86.00 states, in part, that dispersal of new multiple housing development will be encouraged throughout the residential designated areas in the city to avoid a concentration of people, traffic congestion, and noise. Further, Plan Policy 91.00 states that multiple-family housing developments [..] shall be required to access off of arterials or collectors or streets determined by the City to have sufficient traffic carrying capacities to accommodate the proposed development; this element will be addressed below.

As regard the multi-family dispersal policy and its application to the subject site, the nearest multi-family housing project is the 34-unit Westvale Village apartment complex situated to the southeast, across Hill Road at a distance of slightly about three-quarters of a mile from the subject site. Within a one and one-half mile radius of the site are found apartment complexes in the Jandina planned development (adjacent to the linear park, the Columbus apartments on Fellows Street), Tall Oaks development (Tall Oaks Estates), and the Heather Glen apartments (on Goucher Street). The proposed multi-family development would be the first apartment complex located west of Hill Road. This multi-family lot is located adjacent to Redmond Hill Road and West Second Street, both of which are collector streets (or have sufficient capacity to accommodate the assumed density of this development) and would, therefore, satisfy the locational requirements of Plan Policy 91.00.

**<u>Response:</u>** The multi-family component of the original Hillcrest PD has been constructed and is currently occupied. This modification does not include revisions to this element of the PD.

This site comprises some 164.00 acres of land planned and zoned for residential development. Assuming 25 percent of this land would be devoted to public infrastructure (streets, rights-of-way, easements, etc), removing lands for park and storm water detention purposes, and that all lots would be platted at the R-2 minimum lot size of 7,000 square feet, a total of 732 dwelling units could be realized within the borders of the subject site. The applicant indicates in the submitted materials that 547 dwelling units are proposed. While providing opportunities for a range of residential types at a range of price points, this proposal is under the maximum number of dwelling units permitted by Plan Policy 71.01 (six dwelling units per acre). The applicant states in their submitted material that additional density may be realized within this development as a result of additional detailed engineering that would occur prior to the platting of each phase. Staff supports this direction and would recommend authority be granted to the Planning Director to grant adjustments to the details of this plan in order to allow for such increases, within certain prescribed limits.

**Response:** As shown in Exhibit A, the modified PD will include 488 residential lots (446 detached and 42 attached single family units). Added to the 92 lots that have already been platted, the



modified number of lots throughout the original Hillcrest PD boundary will be 552. This will represent a 13% increase from the number of lots approved with Ord. 4868 and be within the allowable density on this site.

- The applicant's narrative proposes the construction of 50 common wall (single-family attached) units, with 43 of these units comprising the entirety of the Northridge phase of the proposed tentative plan. The applicant's tentative plan locates the remaining seven common wall lots within Hillcrest Phase 8 (Lot 210) and Valley's Edge Phase 2 (six lots -- Lots 37-38, 42-43, and 74-75). The applicant indicates that the Northridge Lot 21 and the Hillcrest Phase 8, Lot 210 are to be complementary units joined by a common wall. Typically, residences that are attached are both part of the same subdivision and the applicant has not explained why this design was chosen. Staff encourages the applicant to consider adjusting either the lotting pattern or subdivision phasing boundaries to remedy this situation.
- **<u>Response:</u>** As shown in Exhibit A, Lot 642 has been designed to accommodate a single-family detached home in response to this original finding.
  - Not all of the lots proposed for single-family detached development will meet the minimum 7,000-square-foot area requirement for the R-2 zone. More specifically, lots less than 7,000 square feet in size identified for single-family detached development are planned for the following subdivisions and phases: Hillcrest Phase 8; Valley's Edge Phases 2, 3, 4 and 5; and, Northridge. Lot size averaging to enable the provision of smaller lots and still achieve the average required minimum lot size for the zone is a common feature of planned developments and, as noted previously, is requested as an element of this current proposal. Although a number of smaller lots are currently proposed, the average residential lot size within this multi-phased plan is some 10,390 square feet, which greatly exceeds the 7,000 square foot minimum required by the R-2 zoning designation alone.
- **Response:** As shown in Exhibit A, lot sizes in the modified PD range from 5,292 square feet to 35,305 square feet with an average lot size of 9,547 square feet. Consistent with the approval in Ord. 4868, the average lot size exceeds the 7,000 square foot minimum as required in the R-2 District.

The modified PD includes a total of 58 lots that are less than 7,000 square feet. 43 of these lots are located in the Northridge phase of the site (primarily intended for single-family attached residences). The remaining lots which are less than 7,000 square feet are intended for single-family detached homes.

- There are a number of lots that exceed the recommended maximum lot depth to width ratio of two to one as noted in the Land Division Ordinance. The configuration of these lots is acceptable not only because this ratio is only a recommendation, but also because these proposed lot configurations are made necessary due to topographic constraints found within certain areas of the site. Even so, the general shape of the majority of these lots is fairly uniform and falls within the recommended ratio as provided within the Land Division Ordinance.
- **Response:** Per Section 17.53.105.B.1, "...The depth of [a] lot shall not ordinarily exceed two times the average width." As shown in Exhibit A, lots throughout the modified Hillcrest PD exhibit a depth to width ratio near 2 to 1. Approximately 114 lots throughout the site exceed this guideline due primarily to, the need to accommodate an acceptable building footprint on lots where natural drainageways and/or steep slopes occupy a portion of the



rear yard area. The application therefore seeks flexibility per the PD standards to allow a depth to width ratio that slightly exceeds the 2:1 guidance in limited circumstances.

The applicant is requesting approval of 15-foot exterior side yard setbacks for all corner lots. The applicant's narrative states, in part, that approval of the 15-foot exterior side yard setbacks for such lots allows the applicant and future home buyers flexibility in addressing the sloping topography across these corner lots and provides for flexibility in house building footprint width. In most cases, the Planning Commission has approved requests to reduce or modify the standard residential setback requirements in a planned development, particularly if it will result in an improved streetscape design, or is necessary to avoid the removal of trees, or is in response to other unique characteristics of a property (in this case, slope). As to this proposal, staff is unable to find within the applicant's submitted material a strong argument for adjusting this exterior side yard setback. We find, for example, that subdivisions developing to the immediate east of this site, on which are slope constrained lands, are required to meet 20 foot exterior side yard setback standards. We are not aware of issues in siting these homes within these properties.

Staff would support, however, the use of R-4 zone setbacks to the single-family attached housing within the Northridge subdivision, and the multi-family lot. R-3 zone setbacks, which have a 15 foot exterior side yard setback would also be appropriate for Valley's Edge Phase 2 development in which lot sizes appear to average under 7,000 square feet in size. We would further support the ability to adjust setbacks on those lots with significant trees if, in so doing, the tree(s) are retained. At no time, however, should the front of a garage or carport be allowed to be located closer than 18 feet to property line.

**<u>Response:</u>** The application does not seek a modification to the side yard setbacks approved as part of Ord. 4868.

• The subject site is encumbered by the requirements of the West Hills Planned Development Overlay (No. 4132). As such, certain policies and requirements apply to development within the west hills area. Specifically, this overlay states that scenic values of the property, as viewed from the City towards the site, shall be emphasized and enhanced in residential development designs. The overlay goes on to state that this should be accomplished by encouragement of a design which clusters housing in suitable areas while reserving open areas.

As regard the wooded areas of the site, the submitted tentative plan provides a northsouth line that delineates the boundary between the hardwood trees (maples and oaks) that are native to the site and found on the site's western portion, and the conifer trees that were planted by the applicants for commercial harvesting (Christmas trees) and located on the eastern portion of the site. The applicant explored the opportunity to cluster development in a more traditional manner, leaving larger areas of open space and more densely designed residential spaces. Ultimately, they did not propose such a design for two prominent reasons:

- 1. A more dense clustering of residential uses and preservation of larger open spaces would result in a patchwork design of rooftops and vegetation. To accommodate more substantial clustering of residences, large areas would need to be virtually cleared of vegetation. In doing so, the area would not retain much of the tree cover's current integrity when viewing this hillside from the east.
- 2. Designing a street system to navigate these 12% to 25% slopes and serve a more traditional clustered



housing development plan for this site proved inefficient at best. With avoiding significant tree stands, the resulting street system was characterized with numerous dead-ends (cul-desacs) and a noticeable decrease in neighborhood connectivity.

The application before you proposes to address the goal of residential clustering by developing an approximately 60-unit multi-family complex as well as 50 single-family attached residences; 43 of which are proposed to be located within the Northridge subdivision, along the prominent ridge in the northeast portion of the site.

**Response:** The application includes modifications to the overall street network which will result in a loss of street connectivity in exchange for satisfying ADA requirements for public street intersections that have been enacted since the passage of Ord. 4868. While this resulting street network will reduce overall connectivity, it will avoid a greater number of trees when compared to the original street network. To improve connectivity, the PD modification includes 4 pedestrian mid-block connections located within private tracts.

Additionally, and as stated above, the goal of residential clustering has been addressed through the development of the multi-family residential units in Valley's Edge Phase 2, as well as through the attached units within the Northridge Phase of the project.

Further, the proposed public street layout has been designed to weave between the majority of the established, mature trees. To further preserve trees, the applicant proposes to:

- 1. Perform a detailed tree survey prior to submitting engineered construction drawings for public street and utility improvements within the site's naturally wooded area. The tree survey would be completed by a licensed surveyor and the survey would show horizontal location of tree, provide tree species and size of tree (DBH).
- 2. Limit clearing activities to the footprint of the public right-of-way and adjacent public utility easement.
- 3. Meander sidewalks where significant or desirable hardwood trees can be avoided.
- 4. Consider adjusting street alignment to avoid significant or desirable trees.
- 5. Avoid mass grading within residential lot areas as this leads to clearing large areas of vegetation prior to placing engineering fill embankments.
- 6. Plant street trees as required by City code.
- 7. Enact CC&Rs that require each home builder/lot developer to work with the City Planning Department staff to shift house footprint on the lot, within the allowable setbacks, to avoid impact to significant or desirable hardwood trees. Because the lots in the West Hills phases are large, there exists the ability to shift home sites on the lots.



Enact CC&Rs that require each home builder/lot developer to replant trees on the lots based upon the number of existing natural trees on the lot and the number of proposed trees to be removed to accommodate home construction. The proposed requirement for inclusion in the CC&Rs is: "Plant one new tree for every tree removed on lots with five or fewer natural trees, or plant one tree for every one and one-half trees removed on lots with six or more natural trees."

In sum, given the steep and varied topography of the site and the tree preservation and replanting efforts addressed by the applicant, staff finds that the proposed design provides a sensitivity to the scenic value of the area that results in a reduced impact on the existing natural habitat and tree cover than would otherwise typically occur. Staff contends that the intent and purpose of ORD 4132 have been met.

**<u>Response:</u>** The application does not seek to modify the above tree protection measures which will be further evaluated during the final plat review of each individual phase of the Hillcrest PD.

8.

• A 30-foot-wide storm drainage easement is proposed along the centerline of the central north-south natural drainageway that forms the boundary between Phases 3 and 4 of the Valley's Edge subdivision, and the Hillcrest Phase 8 and Valley's Edge Phase 4 subdivisions. The purpose of this easement would be to prevent building adjacent to the drainageway and to ensure that the channel retains its capacity to collect and convey storm water. With the exception of two street crossing locations, the applicant proposes to keep this drainageway in its natural, undisturbed conditions.

As designed, rear lot lines of the adjacent properties are located in the center of this easement (except for the multifamily and public park sites). In discussion with the applicant's engineer it was acknowledged that one benefit of this easement would be the creation of a defacto 30-foot-wide no-build zone along its length. This then would provide a view of the drainageway at the back of each lot, and of the neighbor's backyard across the drainageway as construction, including fences or accessory buildings, would not be allowed within the storm drainage easement. While this is the intent, given the observed history of other similar easements and tracts, the area within this easement would likely be used, over time, for a variety of residential purposes. While this is purely speculation on the part of staff, it is conceivable that some improvements (obstructions) may occur to include the placement of play structures, decks, and landscaping features, and even fences in some locations. It is suggested that a restrictive covenant be included to address this restriction in any recorded CC&Rs for the affected subdivisions; Hillcrest Phase 8, and Valley's Edge Phases 2, 3 and 4.

**<u>Response:</u>** In addition to meeting new ADA public street standards, this PD modification will also better preserve existing drainages on site. While the original PD layout was designed to locate the easternmost drainage channel in a protective easement at the rear of most lots, the original layout did not identify or accommodate on-site channels on the west side of the site. As shown in Exhibit A, the PD included in this modification will locate all drainage channels at the rear of most lots so they may be placed within a protective easement.



There is some history to the allocation of parkland being proposed by the applicant. By way of background, the applicants for this proposed zone change and tentative subdivision were responsible for the development of the property to the immediate east on which is located the existing phases of the Hillcrest, West Valley Estates, and Hillsdale residential subdivisions, as well as the Osprey Point Assisted Living facility, and Hillsdale Plaza commercial complex.

On April 28, 1998, the McMinnville City Council approved a zone change request on land east of the subject site and located at the southwest corner of the intersection of West 2nd Street and Hill Road. A companion subdivision tentative plan was also approved for this site the previous month by the Planning Commission. As part of that tentative plan, the applicant, Mr. Ed Christensen, proposed the creation of a centrally located 3.98-acre park. The plan for this park, as depicted by the applicant, included a softball/soccer field, basketball court, tennis courts, and a tot lot. It was the applicant's intent to dedicate this park land (without the improvements) to the City for use by the general public. The value of this dedication would have been applied as a credit against the park land system development charges applicable to the subject site. A design for the park was to be developed by the Parks and Recreation Department in concert with the surrounding neighborhoods in the future.

Ultimately Mr. Christensen did not move forward with his plans and in October of 1999 a new applicant stepped forward with a plan for this site. In summary, this plan, which was submitted by the applicants of the current proposal, requested the platting of 160 lots, to include 153 single-family residential lots; five two-family, "common-wall" lots; a 5.0-acre commercial lot; and, a 5.93-acre lot planned for multi-family residential development (this multi-family lot was subsequently developed for the Osprey Point Assisted Living Community facility). The park land identified in the original proposal was determined to be better addressed through a future development proposal on adjacent land to the west. The City granted approval of this proposal in December of 1999, subject to a number of conditions as contained in Ordinance No. 4713.

Subsequently, the same applicant later submitted, and received approvals for, detailed development plans for that on which now is developed with multiple phases of the Hillsdale and West Valley Estates residential subdivisions. Through the approvals of these subdivisions, the provision of parkland had been shifted to lands further to the west to the site of this current application. Part of the rationale for this adjustment from earlier plans was that, depending upon the final design for this park, the environmental assets found to the west might be afforded greater protection under that scenario and used for open space purposes. Further, this future park general location and need is more consistent with the City's adopted "Parks, Recreation and Open Space Plan." Staff posited that its construction would satisfy the applicable requirements of the West Hills Planned Development Overlay ordinance. Staff also recommended that the value of any future dedication of parkland on this site would be applied as a credit against parks system development charges applicable to that land to the west (the subject site).

Staff contends that, with the current proposal for the creation of a 5.1-acre public park, in addition to the 2.1-acre storm water detention facility, this proposal complements the Parks, Recreation and Open Space Plan and satisfies the prior land use decisions in planning such parkland within the subject site. Further, in the February 7, 2006, memo from the City's Park Director, it is made clear that the city fully supports this current plan and is intent on pursuing negotiations for acquisition of that land for public park space. The agreement will likely take the form of a purchase, parks system development charge (SOC) credit, or some combination thereof.

**<u>Response</u>**: The park land discussed above was constructed alongside the rest of the development proposed in Valley's Edge Phase 2. The application does not seek to modify this element of Ord. 4868.



- Water service to McMinnville residents is delivered by a gravity feed system with reservoirs located in the higher elevations of Fox Ridge Road. This system has the capacity to adequately serve development below an elevation of 275 feet. Service above this elevation required one of two improvements. Namely, installation of a pump to move water from existing reservoirs to a higher elevation to new reservoirs thereby allowing the water to gravity feed to an acceptable pressurization minimum and ensure adequate service. Alternatively, development above the 275-foot elevation could be served directly by a pump. However, in the event of a power failure to the pump system, this alternative would leave residents and the Fire Department completely without water in that area until power was restored. Given the alternatives, McMinnville Water & Light is preparing to move forward toward a system to include a pump as well as the construction of new reservoir(s) as may be necessary. In summary, no development within this proposed subdivision would be allowed above the 275-foot elevation without prior approval of McMinnville Water and Light, and presence of water service infrastructure necessary to support the planned development. A condition specific to this concern is included in the staff recommendation.
- **<u>Response:</u>** The application does not seek a modification to this finding. The modified PD will include 309 lots located above the 275-foot elevation. The applicant understands that lot development above this elevation will not be allowed until necessary water system improvements are in place.

**Findings of Fact** 

1.

- The applicants are requesting approval of a zone change from an R-1 PD (Single- Family Residential Planned Development) zone to an R-2 PD (Single-Family Residential Planned Development) zone on some 164.1 acres of land. In addition, the applicant is requesting approval of a tentative residential subdivision plat for this same property that would provide for approximately 4.0 acres of multi-family housing, 7.2 acres for park space and detention pond purposes, and 152.9 acres for single-family housing (441 single-family detached residences; 46 attached residences, single-family and 60 apartment units). The subject property is generally located north of Redmond Hill Road, and west of West Second Street and Horizon Drive. The property is further described as Tax Lot 800, Section 24, T. 4 S, R 5 W, W.M.
- 2. The site is currently zoned R-1 PD (Single-Family Residential Planned Development) and designated as residential on the McMinnville Comprehensive Plan Map.
- 3. Sanitary sewer and municipal water (below the 275foot elevation) and power can serve the site. The municipal waste treatment plant has sufficient capacity to handle expected waste flows resulting from development of the property.
- 4. Northwest Natural Gas, Verizon, Comcast, School District 40, and the McMinnville Fire Department have all recommended approval of the request.



Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 that are applicable to this request include:

#### Chapter V Housing and Residential Development

5.

GOAL V1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

GOAL V2: TO PROMOTE RESIDENTIAL Α DEVELOPMENT PATTERN THAT IS LAND-INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

**General Housing Policies:** 

- 58.00 City land development ordinances shall provide opportunities for development of a variety of housing types and densities.
- 59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occu- pied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.
- 60.00 Attached single-family dwellings and common property ownership arrangements (condominiums) shall be allowed in McMinnville to encour- age land-intensive, cost-effective, owner-occupied dwellings.
- 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.
- 71.1 The City of McMinnville shall designate specific lands inside the urban growth boundary as residential to meet future projected housing needs. Lands so designated may be developed for a variety of housing types. All residential zoning classifications shall be allowed in areas designated as residential on the Comprehensive Plan Map.
- 71.2 The City shall plan for development of the property located on the west side of the City to be limited to a density of six units per acre. It is recognized that it is an objective of the City to disperse multiple-family units throughout the community. In order to provide for multiple-family units on the west side, sewer density allowances or trade-offs shall be allowed and encouraged.



- It will be the obligation of the City Planning Director and the City Engineer to determine whether or not the density of each proposed development can exceed six units per acre. School property, floodplain, and parklands will not be included in the density calculations.
- B. For those developments which have less than six units per acre, the differences between the actual density of the development and the allowed density (six units per acre) may be used as an additional density allowance by other property which is located in the same immediate sewer service area, provided that no peak loading effect would occur which would cause overloading of particular line design capacity, and provided that the zone change application is processed under the provisions of Chapter 17.51 of the zoning ordinance.
- C. The City will monitor development on the west side of McMinnville to determine which property is available for development at increased densities.
- D. In no case will a residential development of a higher density than six units per acre be approved if, by allowing the development, some other undeveloped property (which is not included in the application, but which is within the above- mentioned sewer service area) would be caused to develop at less than six units per acre because of lack of sewer capacity.
- E. Applications for multiple-family zone changes will be considered in relation to the above factors, e.g., sewer line capacity and dispersal of units. In addition, requests for zone changes to multiplefamily shall consider those factors set forth in Section 17.72.035 (zone change criteria) of the zoning ordinance. (As amended by Ord. 4218, Nov. 23, 1985)"
- 71.05 The City of McMinnville shall encourage annexation and rezoning which are consistent with the policies of the comprehensive plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types (as amended by Ord. No. 4243, Apr. 5, 1983).

**Planned Development Policies:** 

A.

- 73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.
- 75.00 Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.



- 76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.
- 78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.

Multiple-family Development Policies:

- 86.00 Dispersal of new multiple-family housing development will be encouraged throughout the residentially designated area in the City to avoid a concentration of people, traffic congestion, and noise. The dispersal policy will not apply to areas on the fringes of the downtown "core" and surrounding Linfield College, where multiple-family developments shall still be allowed in properly designated areas.
- 89.00 All multiple-family housing developments shall provide landscaped grounds and large open spaces.
- 91.00 Multiple-family housing developments, including condominiums, boarding houses, lodging houses, rooming houses but excluding campus living quarters, shall be required to access off of arterials or collectors or streets determined by the City to have sufficient traffic carrying capacities to accommodate the proposed development.

### **Urban Policies:**

- 99.1 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development. Services shall include, but not be limited to:
  - 1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.
  - 2. Storm sewer and drainage facilities (as required).
  - 3. Streets within the development and providing access to the development, improved to city standards (as required).
  - 4. Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light).
  - 5. Energy distribution facilities and adequate energy resource supplies.

### Chapter VI 1

**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.

Streets:



- 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.
- 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

### 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.

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.

### 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.

### Water System:

- 144.00 The City of McMinnville, through the City Water and Light Department, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.
- 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and the City Water and Light Department to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with the City Water and Light Department in making land use decisions.

### Water and Sewer - Land Development Criteria:

151.1 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 the City Water and Light Department, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency needs.
- 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.
- 3. Sufficient water and sewer system personnel and resources, as determined by the Water and Light Department and 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 wastewater quality standards can be adhered to.
- 5. Applicable policies of the Water and Light Department and the City relating to water and sewer systems, respectively, are adhered to.

Parks and Recreation:

GOAL VII 3: TO PROVIDE PARKS AND RECREATION FACILITIES, OPEN SPACES, AND SCENIC AREAS FOR THE USE AND ENJOYMENT OF ALL CITIZENS OF THE COMMUNITY.

163.00 The City of McMinnville shall continue to require land, or money in lieu of land, from new residential developments for the acquisition and/or development of parklands, natural areas, and open spaces.

Chapter VIII Energy

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

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

Chapter IX Urbanization

GOAL IX 1: TO PROVIDE ADEQUATE LANDS TO SERVICE THE NEEDS OF THE PROJECTED POPULATION TO THE YEAR 2000, AND TO INSURE THE CONVERSION OF THESE LANDS IN AN ORDERLY, TIMELY MANNER TO URBAN USES.

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

**General Provisions:** 

17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for



establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide ade- quate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare."

### Planned Developments:

- 17.51.030 Procedure. The following procedures shall be observed when a planned development proposal is submitted for consideration: [...]
  - C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:
    - There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
    - (2) Resulting development will not be inconsistent with the comprehensive plan objectives of the area;
    - (3) The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels (as amended by Ordinance No. 4242, April 5, 1983);
    - (4) The plan can be completed within a reasonable period of time;
    - (5) The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
    - Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
    - (7) The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the City as a whole.

### **Review Criteria:**

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



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

When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statutes), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay."

7. The following sections of the West Hills Planned Development Overlay (McMinnville Ord. No. 4132) are applicable to the request:

Section 4. Policies. The following policies shall apply to the subject property:

- (a) The goals and policies of the McMinnville Comprehensive Plan, Volume II, and applicable regulations and standards in Volume III, and other City codes shall be adhered to.
- (c) The density of any proposed development shall be set by the zoning classification.
- (d) The wooded portions of the site shall be incorporated into the development of the property so that they will be left substantially intact and with consideration given to the preservation of wildlife habitat. (Amended by Ordinance No. 4225, November 23, 1982)
- (e) Scenic values of the property, as viewed from the City towards the site, shall be emphasized and enhanced in residential development designs. This should be accomplished by encouragement of a design which clusters housing in suitable areas while reserving large open areas. This policy shall not preclude incorporation of single-family structures in development designs.

Section 5.

Procedures for Review.



(a) The Planning Commission shall review proposals on the subject property to determine the acceptability of the plans. Neglect or failure of the applicants to take reasonable account of policies (a) through (e) in Section 4 shall constitute the Commission's sole basis for disapproving a proposal provided all applicable City codes are adhered to.

### CONCLUSIONARY FINDINGS FOR APPROVAL

- 1. The subject request complies with goals and policies of the McMinnville Comprehensive Plan, 1981 (Finding of Fact No. 5) as follows:
  - (a) Goal V-1 and V-2 and Policy 68.00 are satisfied by the request as a variety of additional housing stock will be added to the City (60 multi-family housing units; 46 common wall homes; and, 441 singlefamily homes); the application of the Uniform Building Code guarantees the quality of the housing; and an urban level of services is available to the development. According to the applicant, the development will provide housing for a variety of users, from entry level single-family housing and multi-family apartments in Valley's Edge Phase 2, to upper end housing in Hillcrest and West Hills subdivisions.
- **Response:** This PD modification will continue to satisfy Goals 1 and 2 of Policy 68.00 by establishing a variety of additional housing units for existing and future residents of the City. 68 multi-family units were constructed in Valley's Edge Phase 2. Additionally, the application includes 42 lots intended for attached single-family residences in the Northridge Phase and another 446 single-family detached lots in the remaining phases of the Hillcrest PD.
  - (b) Policies 58.00 and 59.00 are satisfied by the request as multi-family and townhome housing, which is a type of housing that is presently in relatively short supply, will be provided, thereby providing an opportunity for development of a variety of housing types and densities. This housing will be developed in accordance with applicable City ordinances, planned development requirements, and conditions of this approval.
- **Response:** This PD modification will continue to satisfy Policies 58.00 and 59.00 by establishing a variety of additional housing units for existing and future residents of the City. 68 multi-family units were constructed in Valley's Edge Phase 2. Additionally, the application includes 42 lots intended for attached single-family residences in the Northridge Phase and another 446 single-family detached lots in the remaining phases of the Hillcrest PD.
  - (g) Policy 60.00 is satisfied in that some 43 common wall units are proposed within the Northridge plat; an additional three such units would be located at



street corner locations elsewhere in the development. These units, when constructed, should provide cost-effective, owner-occupied housing for the residents of McMinnville. This housing type is in relatively short supply in McMinnville.

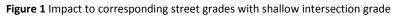
- **<u>Response:</u>** This PD modification will continue to satisfy Policy 60.00. The application includes 42 lots intended for attached single-family residences in the Northridge Phase and another 446 lots in the remaining phases of the Hillcrest PD.
  - (h) Policy 71.00 is satisfied in that the subject site is planned for residential use, as designated on the Comprehensive Plan Map, and the proposal to rezone the subject site to R-2 PD would allow for the construction of multi-family dwellings and commonwall housing in a planned development which, when built out, will consist primarily of single-family dwellings.
- **<u>Response:</u>** This PD modification will continue to satisfy Policy 71.00 since the remaining development phases will primarily consist of single-family dwellings.
  - (i) The various subdivisions that comprise this development will build out at gross densities ranging from 2.3 dwelling units per acre in the relatively steep West Hills Phases 1 - 5 areas to 6.5 dwelling units per acre in the Northridge subdivision (commonwall lots). Overall, the development site will average 3.6 dwelling units per gross acre. Plan policy 71.01, which limits west side density to a maximum of six dwelling units per acre, is therefore satisfied by the subject zone change request.
- **Response:** This PD modification will continue to satisfy Policy 71.01 because the site density will average 3.7 dwelling units per gross acre.
  - (j) Policy 71.05 is satisfied by the request in that the rezoning of this property from R-1 to R-2, and its subsequent development consistent with the plan submitted by the applicant, would increase the number of housing units that could be realized in this area. Additional engineering and verification of contours may result in additional building lots being platted, which this approval recognizes and supports up to the maximum permitted R-2 density. This proposal would move the city closer to the creation of a continuous five-year supply of land for all needed housing types.
- **Response:** This application does not seek to modify the approved zoning authorized through Ord. 4868. The application therefore will continue to satisfy Policy 71.05.
  - (k) Policy 73.00 is satisfied in that there is a variety of housing types offered by this proposal, including multi-family, single-family detached, and single-

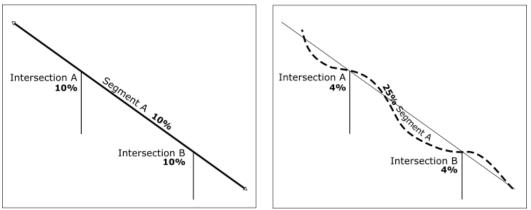


family attached. Lot sizes within the development, and type of housing proposed, should foster a wide variety of prices, as well.

- **Response:** This PD modification will continue to satisfy Policy 73.00 because the overall Hillcrest PD will offer a variety of housing types, including multi-family (constructed as part of Valley's Edge Phase 2), single-family attached, and single-family detached dwellings. Additionally, the range of lot sizes will promote a variety of housing types in meeting demand across a broad spectrum of age and income groups.
  - (l) As part of the development of this subdivision, the applicant intends to offer for sale to the City approximately 7.2 acres of land for public park and open space use (5.1 acres of this is for detention pond purposes). This parkland is located within the southeast portion of the subject site and, when developed, will provide direct benefit to the adjacent multi-family housing and single-family residential neighborhoods within this development and adjoining lands. In addition, as a condition of this approval, useable open space within the multifamily complex is to be provided by the developer. Policies 75.00 and 76.00 are therefore satisfied.
- **<u>Response:</u>** The park and open space described above was developed with Valley's Edge Phase 2. This public amenity will directly benefit the City and nearby uses. Policies 75.00 and 76.00 are therefore satisfied.
  - (m) The street system proposed by the applicant, as depicted on the master plan, is designed in a manner that is compatible with the circulation patterns of adjoining properties and accounts for the steep topography present within this site. The street system provides for the extension of West Second Street, Horizon Drive, and Redmond Hill Road. Policy 78.00 is satisfied by this proposal.
- **Response:** This PD modification is necessary due to new ADA intersection standards enacted since the passage of Ord. 4868. This new requirement to design public street intersections with a maximum grade not exceeding 5% (4% was conservatively shown to allow for flexibility due to construction tolerances) will not only affect the intersections themselves, but have a cascading effect on the overall site layout. The original Hillcrest PD approved intersections where grades exceeded 10% in many cases. As shown in Figure 1 below, street segments between these intersections would include grades exceeding 20% or more if the intersections were simply flattened to meet the new ADA requirements.







This is because the American Association of State Highway Transportation Officials (AASHTO) specifies a maximum vertical curvature that public streets may be built to. This specification ensures that public streets allow sufficient sight distance as vehicles move up and down steep roadways, as well as so that vehicles do not high-center on any portion of a steep vertical curve.

The most practical solution for addressing this situation in the context of the Hillcrest PD is to eliminate several intersections and subsequently increase the length of the street segments between intersections. This has the corresponding effect of requiring a new lot configuration to obtain access from these reconfigured streets, and makes it necessary to seek an adjustment to allow street grades of up to 15% along certain local street segments.

- (n) Policy 86.00 is satisfied in that, as part of the City's dispersal policy, all large scale residential subdivisions have been required to include land set aside for multi-family development. This insures that the multi-family uses will be dispersed throughout the larger scale single-family developments. The subject parent parcel is some 164.1 acres in size. The majority of the site will be developed with single-family attached and detached housing as may be permitted through this and future development application(s) and approval(s). The zone change insures that multi-family uses will be included as part of that large scale development.
- **<u>Response:</u>** As mentioned above, a 68-unit, multi-family residential development was constructed as part of the Valley's Edge Phase 2 plat. The application does not seek to modify the zoning established in Ord. 4868.
  - Policy 89.00 will be satisfied at the time development occurs on the subject site in that extensively landscaped grounds shall be required as a condition of approval of this zone change and subsequent multi-family housing development. The McMinnville zoning ordinance requires a minimum of 25 percent of multi-family



development to be landscaped. In addition, a 7.2acre public park (open space) would be provided within the southeast portion of the proposed development.

**Response:** A 68-unit, multi-family development (Valley Pointe Apartments) was constructed as part of the Valley's Edge Phase 2 plat. As shown in Figure 2 below, the multi-family development includes significant perimeter, interior, and parking lot landscaping. Additionally, the development borders the eastern side of a thoughtfully-landscaped, large public park and open space.

Figure 2 Aerial Photo of Valley Pointe Apartments



Source: 2016 Google

- (p) Policy 91.00 is satisfied by the request in that all driveways from the proposed multi- family development will access onto a street designed to minor collector standards (Redmond Hill Road).
- **Response:** The Valley Pointe Apartments multi-family development takes primary access/egress to/from NW 2nd Street, which is classified as a minor collector in the City's Transportation System Plan (TSP). Valley Pointe has a secondary access/egress from SW Blue Heron Court, which is a local street. This application does not seek to modify access to or from the existing multi-family development.
  - (q) Goal VI-1 and Policy 117.00 are satisfied as the proposed development will be required to develop to city standards in terms of off-street parking, street construction, and sidewalk improvements as required by this planned development and the McMinnville Zoning Ordinance. As noted previously, the proposed street system will be



designed to provide safe and easy access to every parcel, and will provide connection to adjacent properties. The applicant's traffic impact study indicates that, at full buildout, intersections adjacent to the proposed development will continue to operate at Level of Service "B" or "C," provided certain improvements are made to the West Second and Hill Road, and Redmond Hill Road and West Second Street intersections following the construction of the 2701 home within the subject site.

Such a condition is part of this zone change approval. Streets within and adjacent to the subject site have adequate capacity to accommodate the expected trips from this project

- **<u>Response:</u>** As shown in Exhibit A, all streets will be constructed in accordance with applicable local and collector street standards, and the revised street network will continue to provide connections to abutting properties outside of the Hillcrest PD site. Exhibit F (Traffic Analysis Update Memo) indicates that at full buildout, intersections adjacent to the Hillcrest PD will continue to operate at acceptable levels.
  - (r) Policy 126.00 will be satisfied in that approval of the multi-family housing site will require demonstration of compliance with off-street parking standards prior to release of building permits. Additional off-street parking is required of each single-family attached and detached home as a condition of building permit approval, consistent with the standards provided in the McMinnville Zoning Ordinance.
- **<u>Response</u>**: The application does not seek to modify requirements for off-street parking for singlefamily or multi-family development throughout the Hillcrest PD.
  - Goal VII-1 and Policies 99.00, 136.00, 144.00, and **(s)** 151.00 are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and energy distribution facilities, are all available to the site, and the site can be served by Hill Road, a designated minor arterial, and West Second, a designated major collector, streets. In addition, the sewage treatment plant easily has capacity to serve the project, and all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. Municipal water service can be provided to those portions of the subject site located below the 275-foot elevation; the construction of an upper level water system will be required prior to the platting of lots located above this elevation, as conditioned herein.

# **<u>Response:</u>** Adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and energy distribution facilities will remain available to serve the Hillcrest PD. Additionally, westerly extensions of NW 2nd Street and Horizon Drive will provide the primary means



of access into and out of the site. Consistent with the approval in Ord. 4868, water service will be available to all portions of the site located below the 275-foot elevation line. Portions of the site above this elevation will rely on the future construction of additional water infrastructure improvements before they may be platted.

- (t) Policies 142.00 and 147.00 will be satisfied by the request in that the subject site will be converted in an orderly manner to urbanizable standards through the coordinated extension of utilities, and as conditioned by this planned development. In addition, adequate storm water system will be designed and constructed to the satisfaction of the City Engineer when the property is developed.
- **<u>Response:</u>** Policies 142.00 and 147.00 remain satisfied since development on this site will ensure the coordinated extension of utilities, including adequate stormwater facilities.
  - (u) Goals Vll-3 and Policy 163.00 are satisfied by this request in that the applicant intends to provide parkland within this development for public use. This park, when developed, will benefit the adjacent west McMinnville neighborhoods.
- **<u>Response:</u>** The park land discussed above was constructed as part of the Valley's Edge Phase 2 plat and can be seen in Figure 2 above. Therefore, Goal VII-3 and Policy 163.00 are satisfied.
  - (v) Goal VIII-2 and Policy 178.00 are satisfied by the request as the development proposes a compact urban development pattern at a density higher than what would be permitted under the site's current R-1 zone. In addition, the proposal integrates commonwall and multi-family housing, thereby further increasing density and conserving energy. Utilities presently abut the property or are nearby and can be extended to the site in a cost effective and energy efficient manner, as required by an approved phasing plan for the site.
- **<u>Response:</u>** The application does not seek to modify the mix of housing types or result in any measurable change in overall residential density from what is approved in Ord. 4868. Additionally, utilities will remain located nearby and can be extended to serve future development through the site.
  - (w) Goal IX-1 is satisfied since the property is within the McMinnville Urban Growth Boundary and all urban services are available to the site.
- **Response:** The site will remain within the City and its Urban Growth Boundary (UGB). As mentioned above, urban services will be available to the site. Also, as previously mentioned, development above the 275-foot elevation line will depend on future water system improvements, which will be provided upon the conditioning of future lot platting above this elevation by Ord. 4868. Goal IX-1 is therefore satisfied.



- 2. The subject request complies with the applicable requirements of the McMinnville Zoning Ordinance (Finding of Fact No. 6) as follows:
  - (a) Section 17.03.020 is satisfied by the request for the reasons enumerated in Conclusionary Finding for Approval No. 1.

### **Response:** Please see the response to Conclusionary Finding for Approval No. 1 above.

- (b) The applicable sections of Section 17.51.030 are also satisfied by the request as follows:
  - (1) There are special conditions and objectives which warrant a departure from the standard regulation requirements, including the need to condition the future development of the multi-family lot, and townhome lots, permit additional residential housing types beyond that which would be permitted under the provisions of the R-2 zone standards, and address slope and tree cover issues. In addition, the West Hills, of which the site is a part, is an area encumbered by a planned development overlay. The overlay requires that all zoning be processed under Chapter 17.51 of the zoning code.
- **<u>Response:</u>** While the multi-family component and a portion of the single-family development originally approved in Ord. 4868 has been constructed, the physical and environmental constraints remain. The application does not seek to modify any of the conditions of approval or zoning authorized through Ord. 4868.
  - (2) As noted in the conclusionary findings for approval, the proposed development will be consistent with the comprehensive plan objectives for the area.
- **Response:** See responses under the Conclusionary Findings section above.
  - (3) Adequate access and services will be provided to the proposed development through the construction of streets and sidewalks.
- **<u>Response:</u>** As mentioned above, adequate access and services will be provided to the development through the construction of streets and sidewalks.
  - (4) The project, if approved, is expected to be completed within the next 10 to 15 years. This is a reasonable period to complete a project of this scale.
- **<u>Response:</u>** Ord. 4868 was approved on April 24, 2007. Shortly thereafter, the U.S. housing market experienced one of the most devastating recessions in modern times. Excluding the phases already developed, the Hillcrest PD will now include 15 phases. Three-hundred-and-nine lots in modified PD lie above the 275-foot elevation line, whereby development



will be predicated on the provision of new water system infrastructure for which the timing of implementation is unknown. Ord. 4868 did not establish a timeline for the completion of the various phases of the Hillcrest PD. This application does not seek to modify the approved phasing timeline.

- (5) As noted in the conclusionary findings for approval, the existing and planned streets are adequate to support the anticipated traffic.
- **<u>Response</u>**: As discussed above, all new streets will be constructed to the City's local and minor collector street standard and will therefore be adequate to support anticipated future traffic.

(6) Utility facilities presently serving the area are adequate to serve the proposed development of the subject site.

- **Response:** As discussed above, utilities serving the site will be adequate for serving future development on the site. Also, as noted above, development of lots located above the 275-foot elevation mark will rely on the provision of future water system improvements capable of supporting these homes.
  - (7) No air, noise or water pollutants will be generated by the proposed development that are greater than those generated by any other residential development.
- **<u>Response:</u>** The Hillcrest PD is expected to generate air, noise, and water impacts to a degree similar to typical residential development.
  - (8) All of the requirements of Section 17.51.030 are satisfied by this request.
- **<u>Response:</u>** As explained throughout this narrative, the PD modification continues to satisfy the PD criteria in 17.51.030.
  - (c) Section 17.72.035 is satisfied by the request as the proposed change is consistent with the applicable goals and policies of the McMinnville comprehensive plan (see Conclusionary Finding for Approval No. 1), and utilities and services can be provided to the site. The request for "needed" housing eliminates the issues addressed in criterion "B" from consideration.
- **Response:** Please see the response under Conclusionary Finding for Approval No. 1 above.
  - 3. The subject request complies with the requirements of the West Hills Planned Development Overlay (Finding of Fact No. 7) as follows:
    - (a) The applicable goals and policies of the McMinnville Comprehensive Plan, Volume 1 1, have been satisfied as is enumerated in conclusionary Finding for Approval No. 1, above.



- (b) The density of the proposed development (overall density of 3.6 dwelling units per acre) falls within the limitations of the R-2 zone, and satisfies the requirements of plan policy 71.01.
- (c) The submitted aerial photograph of the subject site delineates the boundary between conifer trees that were planted by the applicants for commercial harvesting and those hardwood trees (maples and oaks) that are native to the site. The applicants intend to clear or thin the commercially planted trees, as they were not harvested when originally planted and have overgrown to an unhealthy density.

The trees to the west of this delineation line are native to the site and exist in an area that is approximately 44 acres in size. The area of the public rights-of-ways encumbers approximately 21.6% (9.5 acres) of this wooded area.

On the adjacent properties to the west and south of this naturally wooded area are more naturally wooded areas. The tree density and canopy coverage is noticeably higher on the properties to the west and south of the subject property, as shown on the submitted aerial.

Within the subject property, the tree density and canopy coverage is uniform, but lower, with a greater spacing within the naturally wooded area on the subject property. This lower density is likely attributable to thinning efforts performed by the Applicants in the past to provide a healthier, better spaced tree canopy.

Rural residential development has occurred within some of the naturally wooded area to the south of the subject property. These naturally wooded areas to the south of the subject property have recently been brought into the City's UGB through partial approval of the City's UGB expansion request (Redmond Hill Road exception area).

Within the West Hills Phases 1, 3, 4 and 5 the applicants propose to develop larger residential home sites along a public street system as shown on the submitted tentative subdivision plan. The applicants have considered clustering development as requested in the West Hills Planned Development Overlay. However, because the tree coverage is uniform, cluster housing would save trees in undeveloped areas but require greater tree removal within the clustered housing areas. A second issue with clustering housing is developing a street system to navigate the 12% to 25% slopes in this area of the subject property that avoids dead end streets and provides the required street connectivity.



To minimize tree impacts during public infrastructure and housing construction the applicants are conditioned as part of this subdivision's approval to enact the following development policies for this naturally wooded portion of the site:

Perform detailed tree survey prior to submitting engineered construction drawings for public street and utility improvements within the site's naturally wooded area. Tree survey to be completed by licensed surveyor and survey will show horizontal location of tree, provide tree species and size of tree (DBH).

Limit clearing activities to the footprint of the public right-of-way and adjacent public utility easement.

Meander sidewalks where significant or desirable hardwood trees can be avoided. Consider adjusting street alignment to avoid significant or desirable trees.

Avoid mass grading within residential lot areas as this leads to clearing large areas of vegetation prior to placing engineering fill embankments.

Plant street trees as required by City code.

Enact CC&Rs that require each home builder I lot developer to work with City Planning Dept. staff to shift house footprint on the lot, within the allowable setbacks, to avoid impact to significant or desirable hardwood trees. Because the lots in the West Hills phases are large, there exists the ability to shift home sites on the lots.

Enact CC&Rs that require each home builder / lot developer to replant trees on the lots based upon the number of existing natural trees on the lot and the number of natural trees to be removed to accommodate home construction. Proposed CC&Rs would be as follows:

Plant one new tree for every tree removed on lots with five or less natural trees, or plant one tree for every one and one-half trees removed on lots with six or more natural trees.

Given the above findings, the City finds that Sections 4 (d) of Ordinance No. 4132 is satisfied.

- **<u>Response:</u>** Modifications to the configuration of streets and lots included in this application will not have an appreciable impact to native trees on site. Furthermore, the application does not seek to modify the above conditions of approval.
  - (d)
- As "viewed from the city" nearly all of the subject site is unseen. In addition, development proposed for the lower elevations of the subject site include



public park and open space, and multi-family housing, both of which require extensive landscaping and, as to the latter, additional design review by City staff. Development of this project requires the planting of trees, and the use of practices that would retain as many existing trees as is practicable, thereby enhancing the visual quality of the West Hills area. Section 4(e) of Ordinance No. 4132 is satisfied.

### **<u>Response:</u>** The application does not modify the accuracy of the above finding.

### **CITY OF MCMINNVILLE ZONING ORDINANCE – TITLE 17**

Title 17 Zoning

### Chapter 17.53 LAND DIVISION STANDARDS

### 17.53.101 Streets

L.

- Grades and curves. Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street. Centerline radii or curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 (ten) feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept steeper grades and sharper curves.
- **Response:** Per Subsection L above, local streets may not exceed a grade of 12% unless the Planning Commission determines that existing conditions, such as existing topography, warrant steeper grades. This PD application includes a request for an adjustment to authorize street grades of up to 15% for limited sections of the streets listed in Table 1 below (see also Exhibit A). This adjustment is the minimum necessary to allow project conformance to the preliminary subdivision plat approval vested in Ord. 4868 while simultaneously integrating new ADA requirements for crosswalks at street intersections, which may not exceed a maximum grade of 5%.

Table 2 Streets in modified PD where adjustment is requested

Street Name	Functional Classification	Maximum Grade allowed per MZO 17.53.101.L	Maximum Proposed Grade
NW Mt. Ashland Lane	Local Street		15%
Road D	Local Street		15%
C Loop	Local Street		15%
Road G	Local Street		12.01-14.99%
Road D	Local Street		12.01-14.99%
Road F	Local Street		15%
Road E	Local Street		15%



17.53.103 Blocks

- A. <u>General</u>. The length, width, and shape of blocks shall take into account the need for adequate lot size and street width and shall recognize the limitations of the topography.
- B. <u>Size.</u> No block shall be more than 400 feet in length between street corner lines or have a block perimeter greater than 1,600 feet unless it is adjacent to an arterial street, or unless the topography or the location of adjoining streets justifies an exception. The recommended minimum length of blocks along an arterial street is 1,800 feet.
- **Response:** As shown in Exhibit A, certain blocks included in this application exceed the length and perimeter standard in Subsection B. above. There are approximately 31 block segments and 11 block perimeters that do not satisfy the standard in B. above. As discussed above, the elimination of public street intersections was necessary to accommodate new ADA requirements that have been enacted since the passage of Ord. 4868. The removal of these intersections subsequently created longer block lengths and perimeters. To minimize block length and facilitate pedestrian mobility throughout the site, the application includes several mid-block pedestrian accessways. Nonetheless, the application must seek an adjustment to these standards through the City's PD process.
  - C. <u>Easements.</u>
    - 1. Utility lines. Easements for sewers, water mains, electric lines, or other public utilities shall be dedicated whenever necessary. The easements shall be at least 10 (ten) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six (6) feet in width. Easements of 10 (ten) feet in width shall be required along all rights-of-way. Utility infrastructure may not be placed within one foot of a survey monument location noted on a subdivision or partition plat. The governing body of a city or county may not place additional restrictions or conditions on a utility easement granted under this chapter.
- **<u>Response:</u>** The applicant is aware that public- and franchise utility easements will be necessary prior to final plat approval.
  - 2. Water courses. If a subdivision is traversed by water courses such as a drainage way, channel, or stream, there shall be provided a storm unit easement or drainage right-of-way conforming substantially with the lines of the water course and of such width as will be adequate for the purpose, unless the water course is diverted, channeled, or piped in accordance with plans approved by the City Engineer's office. Streets or parkways parallel to major water courses may be required.
- **<u>Response:</u>** As shown in Exhibit A the subdivision in traversed by several water courses that generally run north to south through the site. The modified PD site layout includes lots that backup



against these water courses and where the resource is located in a variable width easement at the rear of these lots.

- 3. Pedestrian ways. When desirable for public convenience, safety, or travel, pedestrian ways not less than 10 (ten) feet in width may be required to connect to cul-de-sacs, to pass through unusually long or oddly shaped blocks, to connect to recreation or public areas such as schools, or to connect to existing or proposed pedestrian ways.
- **Response:** As shown in Exhibit A and as mentioned above, the application includes several mid-block pedestrian accessways that are intended to connect cul-de-sacs with nearby streets and/or minimize travel distance along unusually long or oddly shaped blocks.

### Chapter 17.74 REVIEW CRITERIA

- 17.74.070 Planned Development Amendment Review Criteria. An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:
  - An increase in the amount of land within the subject site;
  - An increase in density including the number of housing units;
  - A reduction in the amount of open space; or
  - Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas and access.

An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- **<u>Response:</u>** Responses to this criterion can be found under the Conclusionary Findings section above. With regard to the street grade adjustment, adherence to ADA intersection grade requirements in the context of this relatively steep site, results in portions of certain streets located throughout the site with grades of up to 15%.
  - B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- **<u>Response:</u>** Responses to this criterion can be found under the Conclusionary Findings section above. With regard to the street grade adjustment, the resulting development will comply with new ADA requirements that have been enacted since the original approval was granted.



- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
- **Response:** Responses to these criteria can be found under the Conclusionary Findings section above. With regard to the street grade adjustment, the resulting development will comply with new ADA requirements that have been enacted since the original approval was granted. Additionally, feedback from City Planning, Engineering, and Fire Department staff has resulted in short stretches of steep road segments and residential fire suppression systems to ensure fire and other local services are accommodated. Finally, although connections to adjacent parcels have been slightly relocated as a result of the revised site circulation, connections to adjacent parcels remain a key feature of the PD.
  - D. The plan can be completed within a reasonable period of time;
- **<u>Response:</u>** Responses to these criteria can be found under the Conclusionary Findings section above.
  - E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- **<u>Response:</u>** Responses to these criteria can be found under the Conclusionary Findings section above. With regard to the street grade adjustment, the applicant and their consultant have met with City Planning, Engineering, and local Fire Department staff to receive feedback regarding street grades exceeding 12% in the areas indicated in Exhibit A. Feedback from these agencies resulted in the following revisions to the applicant's preliminary subdivision plans:
  - 1. Street segments designed at between 12-15% grade are limited to a maximum distance of 200 feet. This recommendation from the Fire Department is intended to ensure that continuous sections of steep street grades include flat benches to facilitate stopping and starting or slow movement of fire apparatus in these areas.
  - 2. Future homes on lots abutting streets accessed via street segments exceeding 12% grade will be required to include fire sprinklers. The Fire Department recommended this as a condition of approval to ensure street grades are not an impediment to fire suppression.

The feedback received from these City agencies directly responds to the desire to ensure the subdivision and future homes on these lots can exist in harmony with the overall community health and well-being objectives outlined in the City's Zoning Ordinance, engineering design standards, and state and local fire standards. The applicant supports the feedback provided by these City agencies and accepts the suggested conditions of approval.

Exhibit F confirms that streets and anticipated mitigation efforts are adequate to support anticipated traffic from the development.

F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;

**Response:** Responses to these criteria can be found under the Conclusionary Findings section above.



G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

**Response:** Responses to these criteria can be found under the Conclusionary Findings section above.

### **IV.** Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the McMinnville Zoning Ordinance. The evidence in the record is substantial and supports approval of the application. Therefore, the applicant respectfully requests that the City approve this application.





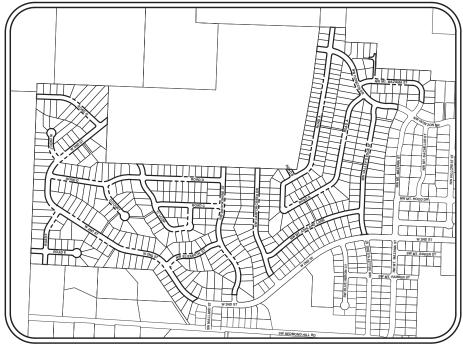
## **Exhibit A: Preliminary Development Plans**

# **HILLCREST PLANNED DEVELOPMENT**



### **VICINITY MAP** 1' = 750'

		LE	GEND		
I	<u>Existing</u>	PROPOSED		EXISTING	PROPOSED
DECIDUOUS TREE	$\odot$	$\odot$	STORM SEWER CLEAN OUT	0	•
	M.	M	STORM SEWER CATCH BASIN		
CONIFEROUS TREE	75	W	STORM SEWER AREA DRAIN		
FIRE HYDRANT	Q	,	STORM SEWER MANHOLE	0	۲
WATER BLOWOFF	Ŷ	Ť	GAS METER		
WATER METER			GAS VALVE	¢ C	
WATER VALVE	×	H	GUY WIRE ANCHOR POWER POLE	-0-	
DOUBLE CHECK VALVE		<b>,</b>	POWER POLE	-0- [P]	P
AIR RELEASE VALVE SANITARY SEWER CLEAN OU	റ്റ് സ്ര		POWER JUNCTION BOX		
SANITART SEWER CLEAN OU SANITARY SEWER MANHOLE	0		POWER PEDESTAL		
SIGN	-	<b>—</b>	COMMUNICATIONS VAULT	С	С
STREET LIGHT	à	\$	COMMUNICATIONS JUNCTION BOX	$\bigtriangleup$	
MAILBOX	(ME)	(MB)	COMMUNICATIONS RISER	Ô	•
RIGHT-OF-WAY LINE BOUNDARY LINE					
PROPERTY LINE					
CENTERLINE					
DITCH		_>	> <b> - -</b>		->
CURB					
EDGE OF PAVEMENT					
EASEMENT					
FENCE LINE	-00				
GRAVEL EDGE					
POWER LINE		— PWR — — —	— — PWR — PWR —		PWR
OVERHEAD WIRE		— — онж	OHW		OHW
COMMUNICATIONS LINE		— com — — —	— сом — сом —		сом ————
FIBER OPTIC LINE		— CFO — — —	— — CFO — — — — —	— CF0 — — —	— — OFO —
GAS LINE		— gas — — —	— — GAS — GAS —	GAS	- GAS
STORM SEWER LINE		— stm — — —	— — stm — stm —		STM
SANITARY SEWER LINE		— SAN — — —	— — SAN — — — SAN —		5AN



**MASTER PLAN UPDATE** 

SITE MAP 1"=500'

### SHEET INDEX

P-00 COVER SHEET WITH SITE AND VICINITY MAPS P-01 MASTER PLAN LAYOUT WITH AERIAL P-02 STREET PLAN WITH ROAD GRADE P-03 MASTER PLAN OVERLAY

### PRELIMINARY SUBDIVISION PLAT

SU-00 PRELIMINARY SUBDIVISION PLAT OVERVIEW SU-01 PRELIMINARY SUBDIVISION PLAT SU-02 PRELIMINARY SUBDIVISION PLAT SU-03 PRELIMINARY SUBDIVISION PLAT

### PRELIMINARY GRADING PLAN

GR-00 PRELIMINARY GRADING OVERVIEW GR-01 PRELIMINARY GRADING PLAN GR-02 PRELIMINARY GRADING PLAN GR-03 PRELIMINARY GRADING PLAN

### PRELIMINARY STREET PLAN

ST-00 PRELIMINARY STREET PLAN OVERVIEW ST-01 PRELIMINARY STREET PLAN ST-02 PRELIMINARY STREET PLAN ST-03 PRELIMINARY STREET PLAN

### PRELIMINARY STREET PROFILES

SP-00 PRELIMINARY STREET PROFILES SP-01 PRELIMINARY STREET PROFILES SP-02 PRELIMINARY STREET PROFILES SP-03 PRELIMINARY STREET PROFILES SP-04 PRELIMINARY STREET PROFILES SP-05 PRELIMINARY STREET PROFILES



### **DEVELOPER/OWNER**

WEST HILLS PROPERTIES LLC CONTACT: HOWARD ASTER PO BOX 731 MCMINNVILLE, OR 97128 PHONE: 503-434-0425

### ENGINEERING/ SURVEYING/LANDSCAPE **ARCHITECTURE FIRM**

AKS ENGINEERING & FORESTRY, LLC CONTACT: PAUL SELLKE, PE, GE 12965 SW HERMAN ROAD, SUITE 100 TUALATIN, OR 97062 PH: 503-563-6151 FAX: 503-563-6152

### **GEOTECHNICAL ENGINEER**

GEOPACIFIC ENGINEERING, INC. CONTACT: JIM IMBRIE, PE, GE 14835 SW 72ND AVENUE TIGARD, OR 97224 PHONE: 503-598-8445

### **PROJECT LOCATION:**

LOCATED NORTH OF NW 2ND ST, WEST OF NW MT MAZAMA ST, SOUTH OF NW FOX RIDGE RD, IN McMINNVILLE, OREGON

### **PROPERTY DESCRIPTION:**

TAX LOT 801 (YAMHILL COUNTY TAX MAP R4524) LOCATED IN THE CENTER OF THE EAST 1/2 OF SECTION 45, CITY OF MCMINNVILLE, YAMHILL COUNTY, OREGON

### **EXISTING LAND USE:**

VACANT LAND

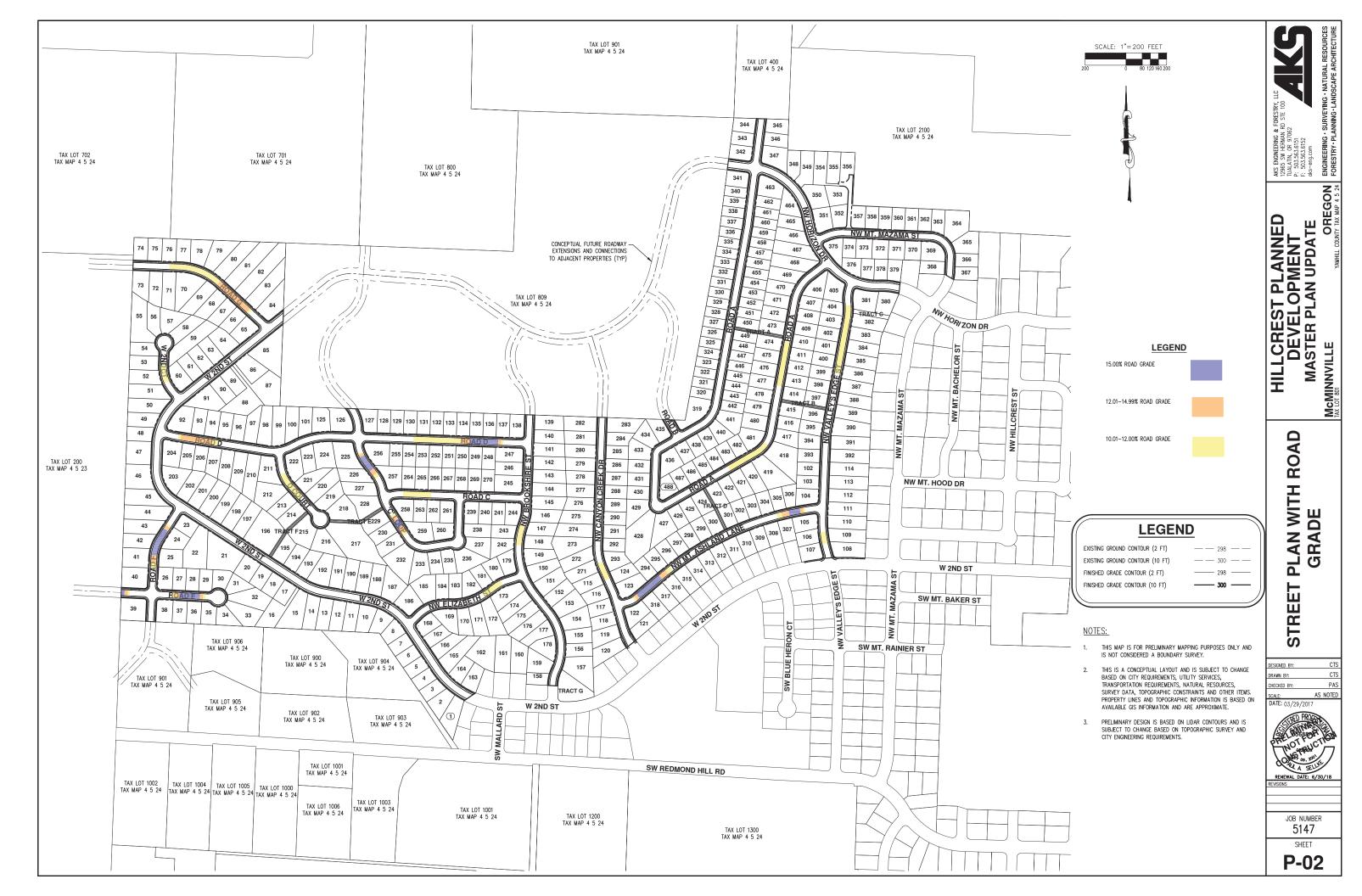
### **PROJECT PURPOSE:**

SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT SUBDIVISION

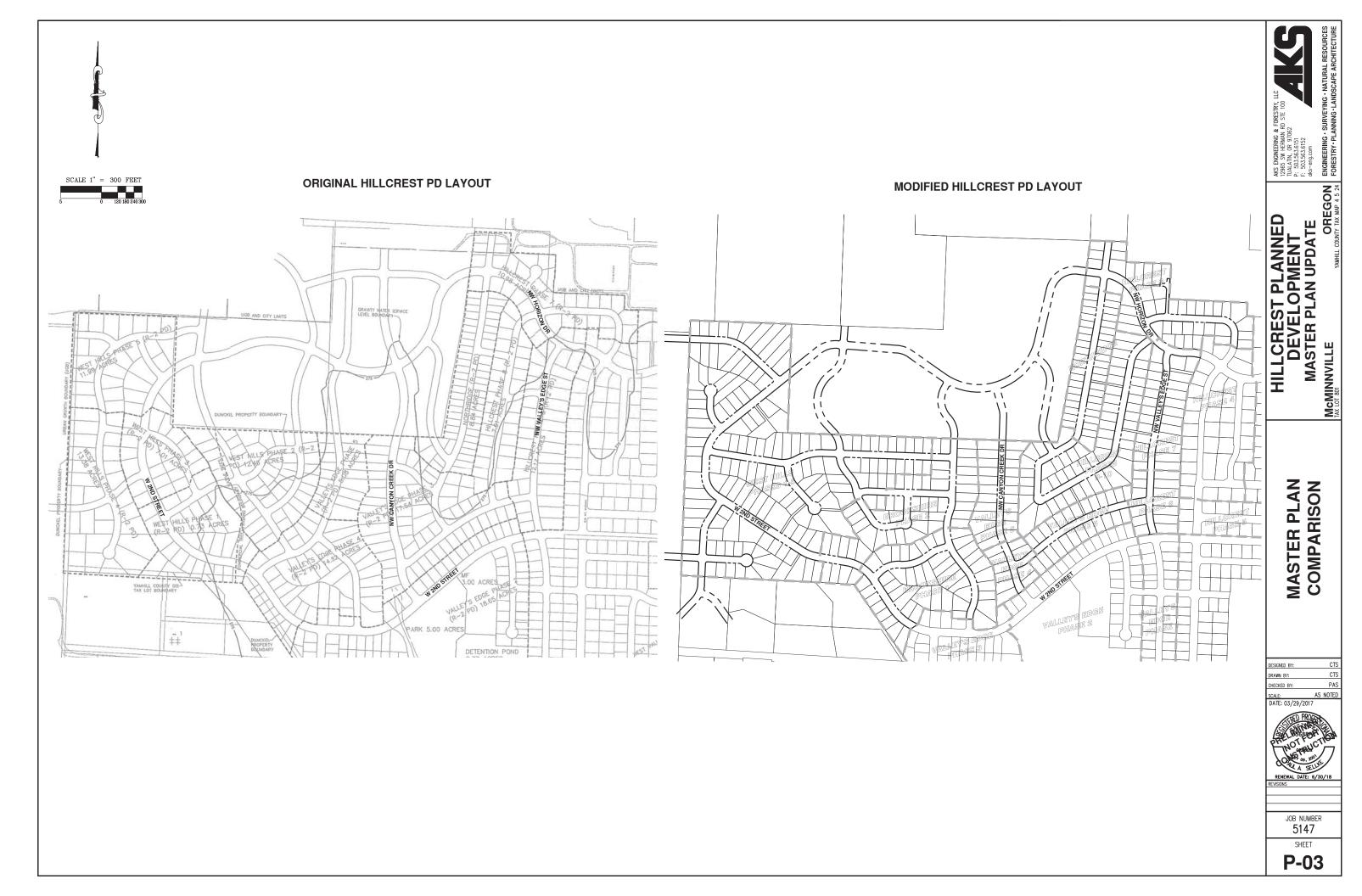
AKS ENGNEERING & FORESTRY, LLC 12865 SW HEEMAAN RD STE 100 TULATIM, OR 97062 F: 503:561:515 F: 503:561:512 des-eng.com	OREGON ENGINEERING · SURVEYING · NATURAL RESOURCES YAMHILL COUNTY TAX MAP 4 5 24 FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE
HILLCREST PLANNED DEVELOPMENT MASTER PLAN UPDATE	
COVER SHEET WITH SITE AND VICINITY MAPS	
DESIGNED BY: DRAWN BY: CHECKED BY:	CTS CTS PAS
SCALE: A DATE: 03/29/2017 PROF REVEWAL DATE: 6/7 REVISIONS	80/18
5147	`

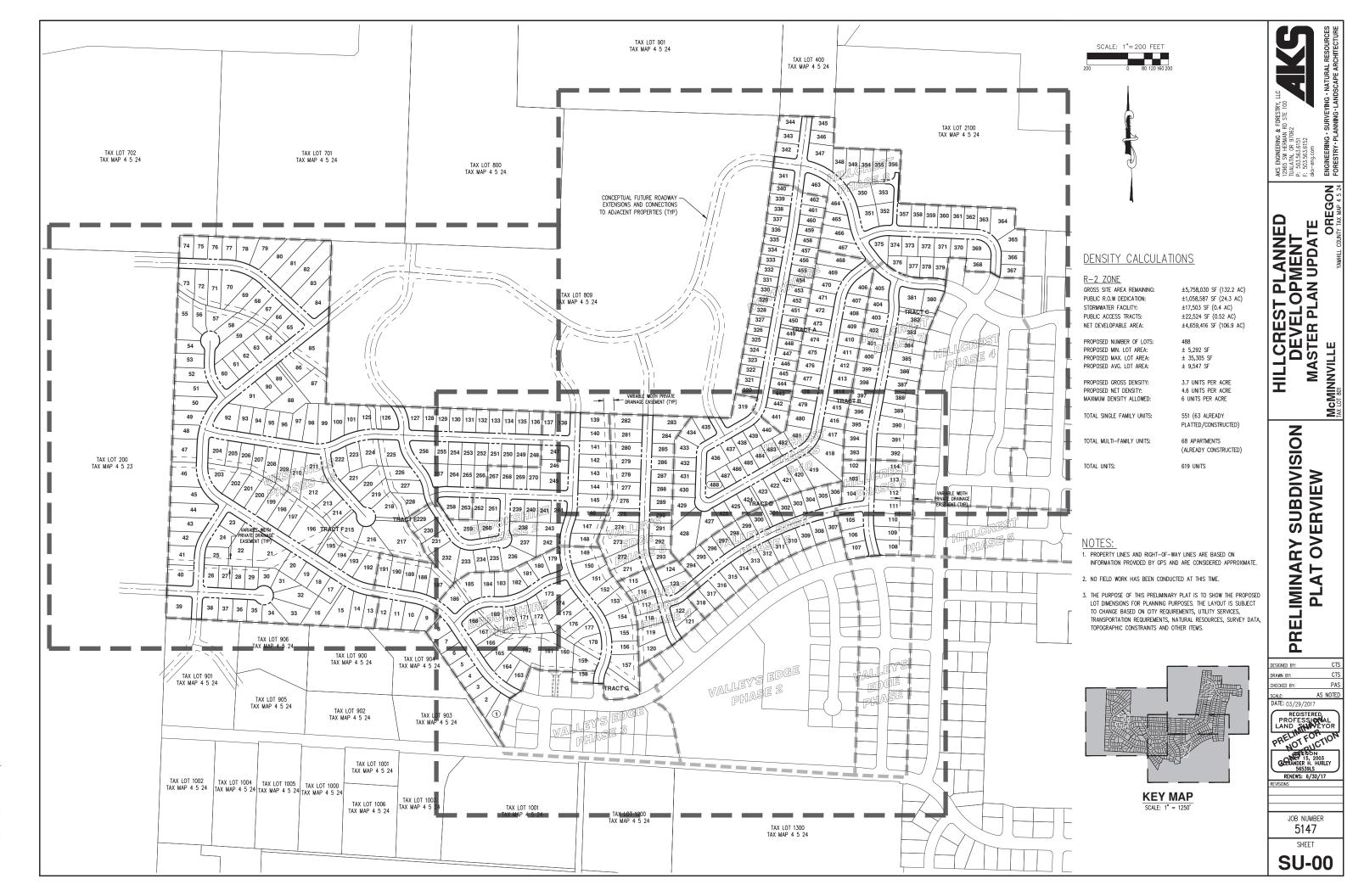


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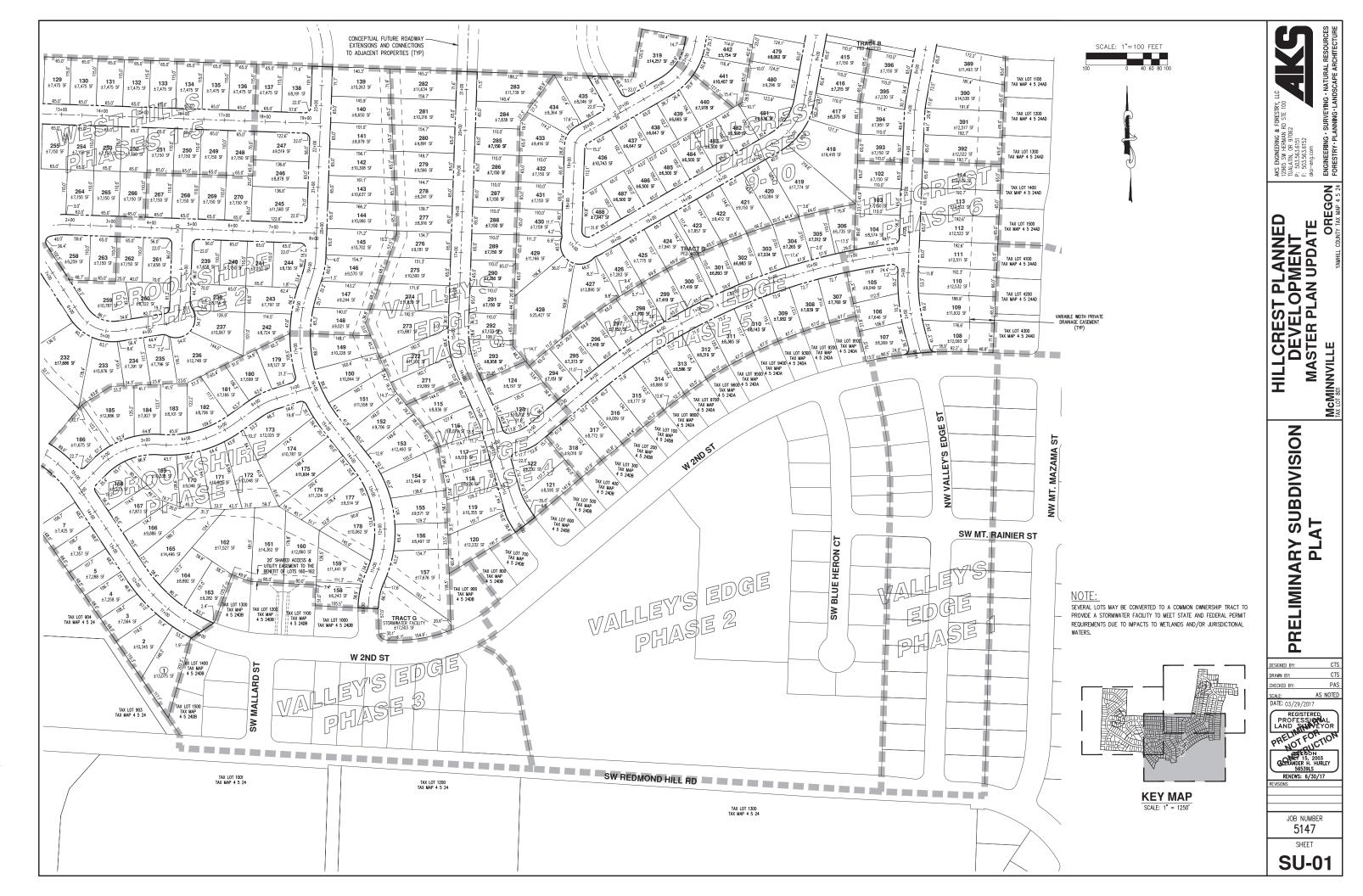


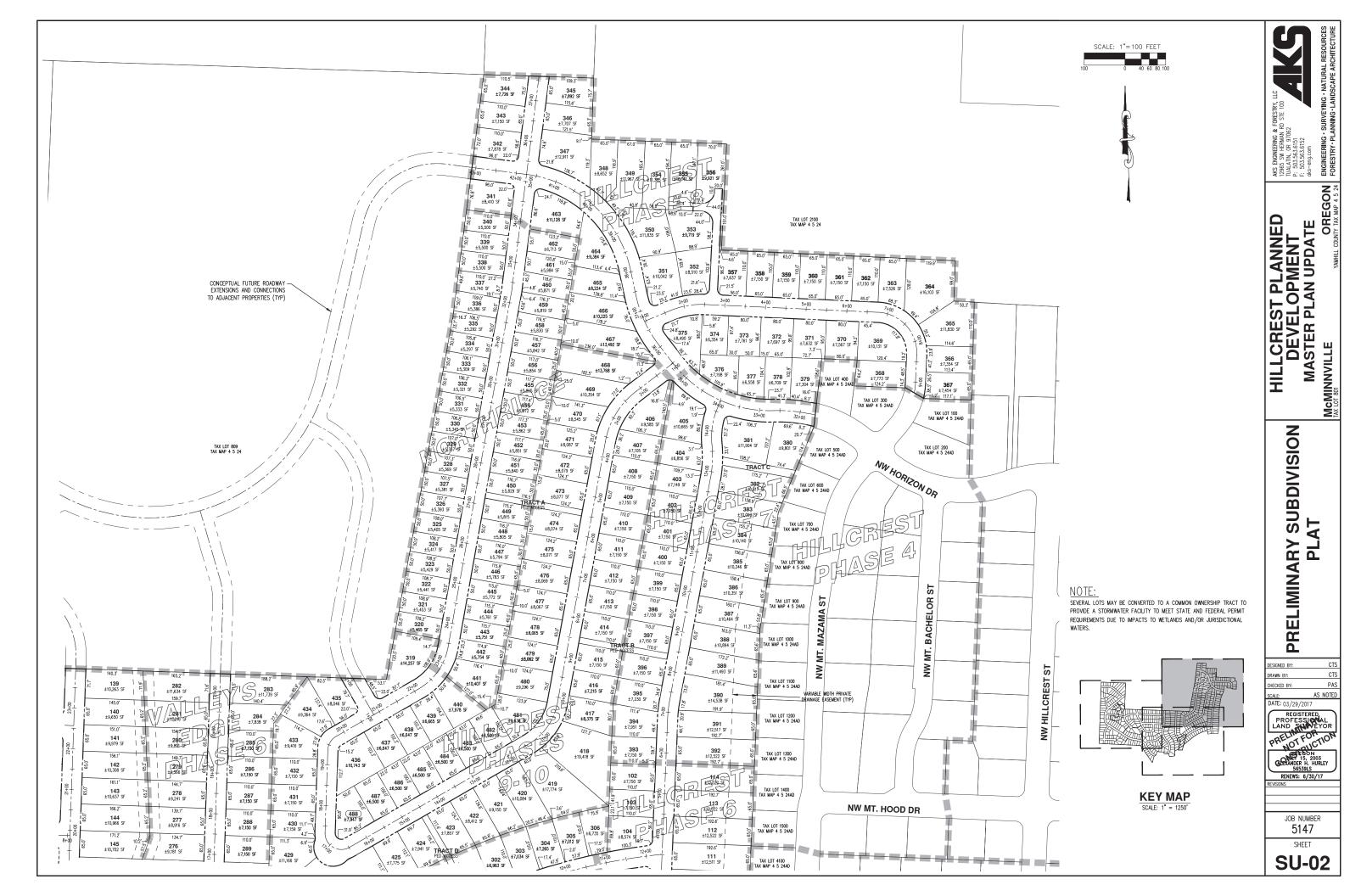
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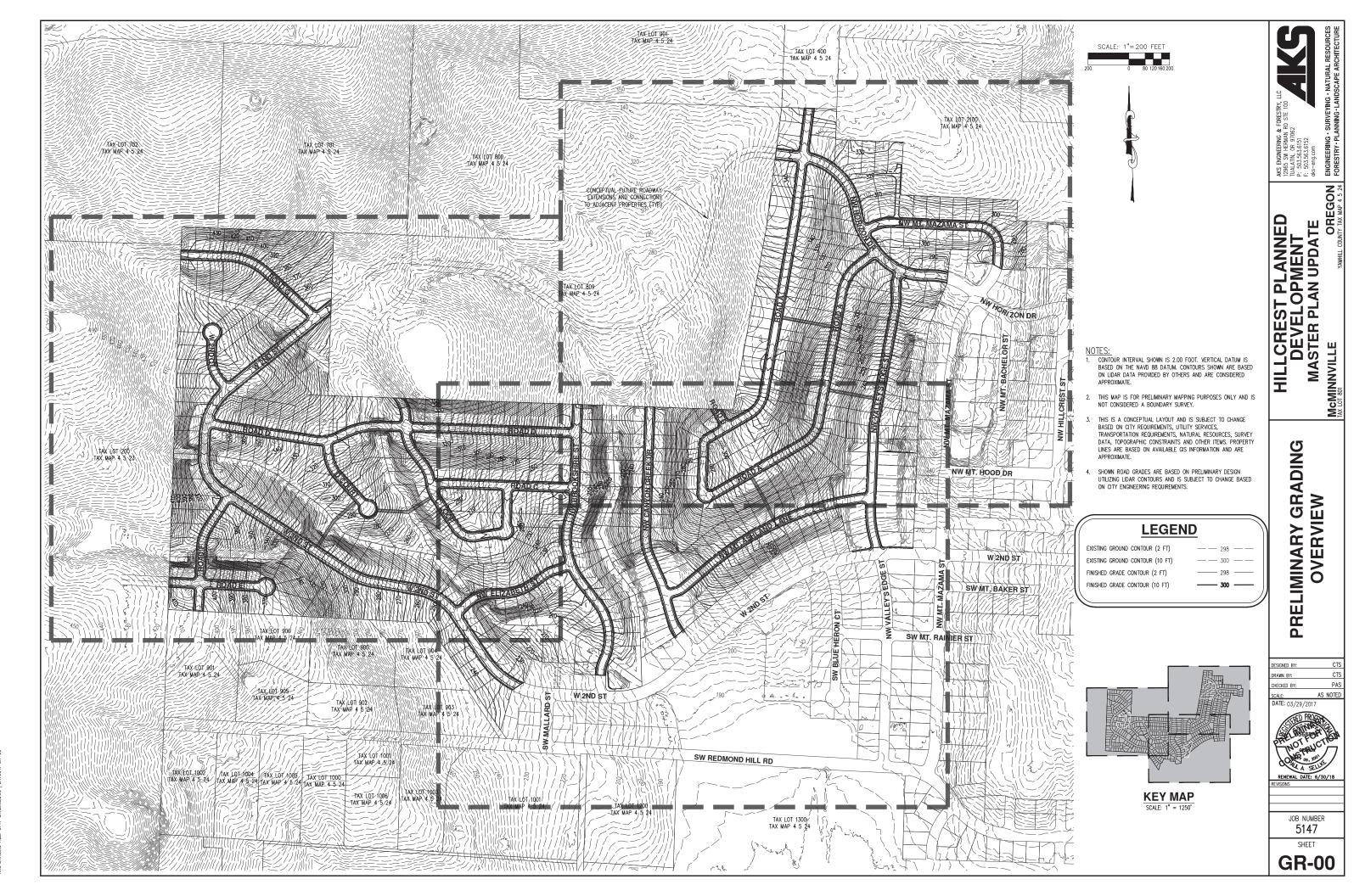


AKS DRAWING FILE: 5147 PRELIMINARY PLAT.DWG | LAYOUT: SL

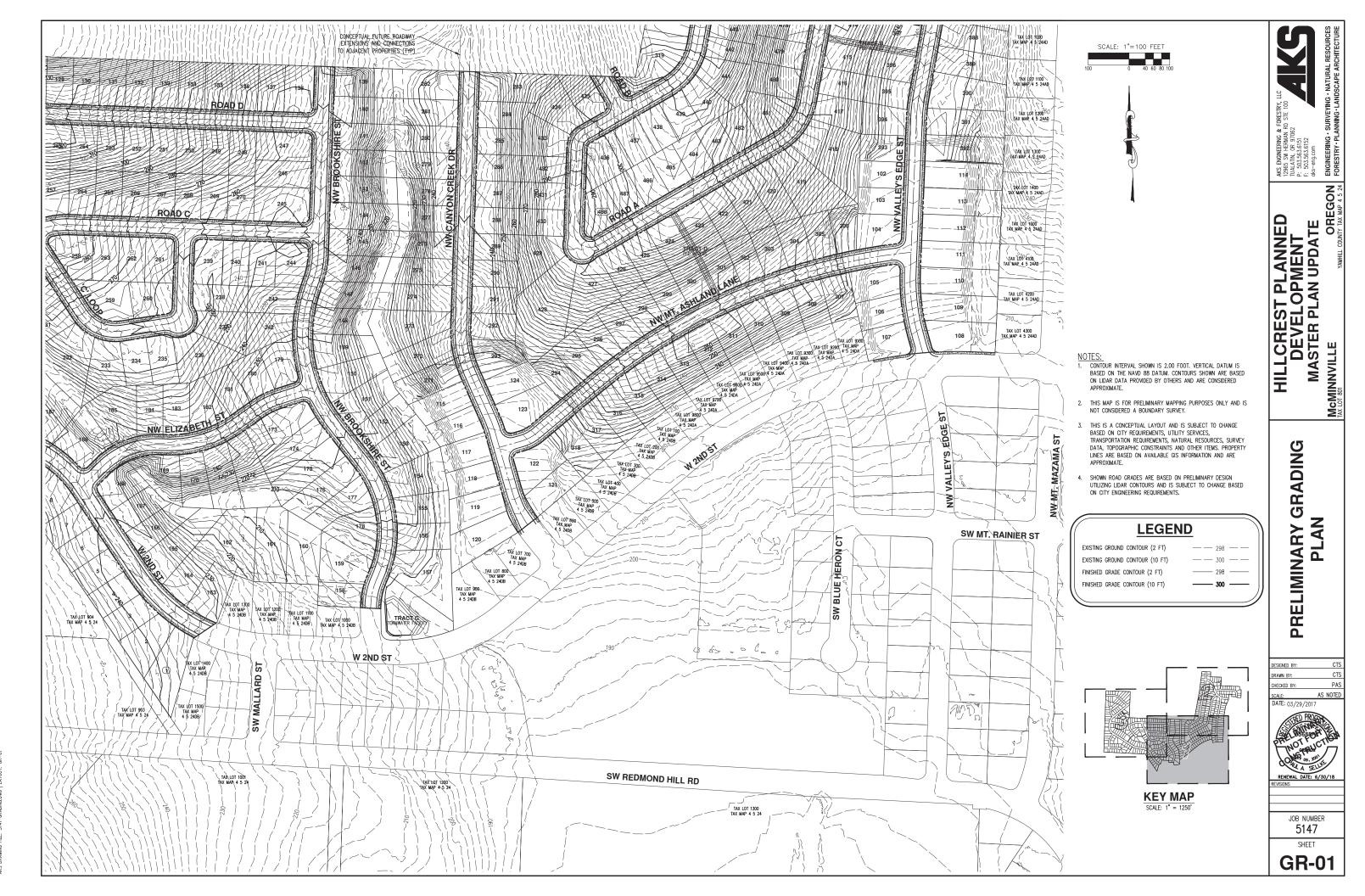


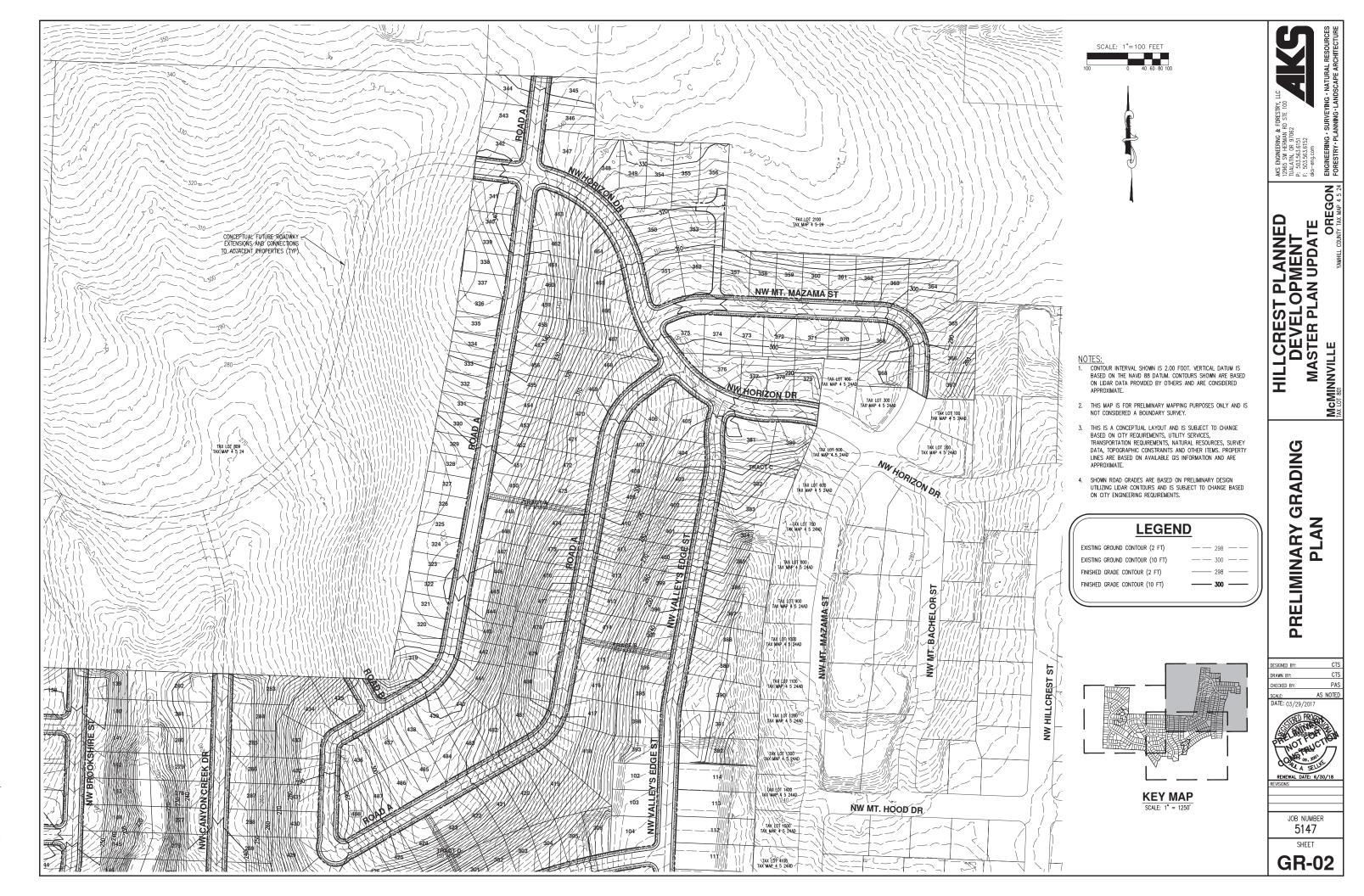


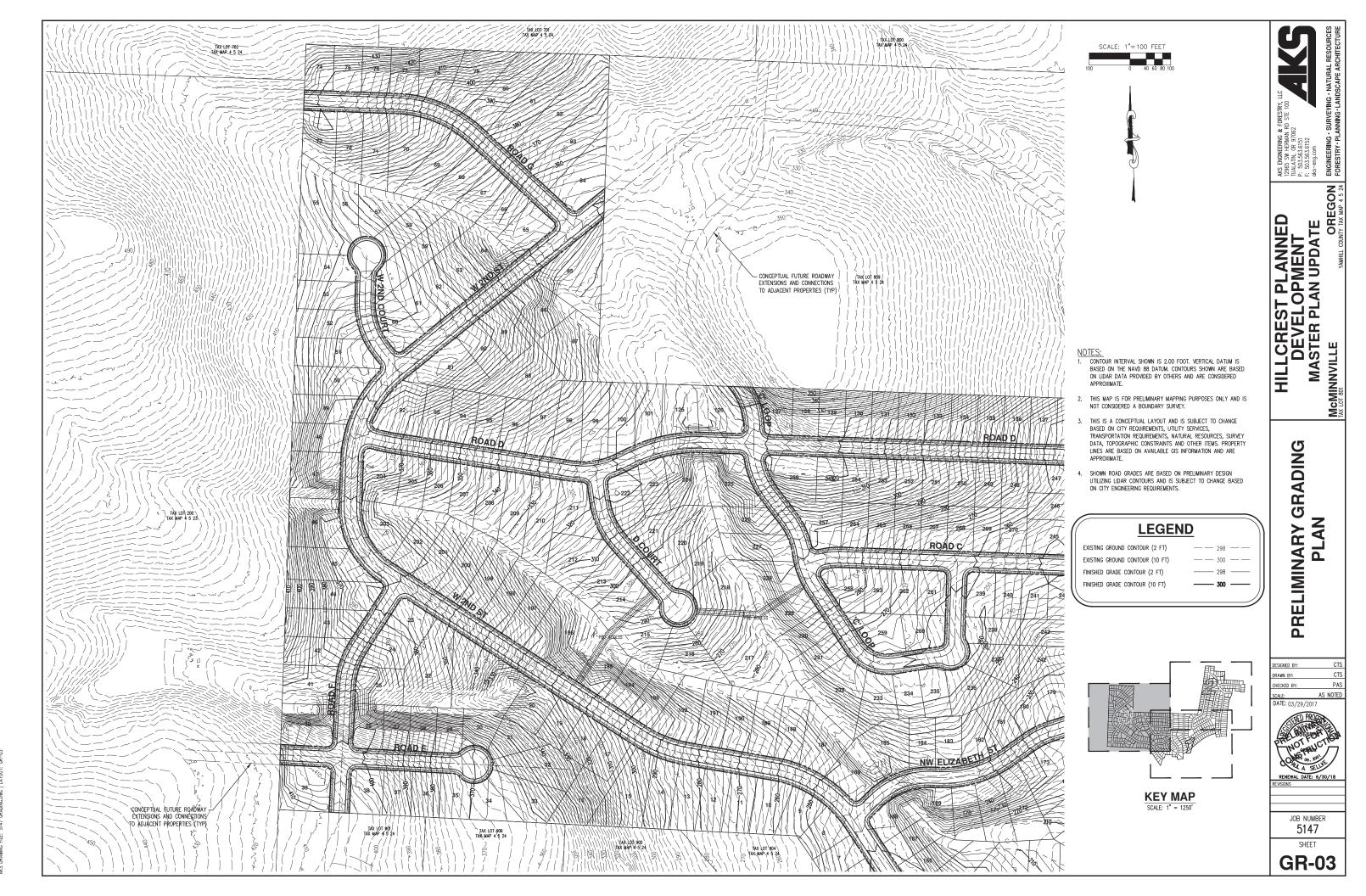


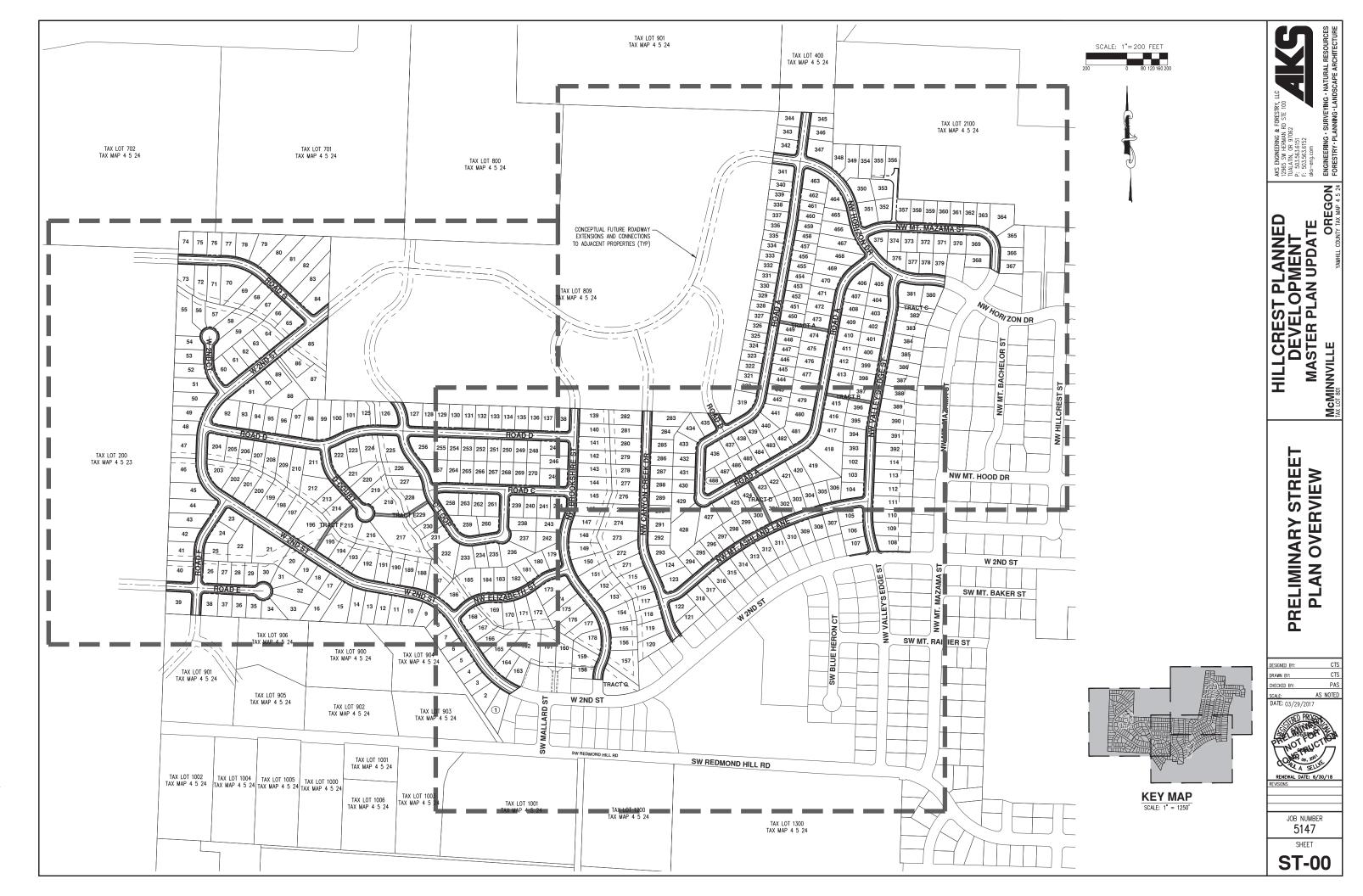


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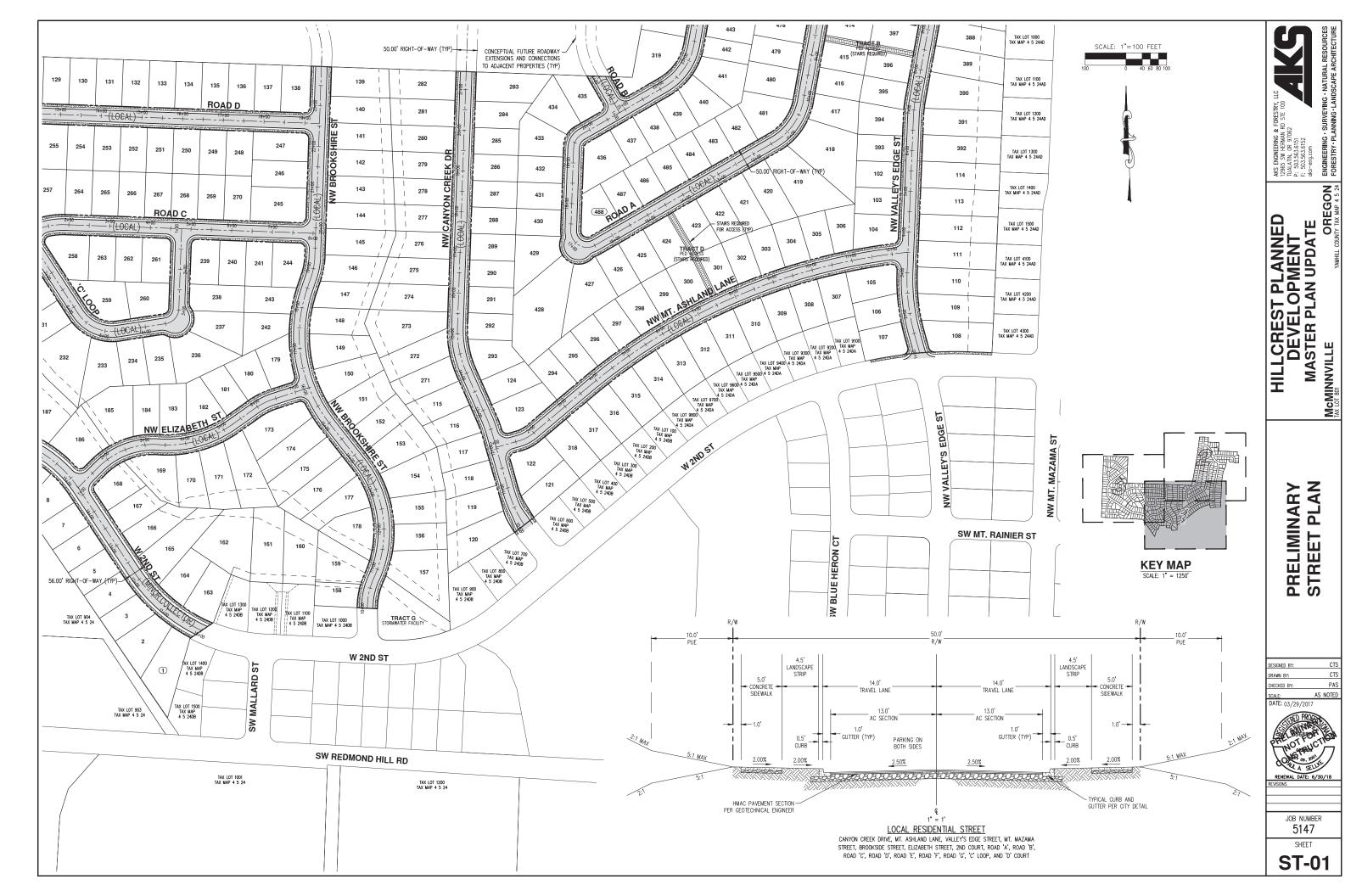


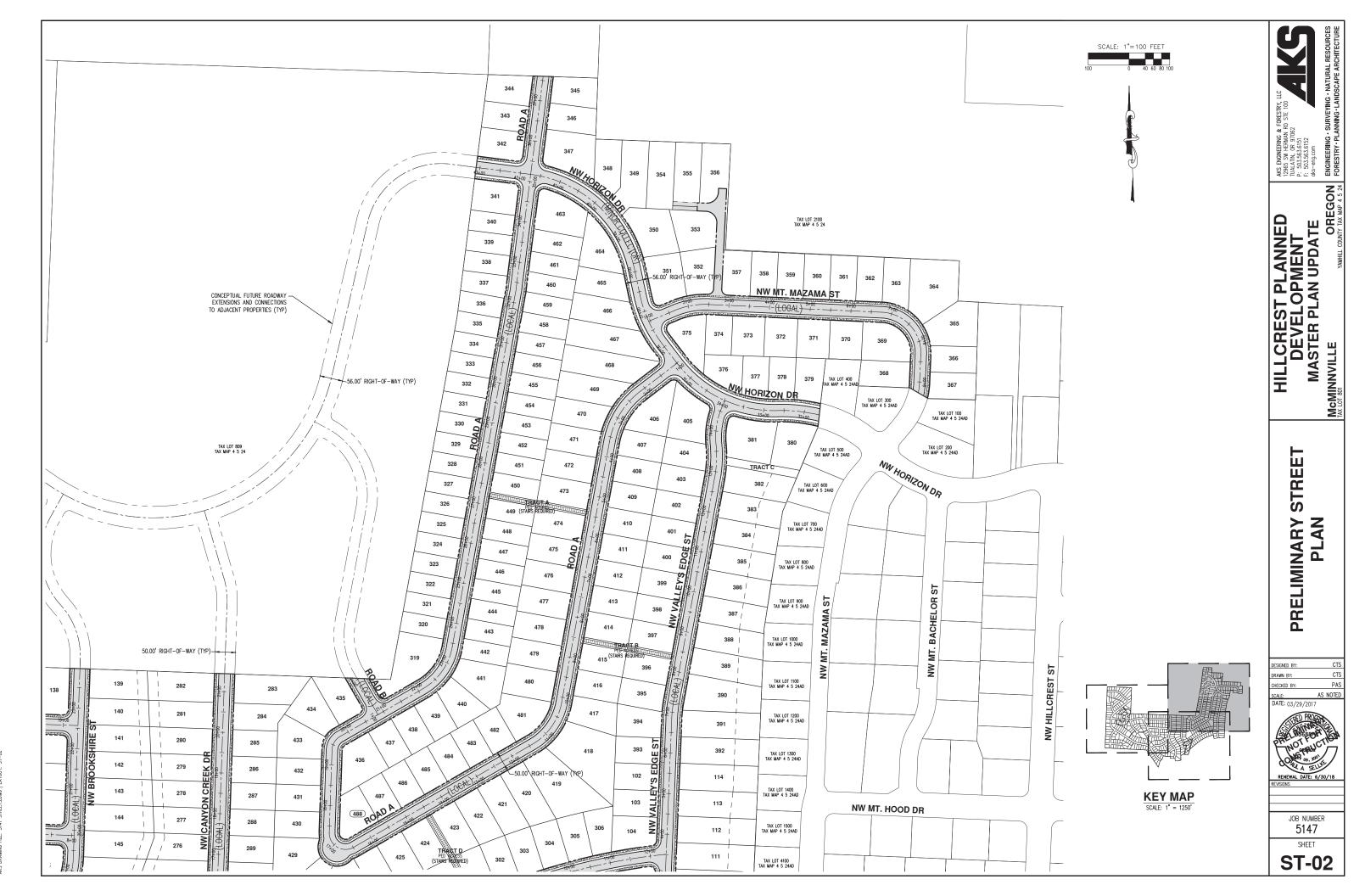




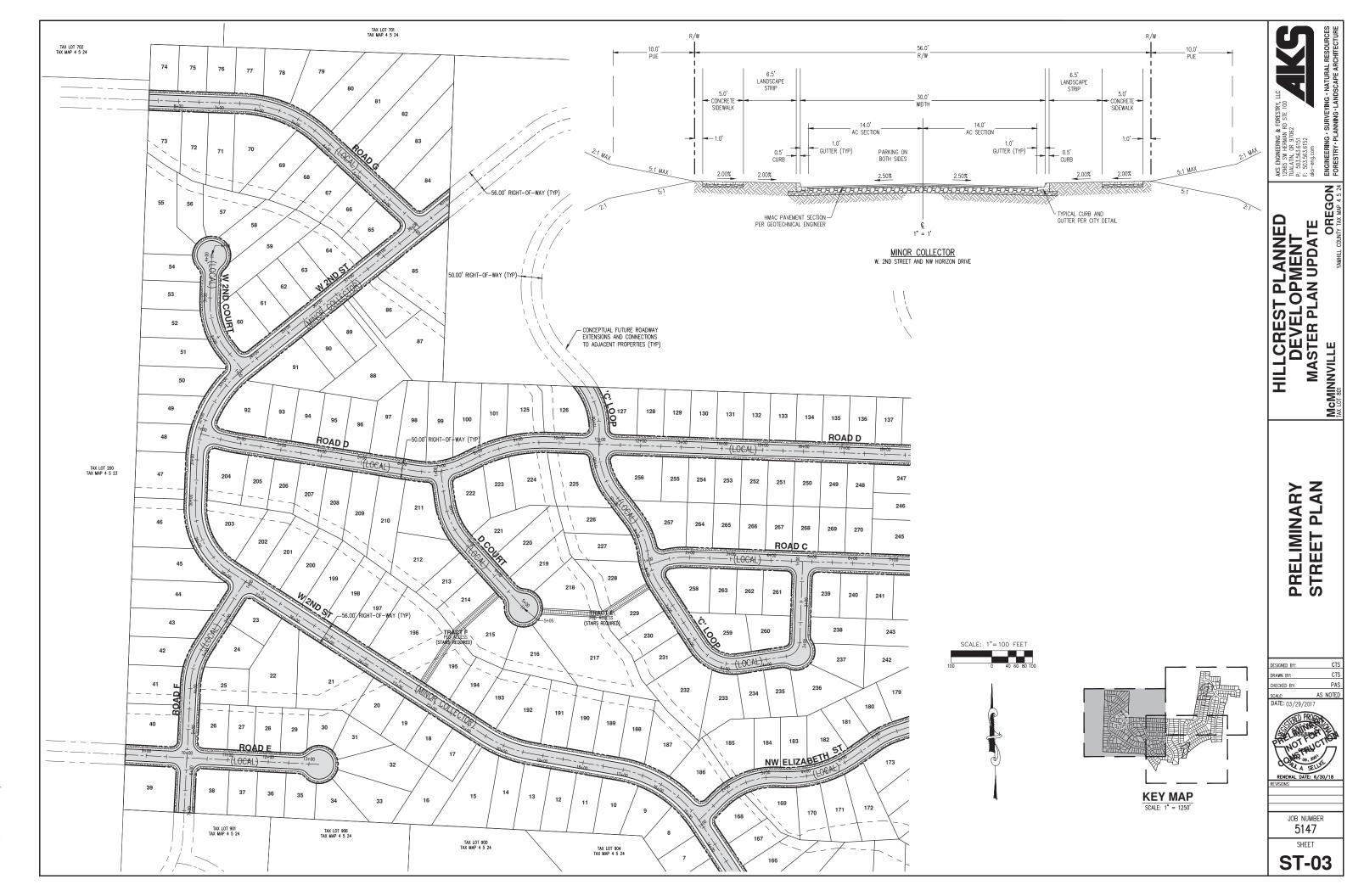


AKS DRAMING FILE: 5147 STREETS.DWG | LAYOUT: S1

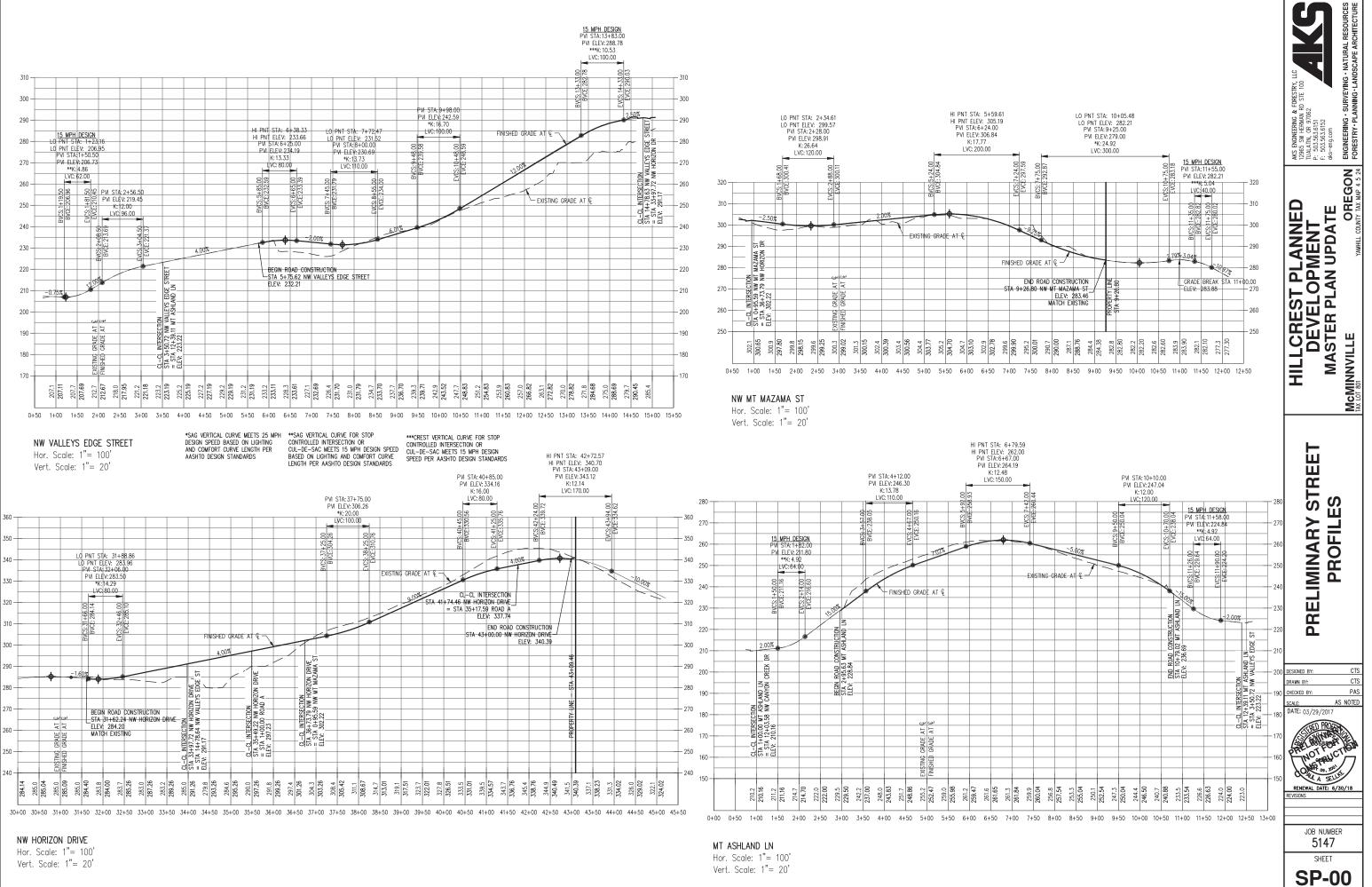


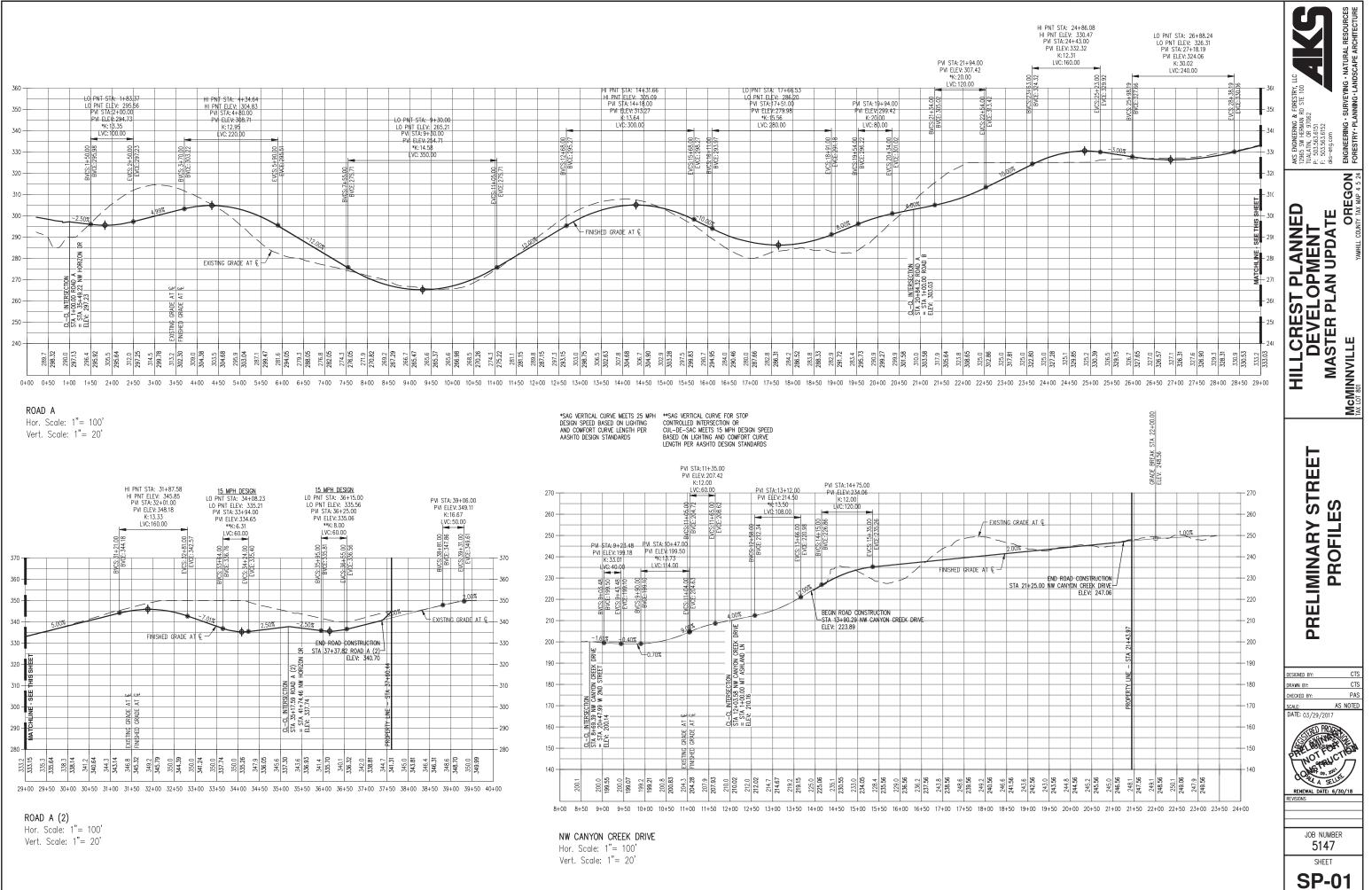


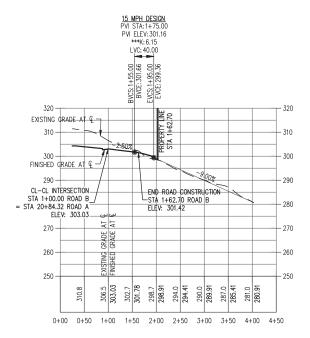
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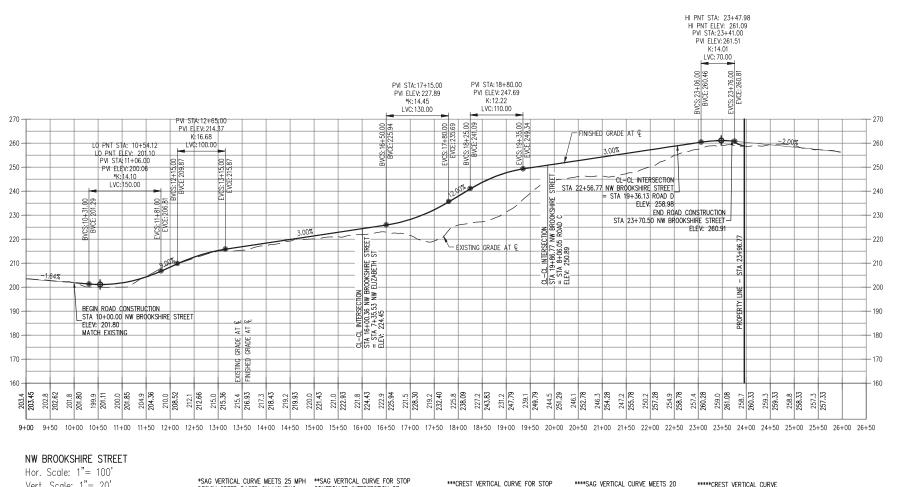
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ROAD B Hor. Scale: 1"= 100' Vert. Scale: 1"= 20'



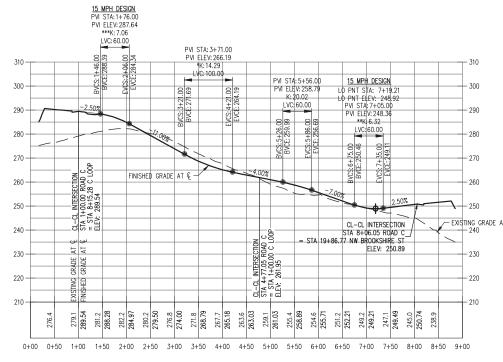
Vert. Scale: 1"= 20'

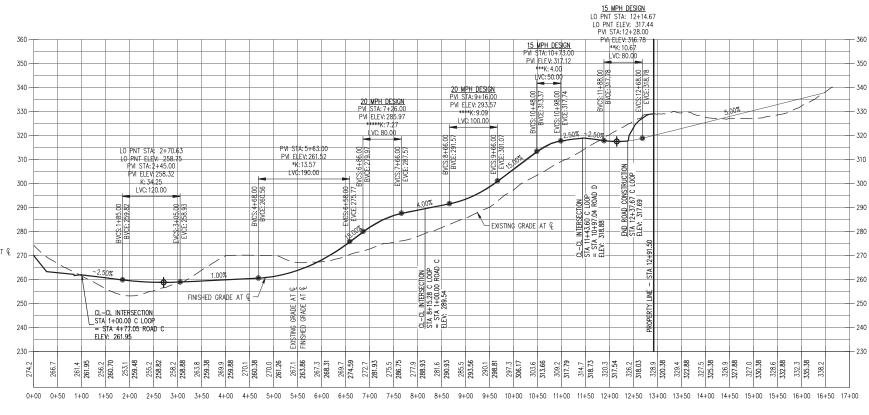
DESIGN SPEED BASED ON LIGHTING AND COMFORT CURVE LENGTH PER AASHTO DESIGN STANDARDS

CONTROLLED INTERSECTION OR CUL-DE-SAC MEETS 15 MPH DESIGN SPEED BASED ON LIGHTING AND COMFORT CURVE SPEED PER AASHTO DESIGN STANDARDS

\*\*\*CREST VERTICAL CURVE FOR STOP

\*\*\*\*SAG VERTICAL CURVE MEETS 20 MPH DESIGN SPEED BASED ON LIGHTING AND COMFORT CURVE LENGTH PER AASHTO DESIGN STANDARDS



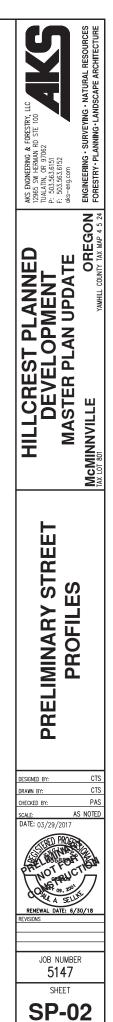


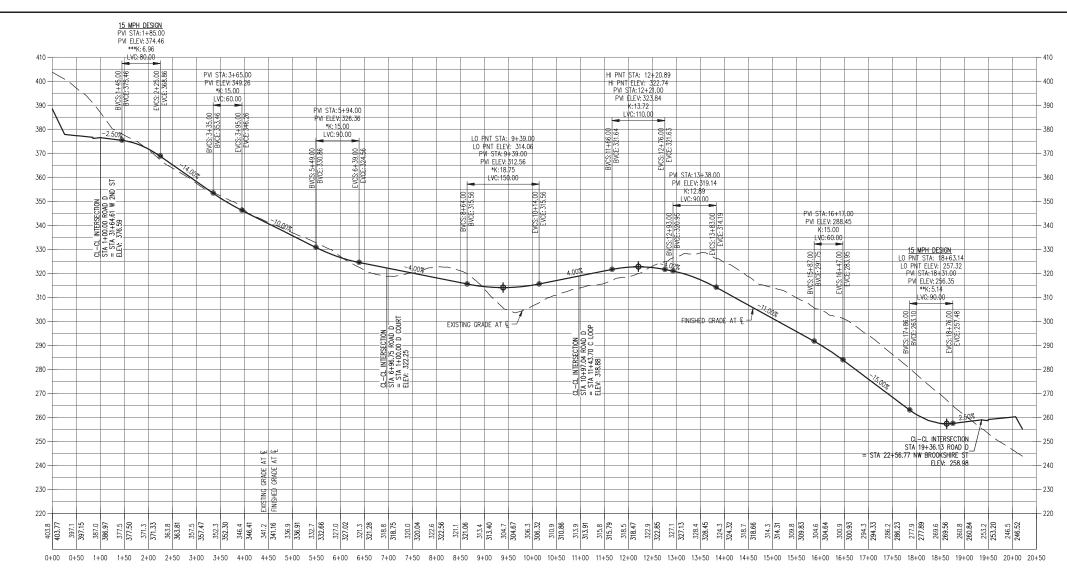
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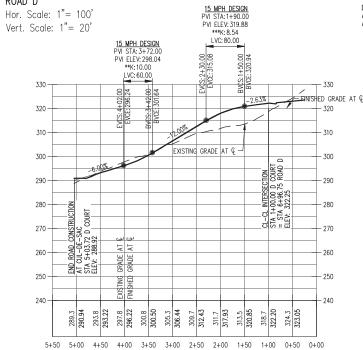
C LOOP Hor. Scale: 1"= 100' Vert. Scale: 1"= 20'

MEETS 20 MPH DESIGN SPEED PER AASHTO DESIGN STANDARDS





ROAD D



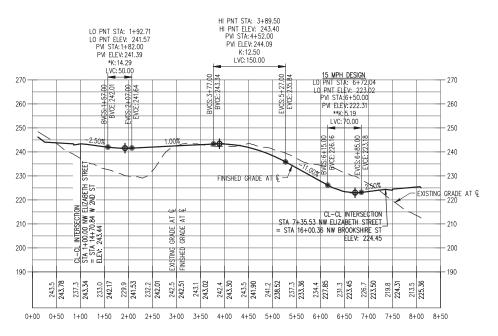
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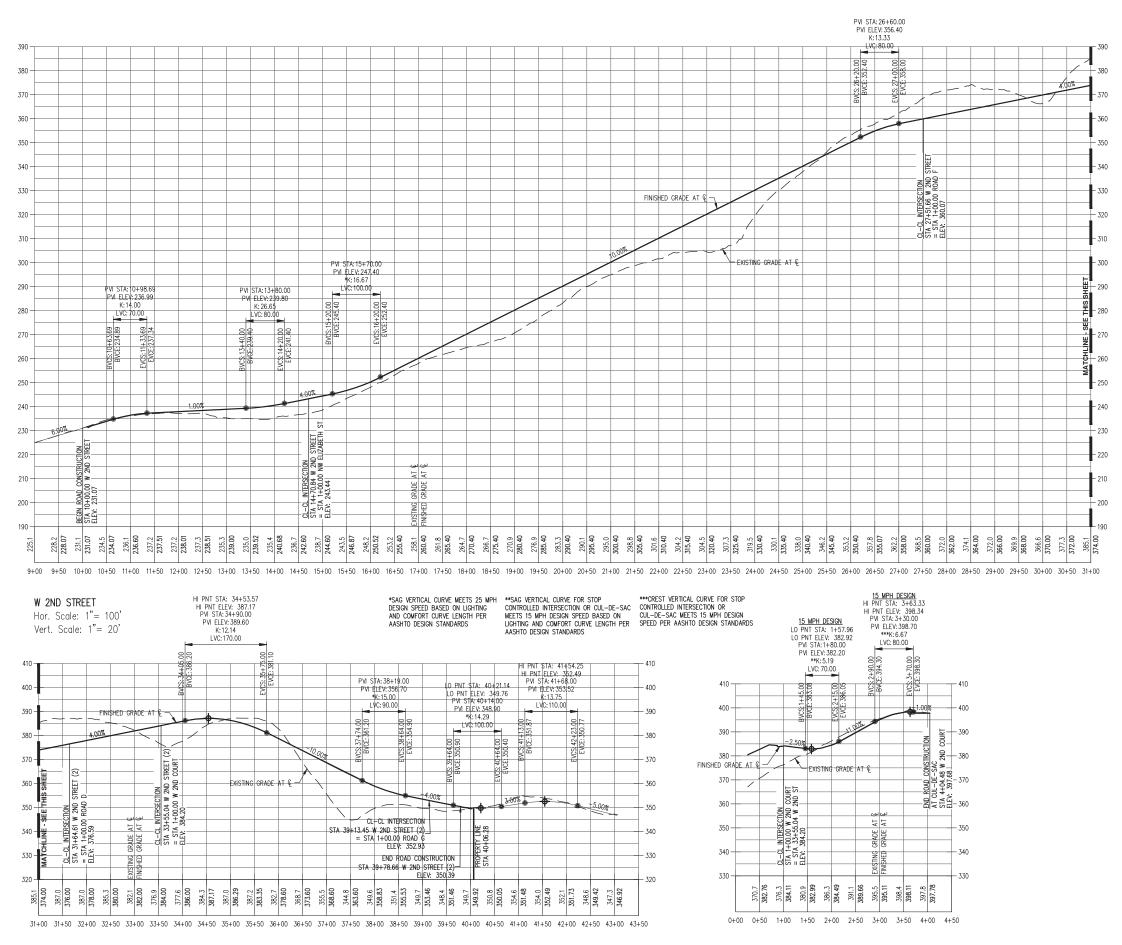
\*SAG VERTICAL CURVE MEETS 25 MPH \*\*SAG VERTICAL CURVE FOR STOP DESIGN SPEED BASED ON LIGHTING AND COMFORT CURVE LENGTH PER AASHTO DESIGN STANDARDS

CONTROLLED INTERSECTION OR CONTROLLED INTERSECTION OR CONTROLLED INTERSECTION OR CONTROLLED INTERSECTION OR CUL-DE-SAC COL-DE-SAC MEETS 15 MPH DESIGN SPEED BASED ON LIGHTING AND COMFORT CURVE AASHTO DESIGN STANDARDS



NW ELIZABETH STREET
Hor. Scale: 1"= 100'
Vert. Scale: 1"= 20'



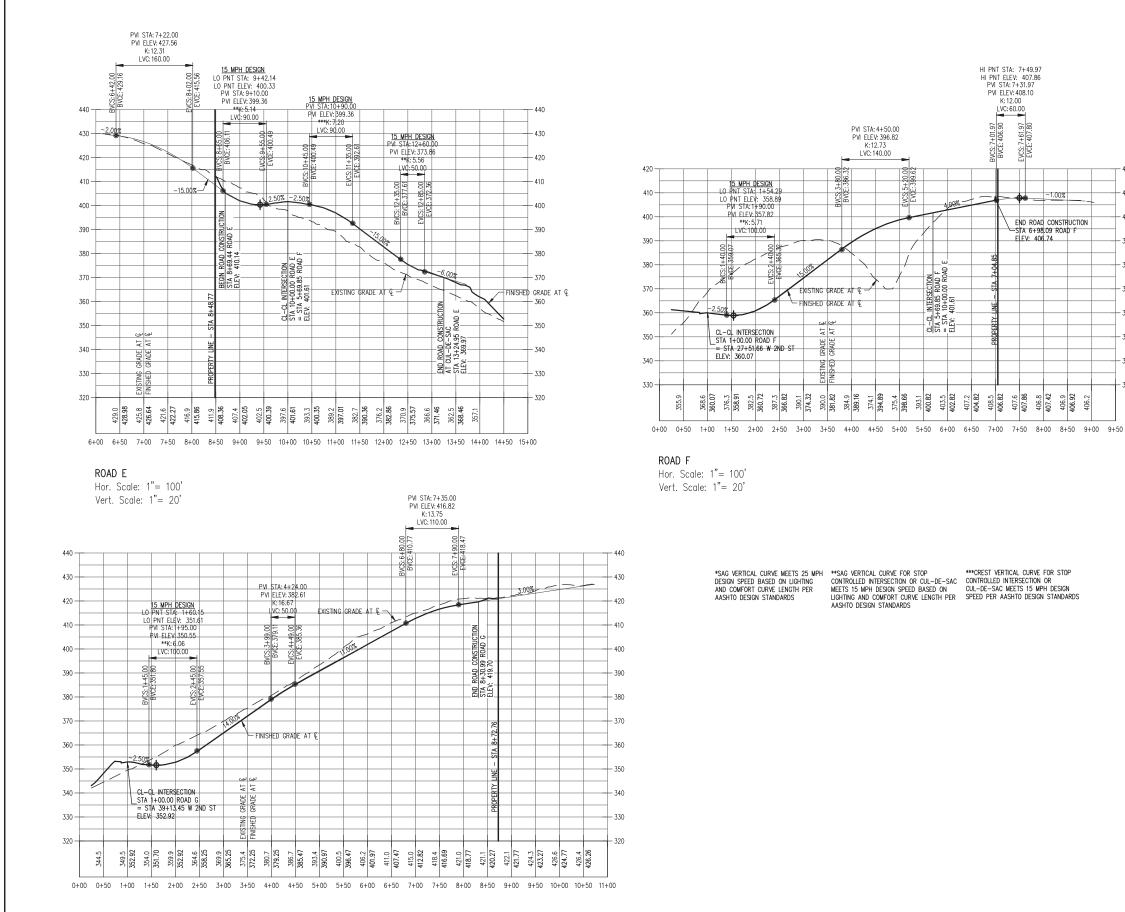


#### **W 2ND STREET (2)** Hor. Scale: 1"= 100'

Vert. Scale: 1"= 20'

**W 2ND COURT** Hor. Scale: 1"= 100' Vert. Scale: 1"= 20'





ROAD G Hor. Scale: 1"= 100'

Vert. Scale: 1"= 20'



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400

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380

- 370

360

350

- 340

- 330

-1.00%

406.92 406.92



# **Exhibit B: Application Form**

Planned Development Amendment Information & Submittal Requirements



### Overview

A planned development is applied to property as a vehicle to encourage 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 open spaces. A planned development is not intended as a guise to circumvent the intent of the Zoning Ordinance. Once adopted and applied to a property, the planned development -- in concert with the Zoning Ordinance -- guides development within the subject property. The City recognizes that changes to the details of a planned development may be necessary on occasion due to circumstances that may be beyond the control of the property owner. This application is used to request such amendments.

An amendment to an existing planned development overlay may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Any text amendments or major changes to an adopted site plan must be approved by the Planning Commission. Major changes to an adopted site plan include the following:

- A. An increase in the amount of land within the subject site;
- B. An increase in density, including the number of housing units;
- C. A reduction in the amount of open space; or
- D. Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas, and access.

For further clarification as to what constitutes a major or minor amendment, you are encouraged to contact the Planning Department before submitting an application.

### **Application Submittal**

The following materials must be provided at the time of submittal, or the application will not be accepted for processing.

A completed Planned Development Amendment application form. If additional explanation or materials would assist or support the request, include them with the application form.

A site plan (drawn to scale, with a north direction arrow, legible, and of a reproducible size). The site plan should show existing and proposed features such as: access; lot and street lines with dimensions in feet; distances from property lines; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.).

A legal description of the subject site, preferably taken from the deed.

A copy of the current planned development overlay ordinance.

Payment of the applicable review fee.

### **Review Process**

Upon receipt of a complete application for a major change to an existing planned development, the Planning Department will schedule a date and time for the Planning Commission's public hearing on the request, and provide notification of the proposed amendment to property owners within 300 feet of the subject site. The Planning Commission's public hearing will follow the procedures as stated in Sections 17.72.120 (Applications – Public Hearings) and 17.72.130 (Public Hearing Process) of the Zoning Ordinance.

Approval of an amendment to an existing planned development requires that the applicant demonstrate that the following criteria, as stated in Section 17.74.070 (Planned Development Amendment – Review Criteria) of the Zoning Ordinance have been met:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- C. The development shall be designed so as to provide for adequate access to, and efficient provision of, services to adjoining parcels;
- D. The plan can be completed within a reasonable period of time;
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

Following the close of the hearing, the Commission will vote to forward a recommendation to the City Council to approve the requested amendment, or approve it with a different form. If the Commission recommends the request be denied, no further proceedings shall be held, unless an appeal of the Commission's decision is filed, as stated in Section 17.72.180 (Appeal from Ruling of Planning Commission) of the Zoning Ordinance.

Upon receipt of the decision of the Planning Commission to recommend approved the Council shall:

- A. Based on the material in the record and the findings adopted by the Commission and transmitted to the City Council, adopt an ordinance effecting the proposed change, or;
- B. Call for a public hearing on the proposal subject to the notice requirements stated in Section 17.72.120(D-F) (Applications Public Hearings) of the Zoning Ordinance.

	0	ffice Use Only:	
City Of	Fi	le No	
	D	ate Received	
McMinnville	F	ee	
Planning Department	R	Receipt No	
231 NE Fifth Street ○ McMinnville, OR 97128 (503) 434-7311 Office ○ (503) 474-4955 Fax	R	eceived by	
www.mcminnvilleoregon.gov			
Planned Development Amer	ndment A	Application	
Applicant Information			
Applicant is: Property Owner Contract Buyer Option	Holder D Agent	□ Other	
Applicant Name West Hills Properties, LLC	Phone	e_please contact Applicant	
Contact Name Howard Aster	Phone	consultant e	
(If different than above)	11000		
Address 2300 SW 2nd St., Suite B			
City, State, ZipMcMinnville, OR 97128			
City, State, Zip McMinnville, OR 97128	hed application na	arrative for contact informati	
City, State, ZipMcMinnville, OR 97128 Contact Emailplease contact Applicant's consultant (see attac Property Owner Information Property Owner NameR&B Kauer Investments, LLC and BR I	House, LLCPhon	e please contact Applicant	
City, State, Zip <u>McMinnville, OR 97128</u> Contact Email <u>please contact Applicant's consultant (see attac</u> <u><b>Property Owner Information</b> Property Owner Name <u>R&amp;B Kauer Investments, LLC and BR I</u> (<i>If different than above</i>)</u>	House, LLCPhon	e please contact Applicant consultant	
City, State, Zip <u>McMinnville, OR 97128</u> Contact Email <u>please contact Applicant's consultant (see attac</u> <u><b>Property Owner Information</b> Property Owner Name <u>R&amp;B Kauer Investments, LLC and BR I</u> (<i>If different than above</i>) Contact Name <u>see Applicant info above</u></u>	House, LLCPhon	e please contact Applicant consultant	
City, State, Zip <u>McMinnville, OR 97128</u> Contact Email <u>please contact Applicant's consultant (see attac</u> <b>Property Owner Information</b> Property Owner Name <u>R&amp;B Kauer Investments, LLC and BR I</u> ( <i>If different than above</i> ) Contact Name <u>see Applicant info above</u> Address <u>PO Box 731</u> City, State, Zip <u>McMinnville, OR 97128</u>	House, LLCPhon	e_please contact Applicant consultant	
City, State, Zip <u>McMinnville, OR 97128</u> Contact Email <u>please contact Applicant's consultant (see attac</u> <b>Property Owner Information</b> Property Owner Name <u>R&amp;B Kauer Investments, LLC and BR I</u> ( <i>If different than above</i> ) Contact Name <u>see Applicant info above</u> Address <u>PO Box 731</u> City, State, Zip <u>McMinnville, OR 97128</u>	House, LLCPhon	e please contact Applicant consultant	
City, State, Zip <u>McMinnville, OR 97128</u> Contact Email <u>please contact Applicant's consultant (see attac</u> <b>Property Owner Information</b> Property Owner Name <u>R&amp;B Kauer Investments, LLC and BR I</u> ( <i>If different than above</i> ) Contact Name <u>see Applicant info above</u> Address <u>PO Box 731</u> City, State, Zip <u>McMinnville, OR 97128</u>	House, LLCPhon	e please contact Applicant consultant	
City, State, Zip <u>McMinnville, OR 97128</u> Contact Email <u>please contact Applicant's consultant (see attact</u> <u>Property Owner Information</u> Property Owner Name <u>R&amp;B Kauer Investments, LLC and BR I</u> ( <i>If different than above</i> ) Contact Name <u>see Applicant info above</u> Address <u>PO Box 731</u> City, State, Zip <u>McMinnville, OR 97128</u> Contact Email <u>please contact Applicant's consultant</u>	House, LLCPhon	e please contact Applicant consultant	
City, State, ZipMcMinnville, OR 97128 Contact Emailplease contact Applicant's consultant (see attack <b>Property Owner Information</b> Property Owner NameR&B Kauer Investments, LLC and BR I (If different than above) Contact Namesee Applicant info above AddressO Box 731 City, State, ZipMcMinnville, OR 97128 Contact Emailplease contact Applicant's consultant <b>Site Location and Description</b> (If metes and bounds description, indicate on separate sheet)	House, LLCPhon	e_please contact Applicant consultant e	
City, State, ZipMcMinnville, OR 97128 Contact Emailplease contact Applicant's consultant (see attacc <b>Property Owner Information</b> Property Owner NameR&B Kauer Investments, LLC and BR I (If different than above) Contact Namesee Applicant info above AddressO Box 731 City, State, ZipMcMinnville, OR 97128 Contact Emailplease contact Applicant's consultant <b>Site Location and Description</b> (If metes and bounds description, indicate on separate sheet) Property Address no site address	House, LLCPhon	e_please contact Applicant consultant e	
City, State, ZipMcMinnville, OR 97128 Contact Emailplease contact Applicant's consultant (see attac Property Owner Information Property Owner NameR&B Kauer Investments, LLC and BR I (If different than above) Contact Namesee Applicant info above AddressO Box 731 City, State, ZipMcMinnville, OR 97128 Contact Emailplease contact Applicant's consultant Site Location and Description (If metes and bounds description, indicate on separate sheet) Property Address no site address Assessor Map No. R4 5 _ 2400801	House, LLC Phone Phone 	e_please contact Applicant consultant e	

1. Show in detail how your request seeks to amend the existing planned development overlay. State the reason(s) for the request and the intended use(s) of the property:

Please see attached narrative.
Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Volume II):
Please see attached narrative.

\_\_\_\_

3. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely:\_\_\_\_\_

-	Please see the attached narrative.
th	e request:
tn 	escribe any changes in the neighborhood or surrounding area which might support or warra e request: Please see the attached narrative.
	e request:

5. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use:

Please see the attached narrative.
Describe, in detail, how the proposed use will affect traffic in the area. What is the expected traffic in the area.
Please see the attached narrative.
riease see the attached hanalive.
-

A site plan (drawn to scale, legible, and of a reproducible size). The site plan should show existing and proposed features such as: access; lot and street lines with dimensions in feet; distances from property lines; improvements; north direction arrow, and significant features (slope, vegetation, adjacent development, drainage, etc.).

A copy of the current planned development overlay ordinance.

A legal description of the subject site, preferably taken from the deed.

We Payment of the applicable review fee, which can be found on the Planning Department web page.

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

pplicant's Signature

Property Owner's Signature

March 2, 2017 Date March 2, 2017

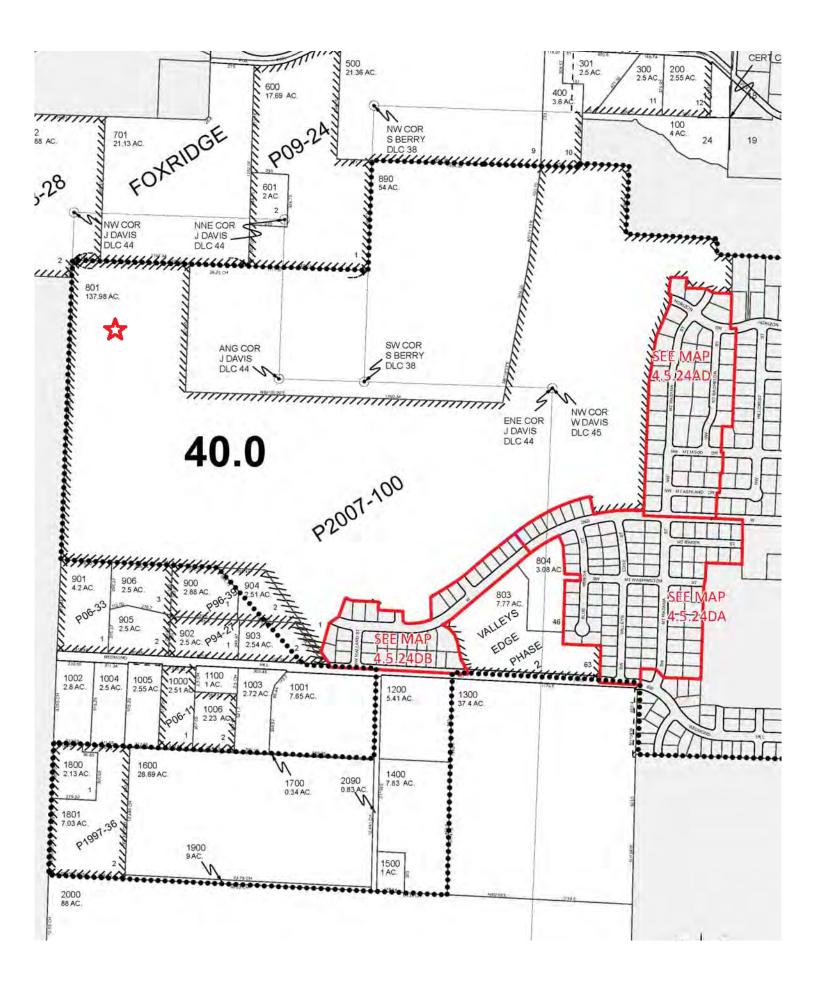


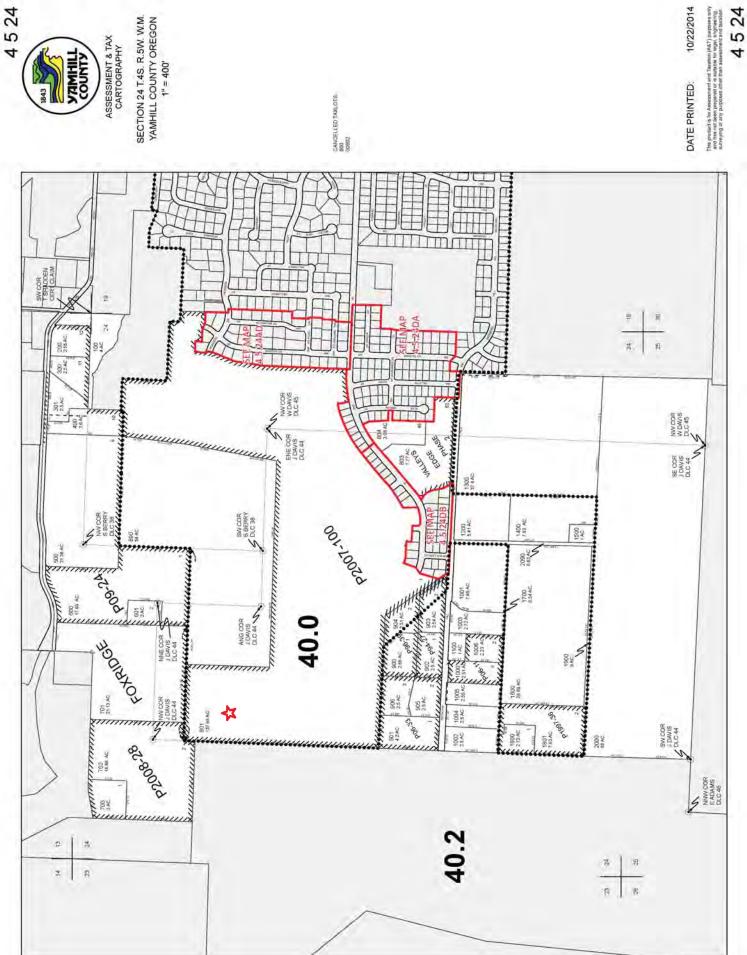
# **Exhibit C: Property Ownership Information**

Yamhill Cour	nty Parcel Information	First American Title	
Parcel Informatio	on	Assessment Information	
Parcel #:	R452400801	Market Value Land: \$13,660,020	
Account:	532603	Market Value Impr: \$0	
Related:		Market Value Total: \$13,660,020	
Site Address:		Assessed Value: \$294,220	
	McMinnville, OR 97128	Tax Information	
	R & B Kauer Investments LLC 1/2	Levy Code Area: 40.0	
	B R House LLC 1/4	Levy Rate: 16.9278	
Owner Address:	PO Box 731 McMinnville, OR 97128	<b>Tax Year:</b> 2016	
Phone:		Annual Tax: \$4,980.49	
	T: 04S R: 05W S: 24 Q:	Exemption Description:	
-	137.98 Acres (6,010,409 SF)		
Plat/Subdivision:	<u> </u>	<u>Legal</u>	
Lot:		POTENTIAL ADDITIONAL TAX LIABILITY 137.98 ACRES IN SEC 24 T48 R5W	
Block:			
Map Page/Grid:	770-C5		
Census Tract/Block:			
Waterfront:			
Land			
	· Forest - Multiple special assessmen	ts - Vacant Cnty Bldg Use: -	
Land Use Std: VAGR	R - VACANT AGRICULTURE/RURAL	Zoning: R-2 - Single Family Residential	
Neighborhood: 1005		Recreation: -	
Watershed: Yamh	nill River	School District: 40	
Improvement			
Year Built: 0	Attic Fin/Unfin: 0 /	0 SF Foundation:	
Bedrooms: 0	Bathrooms: 0.0	0 Roof Covering:	
Bldg Fin: 0 SF	Bsmt Fin/Unfin: 0 /	0 SF Garage: 0 SF	
1st Floor: 0 SF	2nd Floor: 0 S	F Ext Walls:	
A/C: No	FirePlace: 0	Heat Type:	
Fransfer Informat	ion		

 Rec. Date:
 2/0/2012
 Sale File:
 Doc Nulli, 2012/1555
 Doc Type, 05

 Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.









After recording return to Grantee and until a change is requested all tax statements shall be sent to the Grantee at the following address: Jerry Allen and Edith Allen 2707 NW Horizon Dr. McMinnville, OR 97128

Grantor Address: Jerry Allen and Edith Allen 2707 NW Horizon Dr. McMinnville, OR 97128

File No.: 1031-1827587 (LF) Date: January 30, 2012

THIS SPACE RESERVED FOR RECORDER'S USE

OFFICIAL YAMHILL COUNTY RECORDS REBEKAH STERN DOLL, COUNTY CLERK

2012-01333

\$66.00



02/06/2012 09:15:00 AM

DMR-DDMR Cnt=1 Stn=3 SUSIE \$30.00 \$10.00 \$11.00 \$15.00

### STATUTORY BARGAIN AND SALE DEED

R & B Kauer Investments, LLC as to a 1/2 interest; B R House, LLC as to a 1/4 interest; Howard N. Aster as to a 1/8 interest; Margaret E. B. Aster as to a 1/8 interest, Grantor, conveys to R & B Kauer Investments, LLC, as to a 1/2 interest; B. R. House, LLC, as to a 1/4 interest; Howard N. Aster as to a 1/8 interest; Margaret E. B. Aster as to a 1/8 interest, Grantee, the following described real property:

LEGAL DESCRIPTION: Real property in the County of Yamhill, State of Oregon, described as follows:

#### See Exhibit "A"

The true consideration for this conveyance is **To perfect Boundary Line Adjustment Docket #BLA1-08.** (Here comply with requirements of ORS 93.030)

6

Page 1 of 2

APN: R4524AD-00400

Bargain and Sale Deed - continued

File No.: 1031-1827587 (LF) Date: 01/30/2012

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 3 day of Appendice ,20 1 -

R & B Kauer Investments LLC

By: Barbara Kauer, Member

Howard N Aster

STATE OF Oregon ) )ss. County of Yamhill )

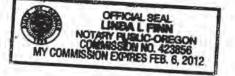
B. R. House, LLC

By: Barry House, Member

Margaret EB Aster

This instrument was acknowledged before me on this 30 day of ( by Barbara Kauer as Member of R & B Kauer Investments LLC.

Linda L .



Notary Public for Oregon My commission expires: 2/6/2012

Page 2 of

APN: 84524AD-00400 Bargain and Sale Deed File No.: 1031-1827587 (LF) - continued Date: 01/30/2012 STATE OF Oregon ) )ss. County of Yamhill ) This instrument was acknowledged before me on this <u>31</u> day of ganuary ,20/1 by Barry House as Member of B. R. House, LLC. Junda L tr NOVAN COMMISSION NO. 42 MY COMMISSION EXPIRES FEB 0.42 Notary Public for Oregon My commission expires: 2/6/2012 STATE OF Огедоп ) )ss. County of Yamhill ) This instrument was acknowledged before me on this 20 12 day of by Howard N. Aster and Margaret E. B. Aster. y raaret 1a ERX nn OFFICIAL SEAL Notary Public for Oregon NOTARY PUBLIC-OREGON COMMISSION NO. 444968 MY COMMISSION EXPIRES JANUARY 14, 2014 My commission expires: 014 STATE OF Oregon )ss. ) County of Yamhill < 20 This instrument was acknowledged before me on this day of by Howard N. Aster OFFICIAL SEAL DONNA M BEFUS NOTARY PUBLIC-OREGON COMMISSION NO. 464477 MY COMMISSION EXPIRES JANUARY 15, 2016 Notary Public for Oregon My commission expires: Page 3 of 36

Matt Dunckel & Assoc. Land Surveyors 3765 Riverside Drive McMinnville, OR 97128 Phone: 503-472-7904 Fax: 503-472-0367 E-Mail: matt@dunckelassoc.com

Date: 5 Feb. 2008

KAUER - Legal Description of "new" TL 801 (133 Ac. more or less)

A tract of land in Section 24, Township 4 South, Range 5 West, City of McMinnville, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the intersection of the west line of VALLEY'S EDGE-Phase 1 with the centerline of Redmond Hill Road; thence North 00°20'28" West 628.87 feet along the west line of VALLEY'S EDGE-Phase 1; thence North 01°39'57"East 50.02 feet along said west line: thence North 00°47'28" West 54.13 feet along said west line; thence North 02°50'50 West 42.00 feet along said west line; thence North 06°35'47" West 74.99 feet along said west line; thence North 10°42'44" West 74.99 feet along said west line; thence North 14°29'28" West 80.12 feet along said west line; North 13°42'08" West 60.00 feet to the northwest corner of VALLEY'S EDGE-Phase 1 and the beginning of a non-tangent curve concave to the south having a radius of 1030.00 feet; thence easterly 251.14 feet along said curve (chord= North 83°16'58" East 250.51 feet); thence South 89°44'58" East 48.72 feet to the southwest corner of HILLCREST- PHASE 5; thence North 00°40'13" East 267.78 feet to the southwest corner of HILLCREST PHASE 4; thence North 00°15'00" East 532.22 feet along the west line of HILLCREST PHASE 4; thence North 06°52'55" East 291.95 feet along said west line; thence North 20°40'09" East 224.52 feet along said west line; thence North 04°06'34" East 60.55 feet along said west line; thence North 04°35'27" East 108.63 feet along said west line to the northwest corner of HILLCREST PHASE 4; thence North 89°55'14" East 87.28 feet along the north line of HILLCREST PHASE 4; thence South 04°31'24" West 64.21 feet along said north line; North 89°55'14" East 126.21 feet along said north line; thence South 61°40'46" East 52.10 feet along said line; thence North 89°32'11" East 117.10 feet along said line to the west line of HILLCREST PHASE 3; thence North 00°27'49" West 240.00 feet along said west line to the north line of that tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, HOWARD N. ASTER and MARGARATE B. ASTER and RAYMOND C. KAUER and BARBARA M. KAUER to KHA PROPERTIES, LLC and recorded in Instrument 200322470, Yamhill County Deed Records; thence North 89°06'31" West 50.3' feet along said north line; thence North 1.50 chains along said north line; thence North 89°30" West 8.71 chains along said line; thence North 00°45' East 6.25 chains along said line; thence South 89°45" West 24.89 chains along said line; thence South

4/6

690.73' along said line; thence West 28.25 chains along said line to the northwest corner of said KHA PROPERTIES, LLC tract; thence South 37.985 chains along the west line of said tract to the centerline of Redmond Hill Road; thence Easterly along the centerline of Redmond Hill Road to the point of beginning.

EXCEPTING THEREFROM that tract of land described in deed to Yamhill County and recorded August 5, 1926 in Book 94, Page 461, Yamhill County Deed Records.

ALSO EXCEPTING that tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, and RAYMOND C. KAUER and BARBARA M. KAUER to DONALD and JEAN OLIVER and recorded Film Volume 309, Page 354, Yamhill County Deed Records.

ALSO EXCEPTING that tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, and RAYMOND C. KAUER and BARBARA M. KAUER to RICHARD and CHARLOTTE BORGEN and recorded Film Volume 309, Page 433, Yamhill County Deed Records.

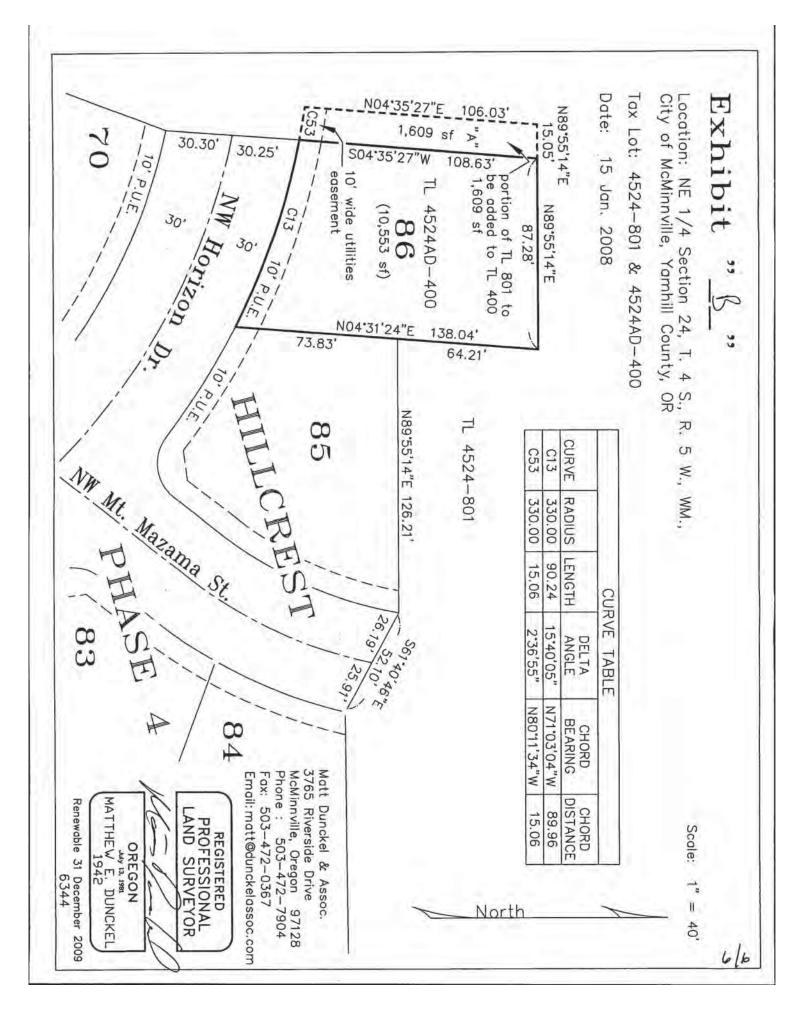
ALSO EXCEPTING that tract of land described in deed to UNION LODGE NO. 43 A.F. and A.M. and recorded November 24, 1906 in Book 46 Page 571, Yamhill County Deed Records.

ALSO EXCEPTING that tract of land described in deed to LINFIELD COLLEGE, trustee of the RAYMOND C. KAUER and BARBARA M. KAUER Charitable Remainder Unitrust and BARRY W. HOUSE and ROBERTA M. HOUSE Charitable Remainder Unitrust and recorded December 27, 1995 in Instrument No. 199517375 and Instrument No. 199517376, Yamhill County Deed Records

ALSO EXCEPTING (MEKKERS Tract) the following described tract: Beginning at a point that is North 36.415 chains from the southwest corner of said John B. Davis Donation Land Claim; thence North 20.00 feet to the north line of the county road which is the TRUE POINT OF BEGINNING; thence East along the fence line bordering the county road 1471 feet to an aluminum pipe; thence North 37°19' West 450 feet to an aluminum pipe; thence North 44°27' West 316 feet to an aluminum pipe; thence West parallel with the county road 977.6 feet to a fence line now there, which is the west line of the John B. Davis Donation Land Claim; thence South along said fence line to the point of beginning.

ALSO EXCEPTING A tract of land in Section 24, Township 4 South, Range 5 West, City of McMinnville, Yamhill County, Oregon, being more particularly described as follows: Beginning at the southwest corner of Lot 86 of HILLCREST PHASE 4; thence westerly 15.06 feet along a curve concave to the south having a radius of 330.00 feet (chord=North 80°11'34" West 15.06 feet); thence

North 04°35′27″ East 106.03 feet; thence North 89°55′14″ East 15.05 feet to the northwest corner of said Lot 86; thence South 04°35′27″ West 108.63 feet along the west line of said Lot 86 to the point of beginning as shown by Exhibit " $B_{-}$ ".





# Exhibit D: City of McMinnville Ord. 4868

ORDINANCE NO. 4868

An Ordinance rezoning certain property from an R-1 (Single-Family Residential) zone to an R-2 PD (Single-Family Residential Planned Development) zone on a parcel of land approximately 164.1 acres in size.

#### RECITALS

The Planning Commission received an application (ZC 19-06) from KHA Properties, LLC, dated December 14, 2007, for a zone change from an R-1 (Single-Family Residential) zone to an R-2 PD (Single-Family Residential Planned Development) zone on a parcel of land approximately 164.1 acres in size. The property is more specifically described as a Tax Lot 800, Section 24, T. 4 S., R. 5 W., W.M.

A public hearing was held on February 15, 2007 at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on February 8, 2007, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said request, found that said change conformed to the zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change and has recommended said change to the Council; and

On March 8, 2007, an appeal of the Planning Commission's recommendation was filed with the City Planning Department. Consistent with the requirements of the McMinnville Zoning Ordinance, a public hearing was scheduled before the City Council on April 10, 2007 after due notice had been given in the local newspaper, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application and materials and staff report were presented. Prior to public agency input being received, the hearing was continued by the City Council to its April 24, 2007 hearing where it was concluded and a decision reached; and now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by KHA Properties, LLC.

Section 2. That the property described in Exhibit "A," is hereby rezoned from an R-1 (Single-Family Residential) zone to an R-2 PD (Single-Family Residential Planned Development) zone, subject to the following conditions:

- 1. That the planned development overlay shall require the following setbacks:
  - A. Development of the multi-family lot and lots within the Northridge subdivision shall be to standard R-4 zone setbacks.
  - B. Lots within the Valley's Edge Phase 2 subdivision shall be to a standard R-3 zone setback.
  - C. All other lots shall meet applicable R-2 zoning setbacks.

The Planning Director is authorized to permit reductions or increases to these setback standards as may be necessary to provide for the retention of trees greater than nine (9) inches in diameter measured at 4.5 feet above grade. In no case, however, may the side yard setback be reduced to less than five feet, or the exterior side yard setback to less than 12 feet, or the distance from the property line to the front opening of a garage be reduced to less than 18 feet without approval of the Planning Commission pursuant to the requirements of Chapter 17.69 (Variance). A request to adjust the setbacks for these lots shall be accompanied by a building plan for the subject site that clearly indicates the location of existing trees. Trees to be retained shall be protected during all phases of home construction.

That existing trees greater than nine inches DBH (diameter at breast height) shall not be removed without prior review and written approval of the Planning Director. In addition, all trees shall be protected during home construction. A plan for such protection must be submitted with the building permit application and must meet with the approval of the Planning Director prior to release of construction or building permits within the subject site. Requests for removal of such trees based upon claims of disease, or hazard should be accompanied by a report from a licensed arborist.

2. That the "Hillcrest" tentative subdivision plan (revised as necessary to comply with the adopted conditions of approval) be placed on file with the Planning Department and that it become a part of the zone and binding on the property owner and developer, and shall in no way be binding on the City.

The developer shall be responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

- 3. That site plans and building elevations for the proposed multi-family units must be submitted to the Planning Director for review and approval prior to the issuance of any building permits for said units. The following criteria shall apply:
  - A. The building layout must be nonlinear in design, even if to meet this goal the number of units has to be reduced.
  - B. The building roof lines and facades must be broken so as to avoid a flat, uniform appearance.

- C. The site shall be heavily landscaped with emphasis on those sides facing a public street. Street-side landscaping shall include berming, and street trees a minimum of two-inch caliper at time of planting. In addition, parking lots shall be broken up by landscaping, and usable open space shall be provided within the development.
- D. Signage shall be limited to a maximum of two free-standing monument-type signs, each not more than four feet in height and not exceeding 36 square feet in area. The signs, if illuminated, must be indirectly illuminated and non flashing.
- E. Horizontal lap siding or similar type siding must be used (no T-111 or similar), and architectural composition roofing or a similar or higher grade type of roofing must be applied.
- 4. Prior to the issuance of the 290<sup>th</sup> building permit for the master planned development, the developer shall complete the installation of left-turn-lane improvements, meeting the City's and Yamhill County's standards, at the intersections of Hill Road / Horizon Drive and Hill Road / West Second Street.
- 5. That the minimum lot sizes within the Hillcrest development may be reduced below 7,000 square feet, provided the overall residential density within the subject site (less the parkland and storm detention areas) does not exceed the net density allowed by the R-2 zone (gross density reduced by 25 percent to account for public infrastructure).

Passed by the Council this 24<sup>th</sup> day of April 2007, by the following votes:

Ayes: Hansen, Hill, Menke, Olson, May, Yoder

Nays:

Approved this 24<sup>th</sup> day of April 2007.

MAYOR COUNCIL PRESIDENT

Attest:

Approved as to form:

Y ATTORNEY

CITYATIORNE

ORDINANCE NO. 4868

#### EXHIBIT "A"

A tract of land in Section 24, Township 4 South, Range 5 West, Yamhill County, Oregon, being part of the John B. Davis Donation Land Claim No. 44 and the William C. Davis Donation Land Claim No. 69, and also being part of the tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, HOWARD N. ASTER and MARGARAT E.B. ASTER, and RAYMOND C. KAUER and BARBARA M. KAUER to KHA PROEPRTIES, LLC and recorded in Instrument 200322470, Yamhill County Deed and Mortgage Records, and being more particularly described as follows:

Being at a point that is North 36.415 chains from the Southwest corner of said John B. Davis Donation Land Claim; thence South 89°10'43 East 3408.02 feet along the South line of that tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, HOWARD N. ASTER and MARGARAT E.B. ASTER, and RAYMOND C. KAUER and BARBARA M. KAUER to KHA PROEPRTIES, LLC and recorded in Instrument 200322470, Yamhill County Deed and Mortgage Records; thence North 00°20'28" West 629.86 feet; thence North 01°43'13" East 48.02 feet; thence North 00°39'53" West 52.35 feet; thence North 03°40'44" West 47.94 feet; thence North 06°24'27" West 75.06 feet; thence North 10°54'26" West 75.05 feet; thence North 14°29'26" West 76.51 feet; thence North 17°46'24" West 60.35 feet to the beginning of a non-tangent curve concave to the South having a radius of 1030.21 feet; thence Easterly 255.43 feet along said curve (chord=North 83°08'50" East 254.78 feet); thence South 89°45'00" East 50.70 feet; thence North 00°15'00" East 267.78 feet to the Southwest corner of HILLCREST PHASE 4; thence North 00°15'00" East 532.22 feet along the West line of HILLCREST PHASE 4; thence North 06°52'55" East 291.959 feet along said West line; thence North 20°40'09" East 224.52 feet along said West line; thence North 04°06'34" East 60.55 feet along said West line; thence North 04°35'27" East 108.63 feet along said West line to the Northwest corner of HILLCREST PHASE 4; thence North 89°55'14" East 87.28 feet along the north line of HILLCREST PHASE 4; thence South 04°31'24" West 64.21 feet along said North line; thence North 89°55'14" East 126.21 feet along said North line; thence South 61°40'46" East 52.10 feet along said line; thence North 89°32'11 East 117.10 feet along said line to the West line of HILLCREST PHASE 3; thence North 00°27'49" West 240.00 feet along said West line to the North line of said KHA PROPERTIES, LLC tract; thence North 89°06'31" West 50.3 feet along said North line; thence North 1.50 chains along said north line; thence North 89°30" West 8.71 chains along said line; thence North 00°45' East 6.25 chains along said line; thence South 89°45" West 24.89 chains along said line; thence South 690.73 feet along said line; thence West 28.25 chains along said line to the Northwest corner of said KHA PROPERTIES, LLC tract; thence South 37.985 chains along the West line of said tract to the point of beginning.

EXCEPTING THEREFROM that tract of land described in deed to Yamhill County and recorded August 5, 1926 in Book 94, Page 461, Yamhill County Deed Records.

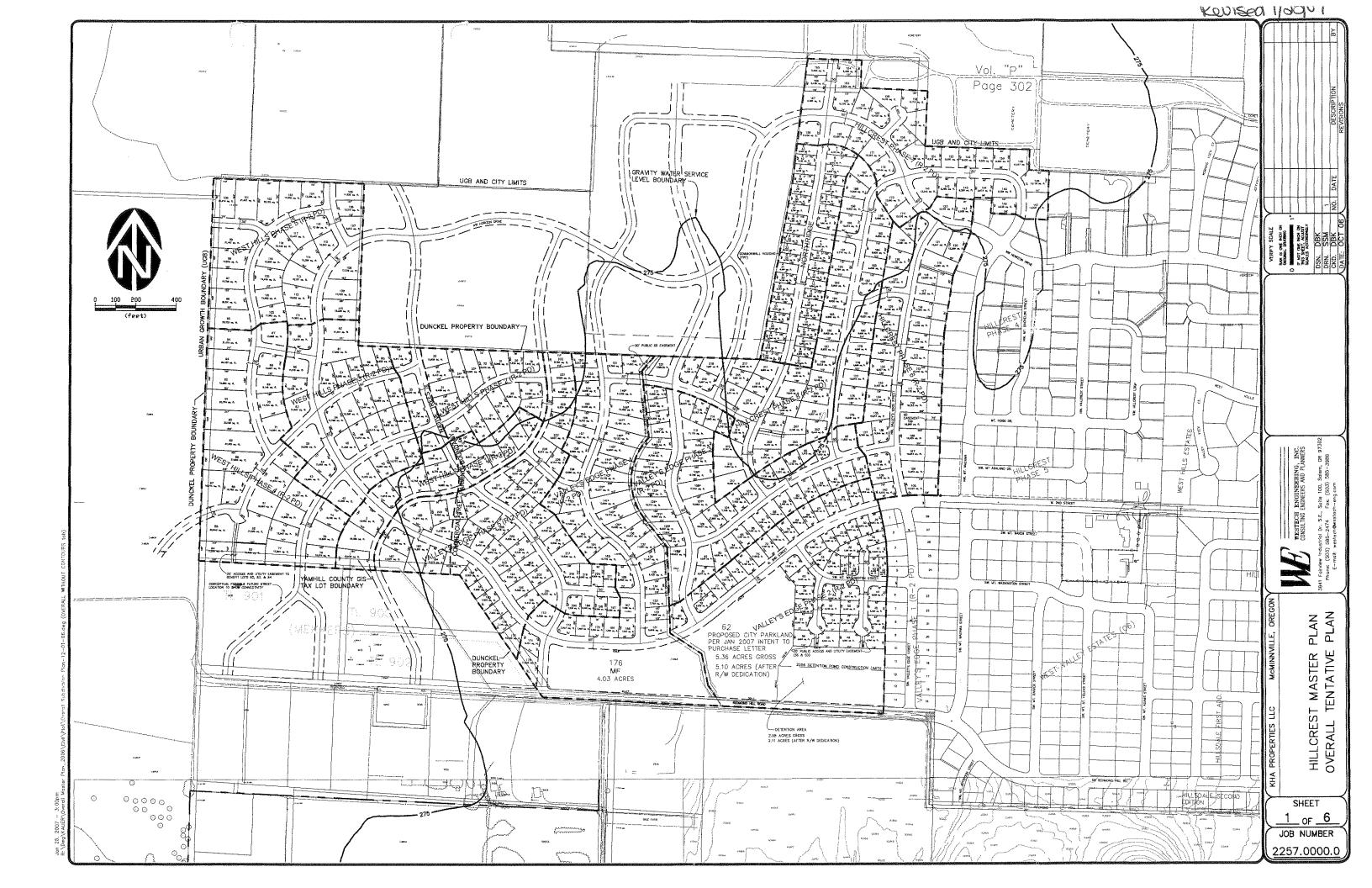
ALSO EXCEPTING that tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, and RAYMOND C. KAUER and BARBARA M. KAUER to DONALD and JEAN OLIVER and recorded Film Volume 3096, Page 354, Yamhill County Deed Records.

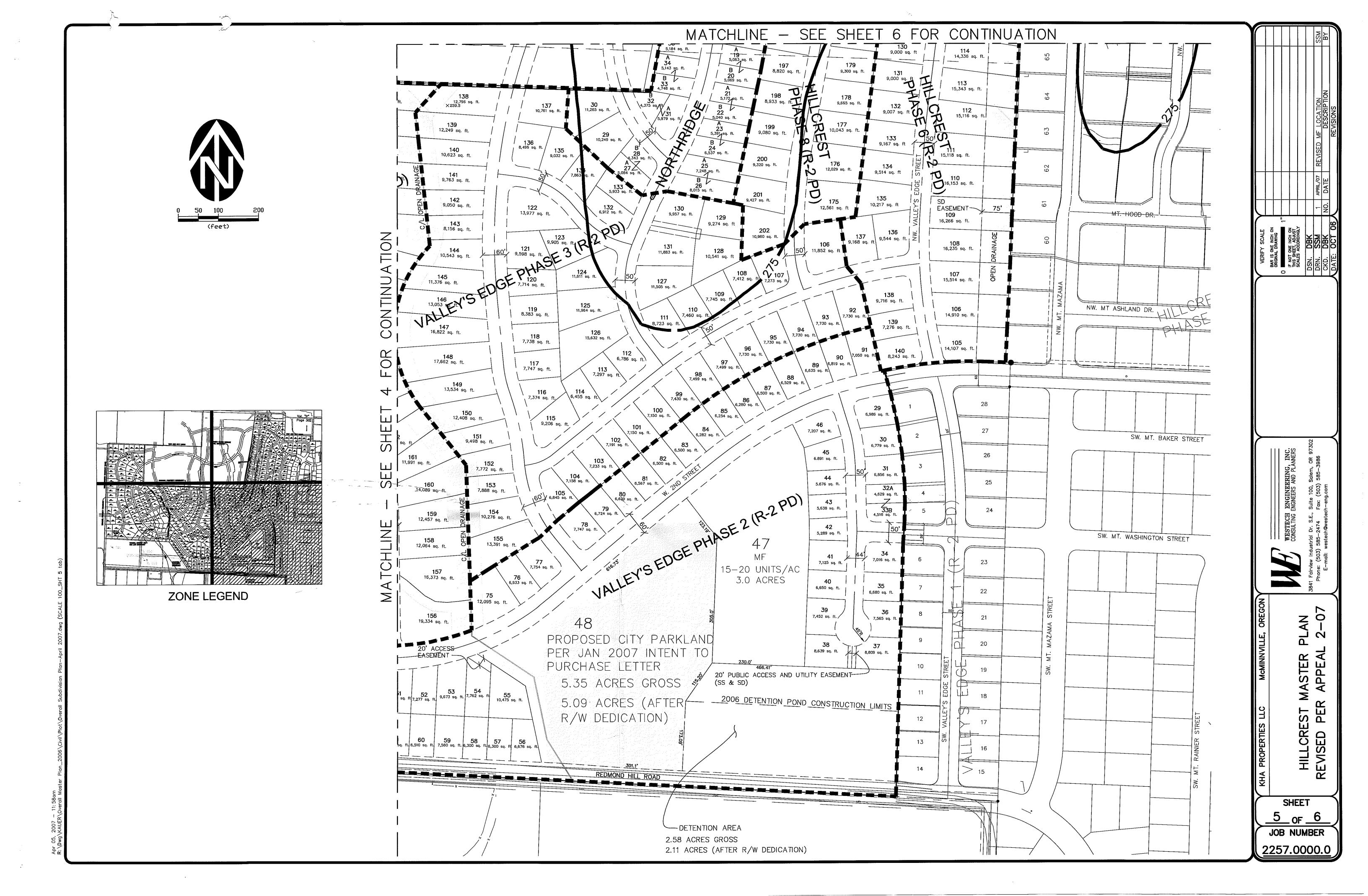
ALSO EXCEPTING that tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, and RAYMOND C KAUER and BARBARA M. KAUER to RICHARD and CHARLOTTE BORGEN and recorded in Film Volume 309, Page 433, Yamhill County Deed and Mortgage Records.

ALSO EXCEPTING that tract of land described in deed to UNION LODGE NO. 43 A.F. and A.M. and recorded November 24, 1906 in Book 46 Page 571, Yamhill County Deed Records.

ALSO EXCEPTING that tract of land described in deed to LINFIELD COLLEGE, trustee of the RAYMOND C KAUER and BARBARA M. KAUER Charitable Remainder Unitrust and BARRY W. HOUSE and ROBERTA M. HOUSE Charitable Remainder Unitrust and recorded December 27, 1995 in Instrument No. 199517375 and Instrument No. 199517376, Yamhill County Deed and Mortgage Records.

ALSO EXCEPTING the following described tract: Beginning at a point that is North 36.415 chains from the Southwest corner of said John B. Davis Donation Land Claim; thence North 20.00 feet to the North line of the county road which is the TRUE POINT OF BEGINNING; thence East along the fence line bordering the county road 1471 feet to an aluminum pipe; thence North 37°19' West 450 feet to an aluminum pipe; thence North 44°27' West 316 feet to an aluminum pipe; thence, which is the West line of the John B. Davis donation Land Claim; thence South along said fence to the point of beginning.







## Exhibit E: Preliminary Stormwater Management Memo

Hillcrest Planned Development Master Plan Update Mcminnville, Oregon

> Preliminary Stormwater Report

Date:

**Client:** 

**Engineering Contact:** 

**Engineering Firm:** 

March 13, 2017

West Hills Properties, LLC P.O. Box 731 McMinnville, OR 97128

Paul Sellke, PE, GE PaulS@aks-eng.com

**AKS Engineering & Forestry, LLC** 



12965 SW Herman Road, Suite 100 Tualatin, OR 97062 P: (503) 563-6151 www.aks-eng.com



RENEWAL: JUNE 30, 2018

Hillcrest Planned Development Master Plan Update Mcminnville, Oregon

> Preliminary Stormwater Report

Date:	March 13, 2017
Client:	West Hills Properties, LLC P.O. Box 731 McMinnville, OR 97128
Engineering Contact:	Paul Sellke, PE, GE PaulS@aks-eng.com
Engineering Firm:	AKS Engineering & Forestry, LLC



12965 SW Herman Road, Suite 100 Tualatin, OR 97062 P: (503) 563-6151 www.aks-eng.com

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#### Appendices

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# Preliminary Stormwater Report Hillcrest Planned Development Master Plan Update Mcminnville, Oregon

# 1.0 Purpose of Report

This report evaluates the effects of the master plan update on the existing seasonal drainage swales and downstream system. We will document the criteria, methodology, and informational sources used to evaluate the anticipated stormwater runoff due to the modified subdivision, and present the results and comparison of our analyses to the original stormwater report.

# 2.0 Project Location/Description

The proposed residential subdivision is planned for north of W 2nd Street, west of NW Mt. Mazama Street, and south of NW Fox Ridge Road in the City of McMinnville, Oregon (City). The property proposed for development encompasses 132.2 acres (Tax Lot 801, Tax Map 4S-5-24).

The phased planned development will create a 647-lot residential subdivision for single-family detached and attached homes and multi-family apartment units. The proposed modification to the master plan proposes a maximum total of 488 new single-family units to be constructed with future phases (91 single-family homes and 68 multi-family apartments have already been constructed/platted). The site improvements will include the construction of public streets, underground utilities, and new stormwater facilities. Additional stormwater facilities will be incorporated into the subdivision to meet state and federal requirements for wetland fill permits.

# 3.0 Regulatory Design Criteria

# 3.1 STORMWATER QUANTITY

Stormwater quantity management for this project currently uses the existing regional stormwater facility, which was designed to detain the stormwater runoff from the 10-year storm event (see the West Hills Properties Stormwater Report included in Appendix B for additional information). Additional stormwater facilities (vegetated swales and/or extended dry basins) will be incorporated into the future phases of the subdivision to meet stormwater quantity requirements for state and federal wetland fill permit requirements (SLOPES V).

The existing regional stormwater facility, built in 2007, and the Valley's Edge Subdivision storm conveyance system (stormwater master plan for all subdivision phases) were designed using the 1991 City of McMinnville Storm Drainage Master Plan. This report will evaluate the proposed stormwater runoff quantities utilizing the 2009 Storm Drainage Master Plan standards.

# 3.2 STORMWATER QUALITY

The City currently does not require stormwater quality treatment for stormwater runoff. Stormwater facilities (which will include water quality treatment) will be incorporated where necessary, as each phase develops, to meet the stormwater quality requirements to obtain state and federal wetland fill permits. The modifications will preserve the open channel waterways, which are recommended for water quality measures within Section 9.6.3 of the 2009 Storm Drainage Master Plan.



# 4.0 Design Parameters

# 4.1 DESIGN METHODOLOGY

The stormwater runoff analysis was completed using the Santa Barbara Urban Hydrograph (SBUH) Method. This method uses the Soil Conservation Service (SCS) Type 1A 24-hour design storm. HydroCAD 10.0 computer software aided in the analysis. The Natural Resources Conservation Service (NCRS) *Technical Release 55* (TR-55) provided representative curve numbers (CNs) and selected values are identified in Appendix D.

#### 4.2 DESIGN STORM

Per City of McMinnville 2009 Master Plan requirements, the stormwater analysis utilized the 24-hour storm event for the evaluation of the pre- and post-developed stormwater runoff. The following 24-hour rainfall intensity was used as the design storm for the recurrence interval:

Table 4-1:	Rainfall Intensity
Recurrence Interval	Total Precipitation Depth
(years)	(inches)
10	3.8*

\*The original stormwater report by Westech used a 24-hour, 10-year rainfall intensity of 3.6 inches as required at the time of subdivision approval.

#### 4.3 PRE-DEVELOPED SITE CONDITIONS

#### 4.3.1 Site Topography

Existing on-site grades vary from  $\pm$  1% to  $\pm$  30%, with open seasonal swales running throughout the western side of the property and draining towards the south (existing W 2nd Street). The site has a high point of  $\pm$  440 feet in the northwest corner and a low point of  $\pm$ 195 feet near the southern boundary along SW Redmond Hill Road.

#### 4.3.2 Land Use

The pre-developed site is vacant land and currently comprises pasture land and/or wooded areas.

# 4.4 SOIL TYPE

Per the 2009 McMinnville Storm Drainage Master Plan, the soils found in the City of McMinnville area are generally silt loams with low to moderate permeability. The soils were grouped into NRCS Hydrologic Groups A, B, C, or D. By overlaying the City's Hydrological Soil Groups Map on the site, the underlying soils were determined to range from Groups A to D soils. The off-site basins were assumed to be Group C soils since most of the property is comprised of the same. Appendix C includes a map with the location of the hydrologic soil groups and an overlay of the site.

# 4.5 POST-DEVELOPED SITE CONDITIONS

#### 4.5.1 Site Topography

The on-site slopes will be modified with cuts and fills to accommodate the construction of public streets and associated utilities. Additionally, sloped residential building pads will be constructed adjacent to the public right-of-way. Significant grading (cuts/fills) will be required to develop the site due to the site's topography.



#### 4.5.2 Land Use

The post-developed site land use will consist of a multi-phase 647-lot, single- and multi-family residential subdivision with associated streets, sidewalks, and underground utilities.

#### 4.5.3 Post-Developed Input Parameters

Appendix A of this report includes the HydroCAD Report generated for the analyzed storm event. The report includes the parameters (e.g., impervious/pervious areas, time of concentration, etc.) applied to model the post-developed hydrology.

#### 4.5.4 Description of Off-Site Contributing Basins

Off-site basins (Basins 160X, 170X, 180X, 190X, 200X, 210X, 220X, 230X, 240X, 250X, 260X, 270X and 280X) currently convey flow through the project site by a system of seasonal swales running north to south. To accommodate the flow coming from these off-site basins, the seasonal swales will maintain their current alignment (when possible) and road crossing culverts will be designed to convey the 10-year storm event.

#### 5.0 Stormwater Analysis

#### 5.1 POST-DEVELOPED STORMWATER PEAK FLOW COMPARISON

The City requires all proposed developments to provide stormwater detention of the post-developed 10-year storm event peak runoff to the pre-developed 10-year storm event peak runoff. Stormwater quantity management will be satisfied with an existing regional stormwater pond located west of SW Valley's Edge Street and north of SW Redmond Hill Road. The West Hills Properties Stormwater Report, dated September 2007, states that the existing regional facility has been sized to provide stormwater detention for the full development of Tax Lot 801.

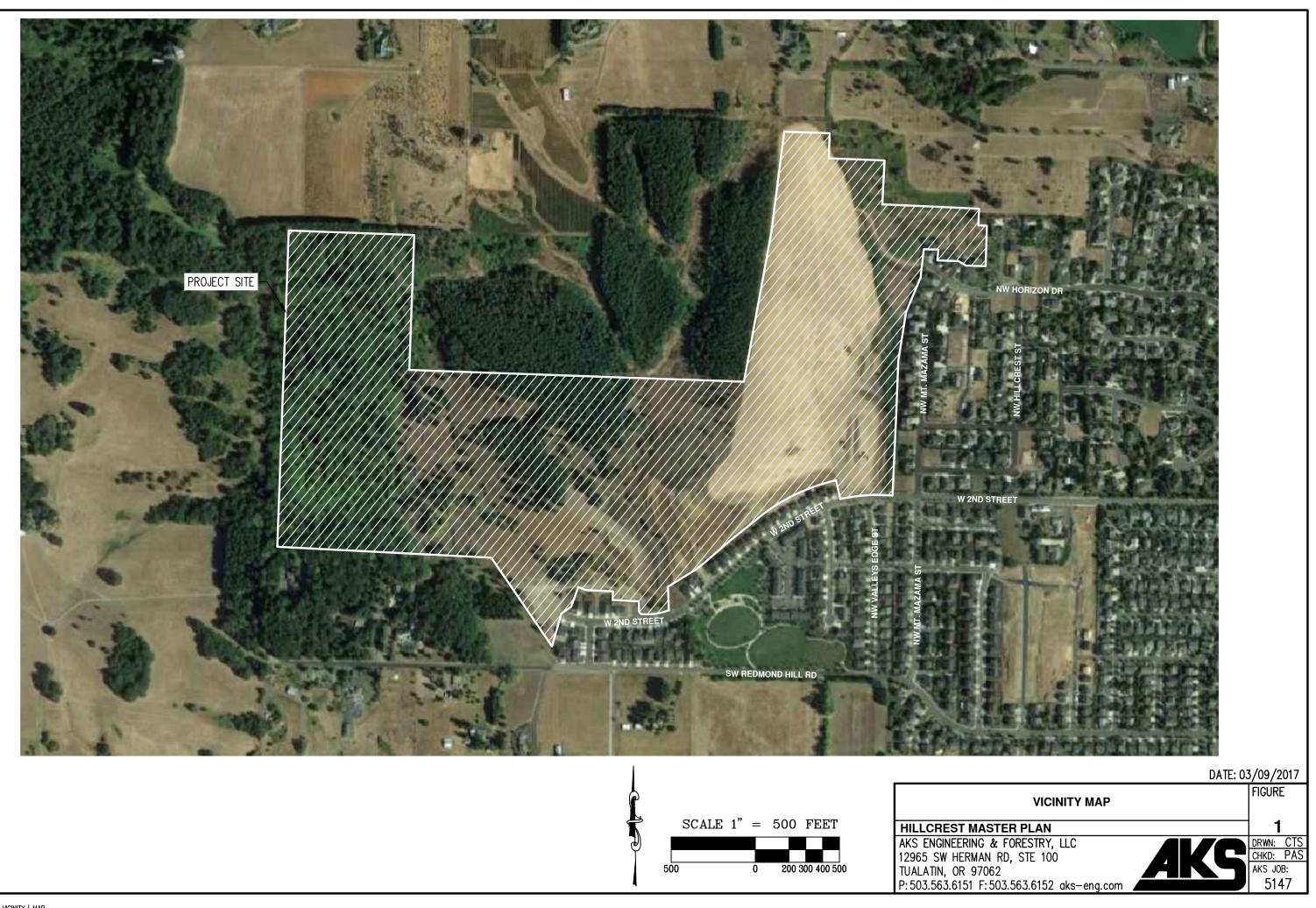
The following table presents the results for the total peak flow for the post-developed total drainage basin and the comparative results with respect to the West Hills Properties Stormwater Report prepared by Westech Engineering.

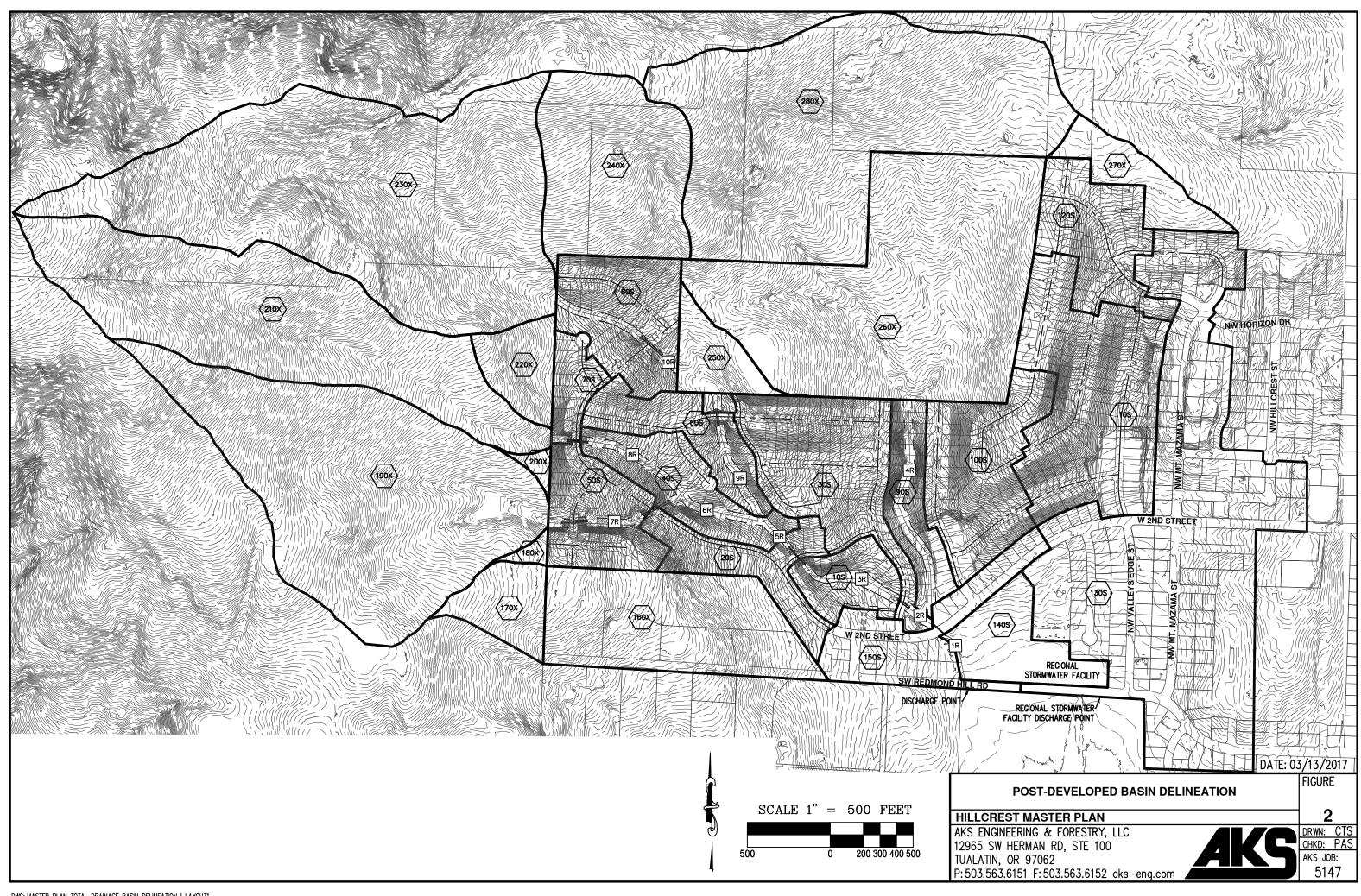
Table 5-1: Post-Developed To	tal Drainage Basin Peak Flow Comparison
Report	10-year, 24-Hour Developed Flows (cfs)
Westech Engineering	199.1
AKS Engineering & Forestry, LLC	191.4

As shown above, the increase in the number of lots does not result in an increase in the overall stormwater runoff volumes due to the conservative assumptions used in the original stormwater analysis. (i.e., impervious area based on density vs actual lot area).

As outlined in the Westech Stormwater Report, the existing regional stormwater facility in the West Hills Neighborhood Park was designed to detain stormwater runoff during the 10-year storm event. However, due to jurisdictional water/wetland impacts, new stormwater facilities are required within the subdivision to meet the state and federal permit requirements due to wetland impacts. These facilities will further detain stormwater runoff for lower storm events and be incorporated into the subdivision as needed for future development phases of the site, likely requiring reductions in the number of lots to provide space for the facilities.

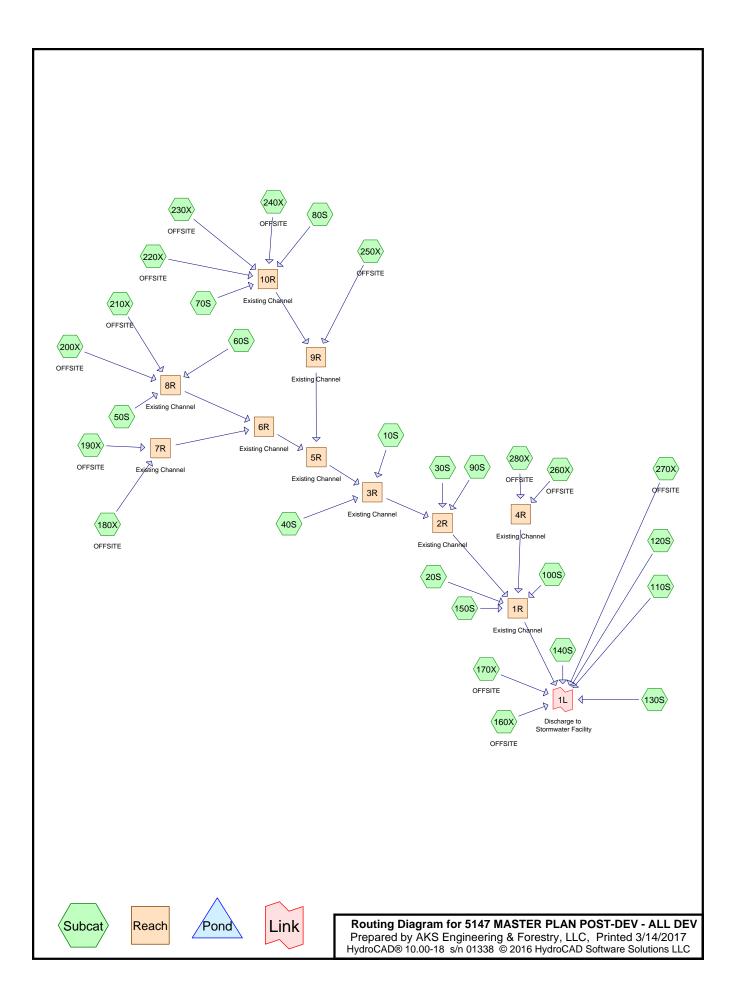






DWG: MASTER PLAN TOTAL DRAINAGE BASIN DELINEATION | LAYOUT1

# POST-DEVELOPED SITE WITH OFFSITE BASINS **10-YEAR STORM EVENT ANALYSIS APPENDIX A**



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#### Area Listing (all nodes)

А	rea C	CN	Description
(acr	es)		(subcatchment-numbers)
28.5	537 (	61	1/4 acre lots, 38% imp, HSG A (160X, 260X)
354.1	160 8	83	1/4 acre lots, 38% imp, HSG C (130S, 160X, 170X, 180X, 190X, 200X, 210X, 220X,
			230X, 240X, 250X, 260X, 270X, 280X)
3.8	333 8	87	1/4 acre lots, 38% imp, HSG D (250X, 260X)
2.0	)32 9	98	28% Impervious Area on Lots (150S)
17.0	007 3	39	>75% Grass cover, Good, HSG A (lots) (20S, 30S, 50S, 60S, 80S, 90S, 100S, 110S)
7.8	808	74	>75% Grass cover, Good, HSG C (140S)
5.7	758	74	>75% Grass cover, Good, HSG C (ROW) (20S, 30S, 40S, 50S, 60S, 70S, 80S,
			100S, 110S, 120S, 150S)
54.5	522	74	>75% Grass cover, Good, HSG C (lots) (10S, 20S, 30S, 40S, 50S, 60S, 70S, 80S,
			100S, 110S, 120S, 150S)
2.4	453 8	80	>75% Grass cover, Good, HSG D (lots) (110S, 120S)
19.9	901 9	98	Impervious Area in ROW (20S, 30S, 40S, 50S, 60S, 70S, 80S, 100S, 110S, 120S,
			150S)
6.4	485 9	98	Impervious Area on Lots (2640 sf x 107 lots) (110S)
1.2	273 9	98	Impervious Area on Lots (2640 sf x 21 lots) (10S)
4.7	727 9	98	Impervious Area on Lots (2640 sf x 26 lots) (20S, 50S, 60S)
1.9	948 9	98	Impervious Area on Lots (2640 sf x 31 lots) (40S)
2.2	242 9	98	Impervious Area on Lots (2640 sf x 37 lots) (80S)
2.3	303 9	98	Impervious Area on Lots (2640 sf x 38 lots) (90S)
2.4	124 9	98	Impervious Area on Lots (2640 sf x 40 lots) (120S)
3.0	)91 9	98	Impervious Area on Lots (2640 sf x 51 lots) (30S)
3.2	273 9	98	Impervious Area on Lots (2640 sf x 54 lots) (100S)
		98	Impervious Area on Lots (2640 sf x 9 lots) (70S)
1.9	933 3	30	Woods, Good, HSG A (natural resource easement) (50S, 90S)
6.0	041	70	Woods, Good, HSG C (natural resource easement) (10S, 40S, 50S, 60S, 80S, 110S)
532.2	296	80	TOTAL AREA

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# Soil Listing (all nodes)

Area	Soil	Subcatchment
(acres)	Group	Numbers
47.477	HSG A	20S, 30S, 50S, 60S, 80S, 90S, 100S, 110S, 160X, 260X
0.000	HSG B	
428.289	HSG C	10S, 20S, 30S, 40S, 50S, 60S, 70S, 80S, 100S, 110S, 120S, 130S, 140S, 150S,
		160X, 170X, 180X, 190X, 200X, 210X, 220X, 230X, 240X, 250X, 260X, 270X,
		280X
6.286	HSG D	110S, 120S, 250X, 260X
50.244	Other	10S, 20S, 30S, 40S, 50S, 60S, 70S, 80S, 90S, 100S, 110S, 120S, 150S
532.296		TOTAL AREA

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Time span=0.00-24.00 hrs, dt=0.05 hrs, 481 points Runoff by SBUH method, Split Pervious/Imperv. Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment10S:	Runoff Area=229,654 sf 24.14% Impervious Runoff Depth>1.91" Tc=5.0 min CN=73/98 Runoff=2.25 cfs 0.838 af
Subcatchment 20S:	Runoff Area=332,852 sf 40.71% Impervious Runoff Depth>2.12" Flow Length=2,080' Tc=5.8 min CN=69/98 Runoff=3.61 cfs 1.351 af
Subcatchment 30S:	Runoff Area=734,581 sf 41.15% Impervious Runoff Depth>2.10" Flow Length=2,042' Tc=5.3 min CN=68/98 Runoff=7.86 cfs 2.949 af
Subcatchment40S:	Runoff Area=387,551 sf 25.74% Impervious Runoff Depth>1.94" Flow Length=1,462' Tc=7.7 min CN=73/98 Runoff=3.76 cfs 1.438 af
Subcatchment50S:	Runoff Area=406,337 sf 33.01% Impervious Runoff Depth>1.71" Flow Length=1,565' Tc=8.3 min CN=63/98 Runoff=3.17 cfs 1.332 af
Subcatchment60S:	Runoff Area=335,735 sf 31.22% Impervious Runoff Depth>2.02" Flow Length=1,528' Tc=7.5 min CN=72/98 Runoff=3.41 cfs 1.294 af
Subcatchment 70S:	Runoff Area=151,887 sf 34.18% Impervious Runoff Depth>2.17" Flow Length=885' Tc=6.7 min CN=74/98 Runoff=1.72 cfs 0.630 af
Subcatchment 80S:	Runoff Area=531,993 sf 28.01% Impervious Runoff Depth>1.73" Flow Length=2,297' Tc=11.0 min CN=67/98 Runoff=4.09 cfs 1.757 af
Subcatchment90S:	Runoff Area=285,400 sf 35.15% Impervious Runoff Depth>1.25" Flow Length=1,350' Tc=8.6 min CN=36/98 Runoff=1.98 cfs 0.683 af
Subcatchment100S:	Runoff Area=632,182 sf 39.90% Impervious Runoff Depth>1.49" Flow Length=2,165' Tc=7.6 min CN=44/98 Runoff=5.03 cfs 1.797 af
Subcatchment110S:	Runoff Area=1,048,600 sf 40.00% Impervious Runoff Depth>2.20" Flow Length=3,711' Tc=15.5 min CN=72/98 Runoff=10.62 cfs 4.421 af
Subcatchment120S:	Runoff Area=475,503 sf 37.76% Impervious Runoff Depth>2.27" Flow Length=3,926' Tc=17.7 min CN=75/98 Runoff=4.89 cfs 2.068 af
Subcatchment130S:	Runoff Area=2,606,901 sf 38.00% Impervious Runoff Depth>2.25" Flow Length=3,735' Tc=9.2 min CN=74/98 Runoff=29.87 cfs 11.199 af
Subcatchment140S:	Runoff Area=340,109 sf 0.00% Impervious Runoff Depth>1.44" Flow Length=640' Slope=0.0600 '/' Tc=9.7 min CN=74/0 Runoff=2.18 cfs 0.939 af
Subcatchment150S:	Runoff Area=457,197 sf 44.66% Impervious Runoff Depth>2.39" Flow Length=693' Tc=8.3 min CN=74/98 Runoff=5.71 cfs 2.088 af
Subcatchment160X: O	FFSITERunoff Area=896,268 sf38.00% ImperviousRunoff Depth>1.74"Tc=5.0 minCN=59/98Runoff=7.23 cfs2.976 af

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Subcatchment170X: OFFSITE	Runoff Area=239,159 sf 38.00% Impervious Runoff Depth>2.24" Flow Length=2,530' Tc=17.0 min CN=74/98 Runoff=2.43 cfs 1.024 af
Subcatchment180X: OFFSITE	Runoff Area=30,593 sf 38.00% Impervious Runoff Depth>2.24" Flow Length=665' Tc=13.9 min CN=74/98 Runoff=0.33 cfs 0.131 af
Subcatchment 190X: OFFSITE	Runoff Area=2,202,039 sf 38.00% Impervious Runoff Depth>2.23" Flow Length=2,997' Tc=29.1 min CN=74/98 Runoff=18.81 cfs 9.373 af
Subcatchment 200X: OFFSITE	Runoff Area=32,333 sf 38.00% Impervious Runoff Depth>2.24" Flow Length=1,070' Tc=12.8 min CN=74/98 Runoff=0.35 cfs 0.139 af
Subcatchment 210X: OFFSITE	Runoff Area=1,802,806 sf 38.00% Impervious Runoff Depth>2.22" Flow Length=3,796' Tc=31.6 min CN=74/98 Runoff=14.93 cfs 7.665 af
Subcatchment 220X: OFFSITE	Runoff Area=228,043 sf 38.00% Impervious Runoff Depth>2.24" Flow Length=1,152' Tc=14.9 min CN=74/98 Runoff=2.39 cfs 0.977 af
Subcatchment230X: OFFSITE	Runoff Area=2,806,985 sf 38.00% Impervious Runoff Depth>2.23" Flow Length=4,118' Tc=28.5 min CN=74/98 Runoff=24.17 cfs 11.952 af
Subcatchment 240X: OFFSITE	Runoff Area=921,256 sf 38.00% Impervious Runoff Depth>2.23" Flow Length=2,410' Tc=23.6 min CN=74/98 Runoff=8.47 cfs 3.932 af
Subcatchment 250X: OFFSITE	Runoff Area=210,435 sf 38.00% Impervious Runoff Depth>2.25" Tc=5.0 min CN=74/98 Runoff=2.51 cfs 0.906 af
Subcatchment 260X: OFFSITE	Runoff Area=2,138,570 sf 38.00% Impervious Runoff Depth>1.76" Flow Length=1,790' Tc=9.7 min CN=60/98 Runoff=16.91 cfs 7.201 af
Subcatchment270X: OFFSITE	Runoff Area=255,803 sf 38.00% Impervious Runoff Depth>2.23" Flow Length=3,690' Tc=26.8 min CN=74/98 Runoff=2.25 cfs 1.090 af
Subcatchment 280X: OFFSITE	Runoff Area=2,466,021 sf 38.00% Impervious Runoff Depth>2.23" Flow Length=3,163' Tc=25.8 min CN=74/98 Runoff=22.00 cfs 10.513 af
Reach 1R: Existing Channel n=0.080	Avg. Flow Depth=3.10' Max Vel=3.52 fps Inflow=138.13 cfs 68.330 af L=310.0' S=0.0226 '/' Capacity=248.44 cfs Outflow=138.05 cfs 68.264 af
Reach 2R: Existing Channel n=0.080	Avg. Flow Depth=1.24' Max Vel=2.64 fps Inflow=91.29 cfs 45.535 af L=264.0' S=0.0347 '/' Capacity=596.25 cfs Outflow=91.21 cfs 45.477 af
Reach 3R: Existing Channel n=0.080	Avg. Flow Depth=1.16' Max Vel=2.77 fps Inflow=85.51 cfs 42.050 af L=768.0' S=0.0428 '/' Capacity=662.85 cfs Outflow=84.68 cfs 41.903 af
	Avg. Flow Depth=1.61' Max Vel=2.97 fps Inflow=38.69 cfs 17.715 af 1,340.0' S=0.0351 '/' Capacity=2,366.15 cfs Outflow=37.02 cfs 17.618 af
Reach 5R: Existing Channel n=0.080	Avg. Flow Depth=1.06' Max Vel=3.18 fps Inflow=80.99 cfs 39.807 af L=212.0' S=0.0665 '/' Capacity=825.92 cfs Outflow=80.97 cfs 39.774 af
Reach 6R: Existing Channel n=0.080	Avg. Flow Depth=0.80' Max Vel=2.74 fps Inflow=40.01 cfs 19.855 af L=537.0' S=0.0739 '/' Capacity=870.78 cfs Outflow=39.72 cfs 19.808 af

# 5147 MASTER PLAN POST-DEV - ALL DEVType IA 24-hr10-YR Rainfall=3.80"Prepared by AKS Engineering & Forestry, LLCPrinted 3/14/2017HydroCAD® 10.00-18 s/n 01338 © 2016 HydroCAD Software Solutions LLCPage 8

Reach 7R: Existing Channel n=0.080 L	Avg. Flow Depth=0.53' Max Vel=2.83 fps Inflow=19.13 cfs 9.505 af =846.0' S=0.1162 '/' Capacity=3,539.93 cfs Outflow=18.85 cfs 9.468 af
Reach 8R: Existing Channel n=0.080	Avg. Flow Depth=0.42' Max Vel=3.19 fps Inflow=21.64 cfs 10.430 af .=905.0' S=0.1197 '/' Capacity=670.49 cfs Outflow=21.27 cfs 10.387 af
Reach 9R: Existing Channel n=0.080 L=1,	Avg. Flow Depth=1.02' Max Vel=3.19 fps Inflow=42.30 cfs 20.085 af 126.0' S=0.0728 '/' Capacity=1,290.64 cfs Outflow=41.27 cfs 19.998 af
Reach 10R: Existing Channel n=0.080	Avg. Flow Depth=0.61' Max Vel=3.43 fps Inflow=40.66 cfs 19.247 af .=857.0' S=0.0881 '/' Capacity=551.68 cfs Outflow=40.10 cfs 19.179 af
Link 1L: Discharge to Stormwater F	acility Inflow=191.37 cfs 91.980 af Primary=191.37 cfs 91.980 af

Total Runoff Area = 532.296 ac Runoff Volume = 92.662 af Average Runoff Depth = 2.09" 62.97% Pervious = 335.170 ac 37.03% Impervious = 197.125 ac

Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 9

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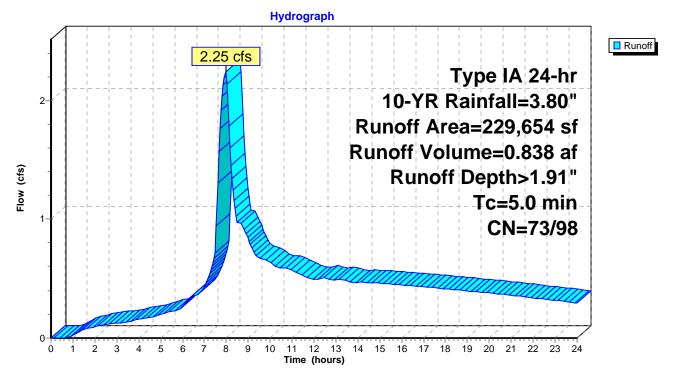
#### Summary for Subcatchment 10S:

Runoff = 2.25 cfs @ 7.98 hrs, Volume= 0.838 af, Depth> 1.91"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

_	A	rea (sf)	CN E	Description		
*		55,440	98 I	mpervious	Area on Lo	ots (2640 sf x 21 lots)
*	1	36,901	74 >	75% Gras	s cover, Go	bod, HSG C (lots)
*		37,313	70 V	Voods, Go	od, HSG C	(natural resource easement)
	2	29,654	79 V	Veighted A	verage	
	1	74,214	7	5.86% Per	vious Area	
		55,440	2	4.14% Imp	pervious Ar	ea
	Тс	Length	Slope	Velocity	Capacity	Description
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)	
	5.0					Direct Entry,

#### Subcatchment 10S:



Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 10

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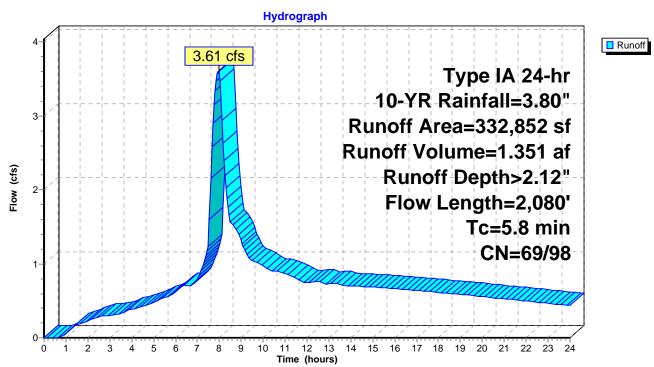
#### Summary for Subcatchment 20S:

Runoff = 3.61 cfs @ 7.97 hrs, Volume= 1.351 af, Depth> 2.12"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

*       66,868       98       Impervious Area in ROW         *       23,520       74       >75% Grass cover, Good, HSG C (ROW)         *       68,640       98       Impervious Area on Lots (2640 sf x 26 lots)         *       145,720       74       >75% Grass cover, Good, HSG C (lots)         *       28,104       39       >75% Grass cover, Good, HSG A (lots)         332,852       81       Weighted Average			ntion	Descrip	CN [		rea (sf)	Δ
*       23,520       74       >75% Grass cover, Good, HSG C (ROW)         *       68,640       98       Impervious Area on Lots (2640 sf x 26 lots)         *       145,720       74       >75% Grass cover, Good, HSG C (lots)         *       28,104       39       >75% Grass cover, Good, HSG A (lots)         332,852       81       Weighted Average								
*       68,640       98       Impervious Area on Lots (2640 sf x 26 lots)         *       145,720       74       >75% Grass cover, Good, HSG C (lots)         *       28,104       39       >75% Grass cover, Good, HSG A (lots)         332,852       81       Weighted Average							,	
* 145,720 74 >75% Grass cover, Good, HSG C (lots) * 28,104 39 >75% Grass cover, Good, HSG A (lots) 332,852 81 Weighted Average							23,520	
*         28,104         39         >75% Grass cover, Good, HSG A (lots)           332,852         81         Weighted Average	a on Lots (2640 sf x 26 lots)	rea on Lots	ious /	Imperv	98 I		68,640	
*         28,104         39         >75% Grass cover, Good, HSG A (lots)           332,852         81         Weighted Average	ver, Good, HSG C (lots)	cover, Goo	Grass	>7 <sup>5</sup> % (	74 >		45,720	1
5 5							,	
5 5	ade	erade	ted A	Weiaht	81 V		32.852	3
	•	0		•			97,344	
135,508 40.71% Impervious Area					-		,	
	00371100	1 1003 / 100	o imp	-0.717			00,000	
Tc Length Slope Velocity Capacity Description	inacity Description	Canacity I	ncity	. Velo	Slope		l enath	Тс
(min) (feet) (ft/ft) (ft/sec) (cfs)					•			
2.3 50 0.2500 0.37 <b>Sheet Flow</b> ,	Sheet Flow.		/			(	50	. /
Grass: Short n= 0.150 P2= 2.60"	•		0.01		0.2000		00	2.0
0.9 180 0.2100 3.21 Shallow Concentrated Flow,			3 21		0 2100	(	180	00
· · · · · · · · · · · · · · · · · · ·	•		5.21		0.2100	,	100	0.9
Short Grass Pasture Kv= 7.0 fps			~ ~ ~		0 0700		4 050	0.0
2.6 1,850 0.0700 12.00 9.43 Pipe Channel,			2.00	12	0.0700	(	1,850	2.6
12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'	12.0" Round Area= 0.8 sf Perim= 3.1							
n= 0.013	n= 0.013	1						
5.8 2,080 Total					Total	-	2,080	5.8

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#### Subcatchment 20S:

 Type IA 24-hr
 10-YR Rainfall=3.80"

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#### Summary for Subcatchment 30S:

Runoff = 7.86 cfs @ 7.96 hrs, Volume= 2.949 af, Depth> 2.10"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	A	rea (sf)	CN E	Description					
*	1	67,661	98 li	npervious Area in ROW					
*		47,289				ood, HSG C (ROW)			
*	1	34,640	98 li	npervious	Area on Lo	ts (2640 sf x 51 lots)			
*	3	13,028	74 >	75% Gras	s cover, Go	bod, HSG C (lots)			
*		71,963	39 >	75% Gras	s cover, Go	ood, HSG A (lots)			
	7	34,581	80 V	Veighted A	verage				
		32,280			vious Area				
	3	02,301	4	1.15% Imp	pervious Are	ea			
	Тс	Length	Slope	Velocity	Capacity	Description			
_	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)				
	1.7	50	0.5000	0.48		Sheet Flow,			
						Grass: Short n= 0.150 P2= 2.60"			
	1.0	62	0.0200	0.99		Shallow Concentrated Flow,			
						Short Grass Pasture Kv= 7.0 fps			
	0.4	90	0.0300	3.52		Shallow Concentrated Flow,			
						Paved Kv= 20.3 fps			
	2.2	1,840	0.0700	13.93	17.09	Pipe Channel,			
						15.0" Round Area= 1.2 sf Perim= 3.9' r= 0.31'			
						n= 0.013			
	5.3	2,042	Total						

Hydrograph Runoff 7.86 cfs 8-Type IA 24-hr 10-YR Rainfall=3.80" 7-Runoff Area=734,581 sf 6-Runoff Volume=2.949 af 5-Flow (cfs) Runoff Depth>2.10" Flow Length=2,042' 4-Tc=5.3 min 3-CN=68/98 2-1-0-2 3 5 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 4 6 24 Ó Time (hours)

Subcatchment 30S:

Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 14

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#### Summary for Subcatchment 40S:

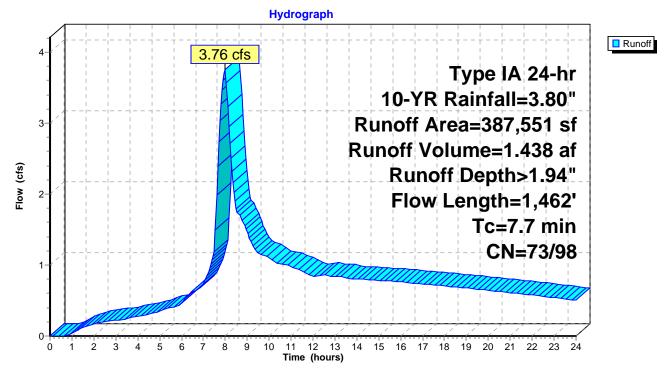
Runoff = 3.76 cfs @ 7.99 hrs, Volume= 1.438 af, Depth> 1.94"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	A	rea (sf)	CN E	Description						
*		14,935	98 li	mpervious Area in ROW						
*		4,215				bod, HSG C (ROW)				
*		84,840				ots (2640 sf x 31 lots)				
*	2	10,847				bod, HSG C (lots)				
*		72,714				(natural resource easement)				
	3	87,551	79 V	Veighted A	verage					
	2	87,776			vious Area					
		99,775	2	25.74% Impervious Area						
	Тс	Length	Slope	Velocity	Capacity	Description				
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)					
	2.3	50	0.2500	0.37		Sheet Flow,				
						Grass: Short n= 0.150 P2= 2.60"				
	5.4	1,412	0.0800	4.38	80.53	Channel Flow,				
						Area= 18.4 sf Perim= 24.2' r= 0.76'				
						n= 0.080 Earth, long dense weeds				
_	77	1 462	Total							

7.7 1,462 Total

#### Subcatchment 40S:



Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 15

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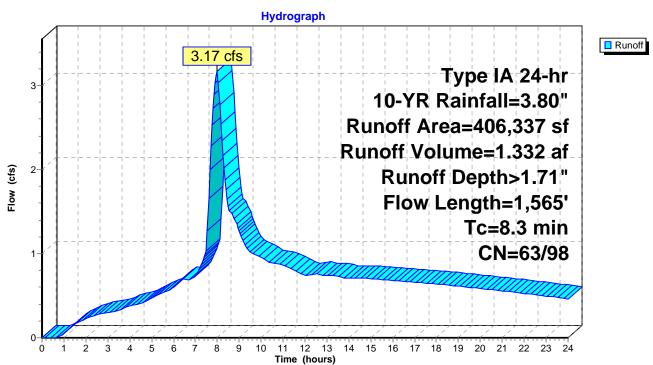
#### Summary for Subcatchment 50S:

Runoff = 3.17 cfs @ 7.99 hrs, Volume= 1.332 af, Depth> 1.71"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	А	rea (sf)	CN E	Description						
*		65,484		npervious Area in ROW						
*		20,686		>75% Grass cover, Good, HSG C (ROW)						
*		68,640		Impervious Area on Lots (2640 sf x 26 lots)						
*		59,568		>75% Grass cover, Good, HSG C (lots)						
*		69,733		>75% Grass cover, Good, HSG A (lots)						
*		9,661		Noods, Good, HSG C (natural resource easement)						
*		12,565				(natural resource easement)				
	4	06,337	74 V	Veighted A	verage					
	2	72,213	6	6.99% Per	vious Area					
	1	34,124	3	3.01% Imp	ervious Are	ea				
	Тс	Length	Slope	Velocity		Description				
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)					
	3.6	50	0.0800	0.23		Sheet Flow,				
						Grass: Short n= 0.150 P2= 2.60"				
	1.1	65	0.0200	0.99		Shallow Concentrated Flow,				
						Short Grass Pasture Kv= 7.0 fps				
	0.6	300	0.1500	7.86		Shallow Concentrated Flow,				
						Paved Kv= 20.3 fps				
	0.1	150	0.2500	22.68	17.81					
						12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'				
	~ ~	4 0 0 0	0 4 4 0 0		400 50	n= 0.013				
	2.9	1,000	0.1400	5.79	106.53	Channel Flow,				
						Area= 18.4 sf Perim= 24.2' r= 0.76'				
						n= 0.080 Earth, long dense weeds				
	8.3	1,565	Total							

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# Subcatchment 50S:

 Type IA 24-hr
 10-YR Rainfall=3.80"

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#### Summary for Subcatchment 60S:

Runoff = 3.41 cfs @ 7.98 hrs, Volume= 1.294 af, Depth> 2.02"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	A	rea (sf)	CN E	Description		
*		36,192	98 l	mpervious	Area in RC	W
*		10,208				ood, HSG C (ROW)
*		68,640				ots (2640 sf x 26 lots)
*	1	80,014				bod, HSG C (lots)
*		10,081				bod, HSG A (lots)
*		30,600				(natural resource easement)
	3	35,735	80 V	Veighted A	verage	· · ·
		30,903		•	vious Area	
	1	04,832	3	1.22% Imp	pervious Are	ea
	Тс	Length	Slope	Velocity	Capacity	Description
_	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)	
	2.3	50	0.2500	0.37		Sheet Flow,
						Grass: Short n= 0.150 P2= 2.60"
	1.8	104	0.0200	0.99		Shallow Concentrated Flow,
						Short Grass Pasture Kv= 7.0 fps
	0.4	170	0.1200	7.03		Shallow Concentrated Flow,
						Paved Kv= 20.3 fps
	0.8	620	0.0800	12.83	10.08	
						12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'
						n= 0.013
	2.2	584	0.0800	4.38	80.53	Channel Flow,
						Area= 18.4 sf Perim= 24.2' r= 0.76'
						n= 0.080 Earth, long dense weeds
	75	1 528	Total			

7.5 1,528 Total

Hydrograph Runoff 3.41 cfs Type IA 24-hr 10-YR Rainfall=3.80" 3-Runoff Area=335,735 sf Runoff Volume=1.294 af Flow (cfs) Runoff Depth>2.02" 2-Flow Length=1,528' Tc=7.5 min CN=72/98 1 0 2 3 4 5 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 1 6 Ó

Time (hours)

#### Subcatchment 60S:

Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 19

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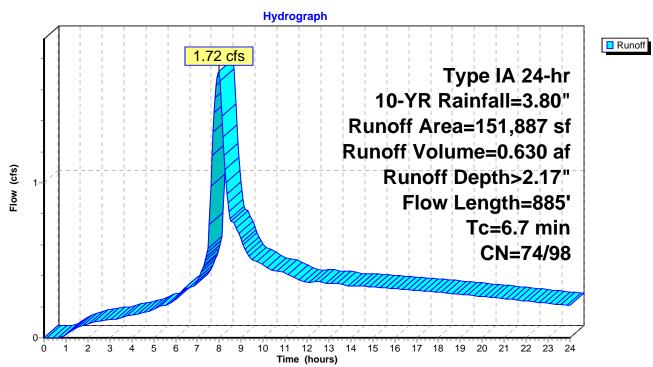
#### Summary for Subcatchment 70S:

Runoff = 1.72 cfs @ 7.98 hrs, Volume= 0.630 af, Depth> 2.17"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

* 28,156 98 Impervious Area in ROW	mpervious Area in ROW					
* 9,526 74 >75% Grass cover, Good, HSG C (ROW)						
* 23,760 98 Impervious Area on Lots (2640 sf x 9 lots)						
* 90,445 74 >75% Grass cover, Good, HSG C (lots)						
151,887 82 Weighted Average						
99,971 65.82% Pervious Area						
51,916 34.18% Impervious Area						
Tc Length Slope Velocity Capacity Description						
(min) (feet) (ft/ft) (ft/sec) (cfs)						
3.8 50 0.0700 0.22 <b>Sheet Flow,</b>						
Grass: Short n= 0.150 P2= 2.60"						
1.3 75 0.0200 0.99 Shallow Concentrated Flow,						
Short Grass Pasture Kv= 7.0 fps						
0.7 295 0.1100 6.73 Shallow Concentrated Flow,						
Paved Kv= 20.3 fps						
0.9 465 0.0400 9.07 7.13 Pipe Channel,						
12.0" Round Area= 0.8 sf Perim= 3.	1' r= 0.25'					
n= 0.013						
6.7 885 Total						

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# Subcatchment 70S:

 Type IA 24-hr
 10-YR Rainfall=3.80"

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#### Summary for Subcatchment 80S:

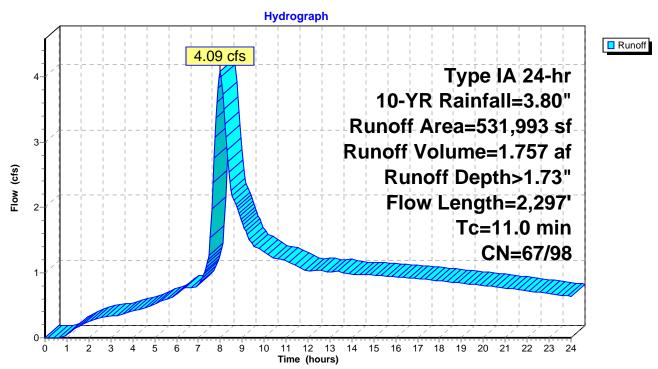
Runoff = 4.09 cfs @ 8.00 hrs, Volume= 1.757 af, Depth> 1.73"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	A	rea (sf)	CN	Description					
*		51,310	98	Impervious Area in ROW					
*		16,338	74 :	>75% Gras	s cover, Go	ood, HSG C (ROW)			
*		97,680	98	Impervious	Area on Lo	ots (2640 sf x 37 lots)			
*		75,707	39 :	>75% Gras	s cover, Go	bod, HSG A (lots)			
*	2	250,308	74 :	>75% Gras	s cover, Go	bod, HSG C (lots)			
*		40,650	70	Woods, Go	od, HSG C	(natural resource easement)			
	5	31,993	75	Weighted A	verage				
	3	83,003			vious Area				
	1	48,990			pervious Are				
	Тс	Length	Slope	Velocity	Capacity	Description			
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)				
	2.3	50	0.2500	0.37		Sheet Flow,			
						Grass: Short n= 0.150 P2= 2.60"			
	1.5	88	0.0200	0.99		Shallow Concentrated Flow,			
						Short Grass Pasture Kv= 7.0 fps			
	0.4	114	0.0650	5.18		Shallow Concentrated Flow,			
						Paved Kv= 20.3 fps			
	1.0	845	0.1000	14.35	11.27	Pipe Channel,			
						12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'			
						n= 0.013			
	5.8	1,200	0.0500	3.46	63.66	Channel Flow,			
						Area= 18.4 sf Perim= 24.2' r= 0.76'			
						n= 0.080 Earth, long dense weeds			
	11 0	2 297	Total						

11.0 2,297 Total

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#### Subcatchment 80S:

Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 23

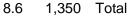
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#### **Summary for Subcatchment 90S:**

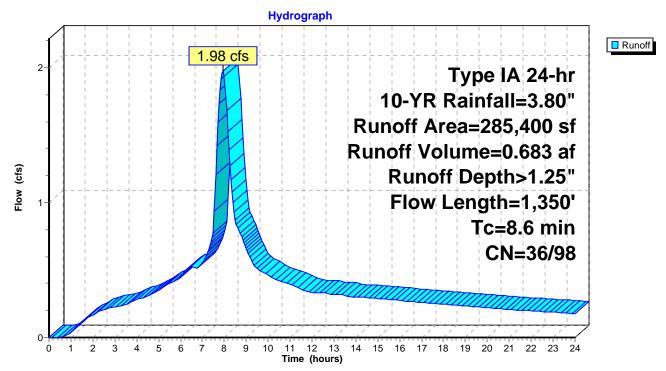
Runoff = 1.98 cfs @ 7.96 hrs, Volume= 0.683 af, Depth> 1.25"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	Δ	rea (sf)	CN I	Description							
*		00,320		mpervious Area on Lots (2640 sf x 38 lots)							
*		,									
	1	13,460		>75% Grass cover, Good, HSG A (lots)							
*		71,620	30 \	<u>Woods, Go</u>	<u>od, HSG A</u>	(natural resource easement)					
285,400 57 Weighted Average											
	1	85,080	(	64.85% Pe	rvious Area						
	1	00,320		35.15% Impervious Area							
		,									
	Тс	Length	Slope	Velocity	Capacity	Description					
	(min)	(feet)	(ft/ft)		(cfs)	•					
	2.3	50	0.2500	0.37		Sheet Flow,					
						Grass: Short n= 0.150 P2= 2.60"					
	6.3	1,300	0.0500	3.46	63.66	Channel Flow,					
						Area= 18.4 sf Perim= 24.2' r= 0.76'					
						n= 0.080 Earth, long dense weeds					
_	0.0	4 050	Tatal								



#### Subcatchment 90S:



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#### Summary for Subcatchment 100S:

Runoff = 5.03 cfs @ 7.94 hrs, Volume= 1.797 af, Depth> 1.49"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	А	rea (sf)	CN E	escription						
*		09,707		npervious Area in ROW						
*		30,943				ood, HSG C (ROW)				
*		42,560				ots (2640 sf x 54 lots)				
*		30,383				bod, HSG A (lots)				
*		18,589				bod, HSG C (lots)				
		32,182		Veighted A						
		79,915		0	vious Area					
		52,267	-		pervious Ar					
		,	-	r						
	Тс	Length	Slope	Velocity	Capacity	Description				
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)					
	4.6	50	0.0420	0.18		Sheet Flow,				
						Grass: Short n= 0.150 P2= 2.60"				
	0.7	55	0.0400	1.40		Shallow Concentrated Flow,				
						Short Grass Pasture Kv= 7.0 fps				
	2.3	2,060	0.0800	14.89	18.27	Pipe Channel,				
						15.0" Round Area= 1.2 sf Perim= 3.9' r= 0.31'				
						n= 0.013				
	7.6	2,165	Total							

Hydrograph Runoff 5.03 cfs Type IA 24-hr 5 10-YR Rainfall=3.80" Runoff Area=632,182 sf 4 Runoff Volume=1.797 af Flow (cfs) Runoff Depth>1.49" 3-Flow Length=2,165' Tc=7.6 min 2-CN=44/98 1 0-2 3 5 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 4 6 24 0 Time (hours)

#### Subcatchment 100S:

Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 26

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#### Summary for Subcatchment 110S:

Runoff = 10.62 cfs @ 8.01 hrs, Volume= 4.421 af, Depth> 2.20"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	٨	roo (cf)	CN E	Vacariation						
*		<u>rea (sf)</u>		Description         98       Impervious Area in ROW						
*		36,929								
*		38,621				ood, HSG C (ROW)				
 		82,480				ts (2640 sf x 107 lots)				
Â		12,510				ood, HSG C (lots)				
*		41,388				ood, HSG A (lots)				
*		64,446				ood, HSG D (lots)				
*		72,226		Voods, Go	od, HSG C	(natural resource easement)				
	1,0	48,600		Veighted A						
	6	29,191	6	60.00% Per	vious Area					
	4	19,409	4	10.00% Imp	pervious Are	ea				
	Тс	Length	Slope	Velocity	Capacity	Description				
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)					
	6.2	50	0.0200	0.13		Sheet Flow,				
						Grass: Short n= 0.150 P2= 2.60"				
	0.9	56	0.0200	0.99		Shallow Concentrated Flow,				
						Short Grass Pasture Kv= 7.0 fps				
	0.7	200	0.0500	4.54		Shallow Concentrated Flow,				
						Paved Kv= 20.3 fps				
	1.5	1,378	0.0800	14.89	18.27	Pipe Channel,				
						15.0" Round Area= 1.2 sf Perim= 3.9' r= 0.31'				
						n= 0.013				
	3.1	581	0.0400	3.09	56.94	Channel Flow,				
						Area= 18.4 sf Perim= 24.2' r= 0.76'				
						n= 0.080 Earth, long dense weeds				
	3.1	1,446	0.0300	7.86	6.17	Pipe Channel,				
		, -				12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'				
						n= 0.013				
	15.5	3,711	Total							
	10.0	0,111	iotai							

Hydrograph Runoff 10.62 cfs 11 Type IA 24-hr 10-10-YR Rainfall=3.80" 9-Runoff Area=1,048,600 sf 8-Runoff Volume=4.421 af 7 Runoff Depth>2.20" Flow (cfs) 6 Flow Length=3,711' 5-Tc=15.5 min 4 CN=72/98 3-2 1. 0-2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 Ó Time (hours)

# Subcatchment 110S:

*Type IA 24-hr 10-YR Rainfall=3.80"* Printed 3/14/2017 LLC Page 28

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#### Summary for Subcatchment 120S:

Runoff = 4.89 cfs @ 8.02 hrs, Volume= 2.068 af, Depth> 2.27"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

_	A	rea (sf)	CN D	escription					
*		73,954	98 Ir	npervious	Area in RC	W			
*		24,092		75% Grass cover, Good, HSG C (ROW)					
*		05,600		mpervious Area on Lots (2640 sf x 40 lots)					
*	2	29,430		75% Grass cover, Good, HSG C (lots)					
*		42,427		>75% Grass cover, Good, HSG D (lots)					
_		75,503		Veighted A					
		95,949			rvious Area				
		79,554	3	7.76% Imp	pervious Ar	ea			
			-	· · · · · · · · · · · ·					
	Тс	Length	Slope	Velocity	Capacity	Description			
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)				
	6.2	50	0.0200	0.13	<b>x</b> <i>x</i>	Sheet Flow,			
						Grass: Short n= 0.150 P2= 2.60"			
	0.7	60	0.0400	1.40		Shallow Concentrated Flow,			
						Short Grass Pasture Kv= 7.0 fps			
	0.5	111	0.0400	4.06		Shallow Concentrated Flow,			
						Paved Kv= 20.3 fps			
	1.8	1,175	0.0600	11.11	8.73	Pipe Channel,			
						12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'			
						n= 0.013			
	5.9	1,100	0.0400	3.09	56.94	Channel Flow,			
						Area= 18.4 sf Perim= 24.2' r= 0.76'			
						n= 0.080 Earth, long dense weeds			
	2.6	1,430	0.0400	9.07	7.13	Pipe Channel,			
						12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'			
_						n= 0.013			
	177	2 026	Total						

17.7 3,926 Total

Hydrograph Runoff 4.89 cfs 5-Type IA 24-hr 10-YR Rainfall=3.80" 4 Runoff Area=475,503 sf Runoff Volume=2.068 af Flow (cfs) Runoff Depth>2.27" 3-Flow Length=3,926' Tc=17.7 min 2-CN=75/98 1 0-2 3 5 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 4 6 Ó Time (hours)

# Subcatchment 120S:

Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 30

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#### Summary for Subcatchment 130S:

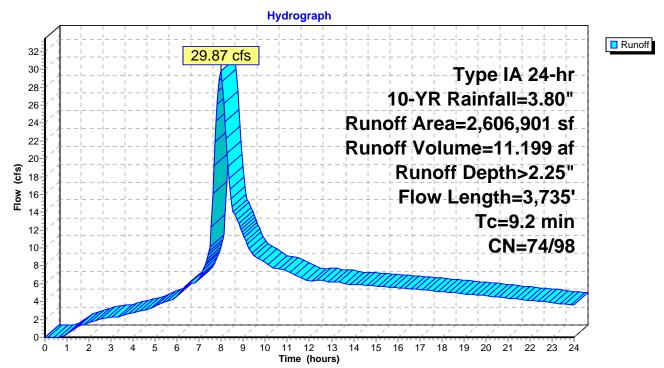
Runoff = 29.87 cfs @ 7.99 hrs, Volume= 11.199 af, Depth> 2.25"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

 A	rea (sf)	CN D	Description			
2,6	06,901	83 1	/4 acre lot	s, 38% imp	, HSG C	
1,6	16,279	6	2.00% Pei	vious Area		
9	90,622	3	8.00% Imp	pervious Area		
 Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description	
 2.7	50	0.1600	0.31		Sheet Flow,	
1.0	60	0.0200	0.99		Grass: Short n= 0.150 P2= 2.60" Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps	
0.6	150	0.0500	4.54		Shallow Concentrated Flow,	
					Paved Kv= 20.3 fps	
4.9	3,475	0.0500	11.77	14.44	Pipe Channel,	
					15.0" Round Area= 1.2 sf Perim= 3.9' r= 0.31' n= 0.013	
~ ~	0 705	<b>T</b> . ( . )				

9.2 3,735 Total

#### Subcatchment 130S:



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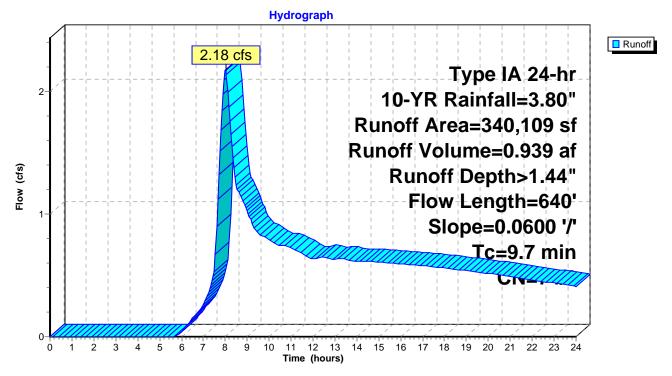
## Summary for Subcatchment 140S:

Runoff = 2.18 cfs @ 8.01 hrs, Volume= 0.939 af, Depth> 1.44"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

_	A	rea (sf)	CN D	Description			
340,109 74 >75% Grass cover, Good, HSG C							
	340,109 100.00% Pervious Ar					a	
	Tc Length (min) (feet)		Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description	
-	4.0	50	0.0600	0.21		Sheet Flow,	
_	5.7	590	0.0600	1.71		Grass: Short n= 0.150 P2= 2.60" Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps	
_	9.7	640	Total				





Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 32

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## Summary for Subcatchment 150S:

Runoff = 5.71 cfs @ 7.98 hrs, Volume= 2.088 af, Depth> 2.39"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

_	A	rea (sf)	CN [	Description						
*	1	15,682	98 I	mpervious Area in ROW						
*		25,393	74 >	>75% Grass cover, Good, HSG C (ROW)						
*		88,514	98 2	8% Imperv	ious Area	on Lots				
*	2	27,608	74 >	-75% Gras	s cover, Go	ood, HSG C (lots)				
	457,197 85 Weighted Average									
	253,001			5.34% Per	vious Area					
	204,196			44.66% Impervious Area						
	ŢĊ	Length	Slope	Velocity	Capacity	Description				
_	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)					
	6.2	50	0.0200	0.13		Sheet Flow,				
						Grass: Short n= 0.150 P2= 2.60"				
	1.2	73	0.0200	0.99		Shallow Concentrated Flow,				
						Short Grass Pasture Kv= 7.0 fps				
	0.9	570	0.0600	11.11	8.73	Pipe Channel,				
						12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'				
_						n= 0.013				
	8.3	693	Total							

Subcatchment 150S:

Hydrograph Runoff 5.71 cfs 6-Type IA 24-hr 10-YR Rainfall=3.80" 5-Runoff Area=457,197 sf Runoff Volume=2.088 af 4 Flow (cfs) Runoff Depth>2.39" 3-Flow Length=693' Tc=8.3 min 2 CN=74/98 1 0 14 15 16 17 18 19 20 21 22 23 24 2 3 4 5 6 7 8 9 10 11 12 13 Time (hours)

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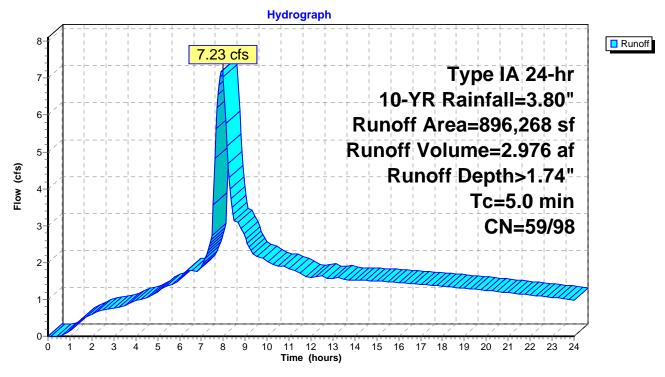
## Summary for Subcatchment 160X: OFFSITE

Runoff = 7.23 cfs @ 7.96 hrs, Volume= 2.976 af, Depth> 1.74"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

A	rea (sf)	CN	Description					
5	12,606	83	1/4 acre lot	s, 38% imp	o, HSG C			
3	83,662	61	1/4 acre lot	s, 38% imp	, HSG A			
8	96,268	74	Neighted A	verage				
5	55,686	(	52.00% Pei	vious Area	ì			
3	40,582		38.00% Imp	pervious Ar	ea			
Та	ما به مربعا	Clana	Valasitu	Canaaitu	Description			
TC	Length	Slope		Capacity	Description			
(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)				
5.0					Direct Entry,			

## Subcatchment 160X: OFFSITE



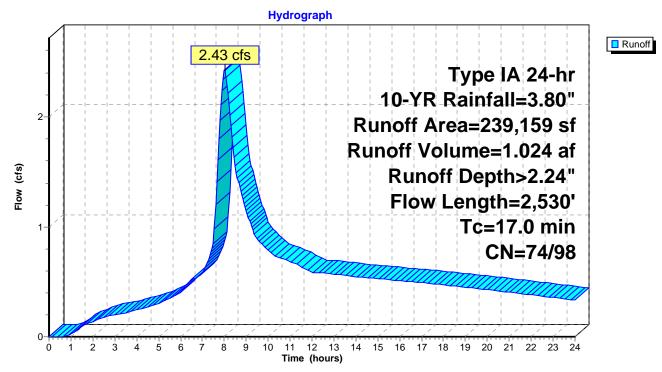
## Summary for Subcatchment 170X: OFFSITE

Runoff = 2.43 cfs @ 8.02 hrs, Volume= 1.024 af, Depth> 2.24"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

_	A	rea (sf)	CN D	Description		
	2	239,159	83 1	/4 acre lots	s, 38% imp	, HSG C
	1	48,279 90,880	•		vious Area pervious Are	
	Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
	7.9	50	0.0800	0.11		Sheet Flow, Woods: Light underbrush n= 0.400 P2= 2.60"
	7.0	730	0.1200	1.73		Shallow Concentrated Flow, Woodland Kv= 5.0 fps
	2.1	1,750	0.0900	13.61	10.69	<b>Pipe Channel,</b> 12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25' n= 0.013
-	17.0	2.530	Total			

### Subcatchment 170X: OFFSITE



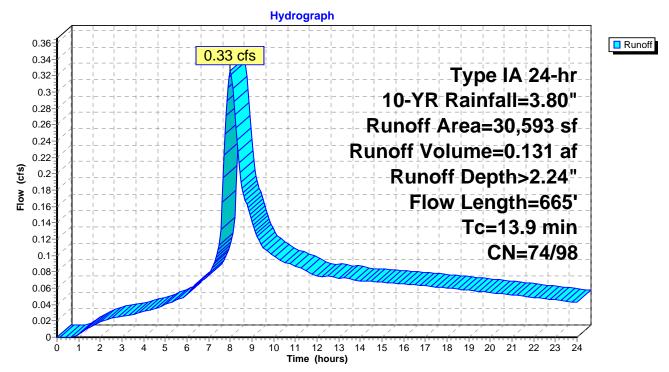
## Summary for Subcatchment 180X: OFFSITE

Runoff = 0.33 cfs @ 8.01 hrs, Volume= 0.131 af, Depth> 2.24"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	A	rea (sf)	CN D	Description		
		30,593	83 1	/4 acre lots	s, 38% imp	, HSG C
		18,968 11,625	•		vious Area pervious Are	
(	Tc min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
	8.8	50	0.0600	0.09		Sheet Flow,
	4.1	300	0.0600	1.22		Woods: Light underbrush n= 0.400 P2= 2.60" <b>Shallow Concentrated Flow,</b> Woodland Kv= 5.0 fps
	0.6	100	0.1400	2.62		Shallow Concentrated Flow,
	0.4	215	0.0400	9.07	7.13	Short Grass Pasture Kv= 7.0 fps <b>Pipe Channel,</b> 12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25' n= 0.013
	13.9	665	Total			

### Subcatchment 180X: OFFSITE



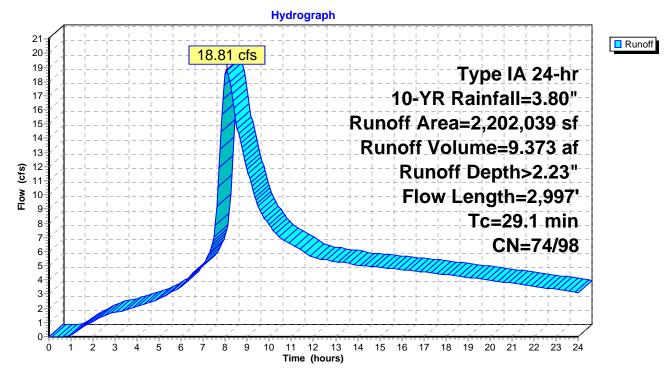
## Summary for Subcatchment 190X: OFFSITE

Runoff = 18.81 cfs @ 8.06 hrs, Volume= 9.373 af, Depth> 2.23"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

A	rea (sf)	CN E	Description				
2,202,039		83 1	83 1/4 acre lots, 38% imp, HSG C				
1,365,264 836,775		62.00% Pervious Area 38.00% Impervious Are					
Tc (min)	Length (feet)		Velocity (ft/sec)	Capacity (cfs)	Description		
7.9	50	0.0800	0.11		Sheet Flow,		
18.3	2,192	0.1600	2.00		Woods: Light underbrush n= 0.400 P2= 2.60" <b>Shallow Concentrated Flow,</b> Woodland Kv= 5.0 fps		
2.9	755	0.0800	4.32	78.64	•		
		<b>—</b>			n= 0.080 Earth, long dense weeds		
29.1	2 997	Total					

## Subcatchment 190X: OFFSITE



## Summary for Subcatchment 200X: OFFSITE

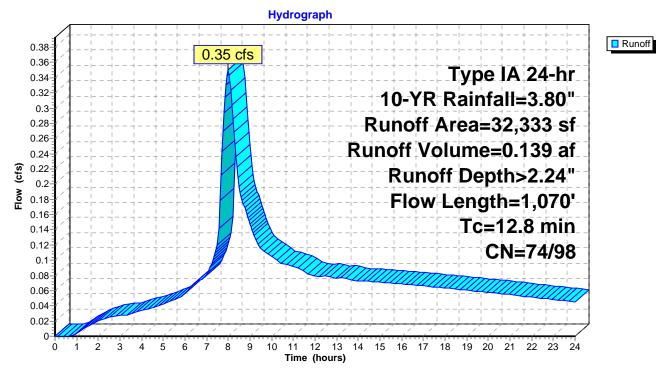
Runoff = 0.35 cfs @ 8.00 hrs, Volume= 0.139 af, Depth> 2.24"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

A	vrea (sf)	CN D	Description		
	32,333	83 1	/4 acre lots	s, 38% imp	, HSG C
	20,046	6	2.00% Per	rvious Area	
	12,287	3	8.00% Imp	pervious Ar	ea
Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.3	50	0.0700	0.10		Sheet Flow,
3.0	280	0.1000	1.58		Woods: Light underbrush n= 0.400 P2= 2.60" <b>Shallow Concentrated Flow,</b> Woodland Kv= 5.0 fps
0.8	170	0.2500	3.50		Shallow Concentrated Flow,
					Short Grass Pasture Kv= 7.0 fps
0.7	570	0.0800	12.83	10.08	Pipe Channel,
					12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'
40.0		Tatal			n= 0.013

12.8 1,070 Total

## Subcatchment 200X: OFFSITE



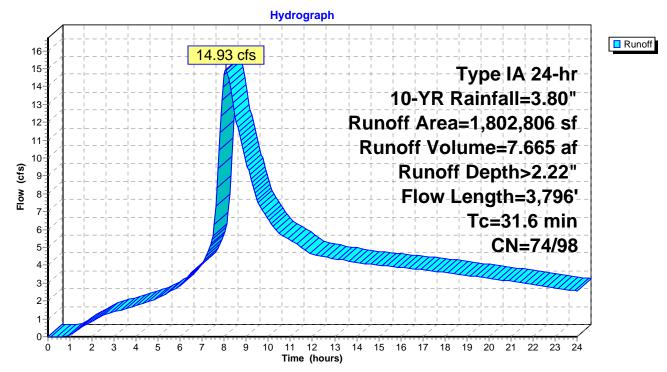
## Summary for Subcatchment 210X: OFFSITE

Runoff = 14.93 cfs @ 8.06 hrs, Volume= 7.665 af, Depth> 2.22"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

	A	rea (sf)	CN D	escription				
	1,8	02,806	83 1	83 1/4 acre lots, 38% imp, HSG C				
	1,117,740 685,066		62.00% Pervious Area 38.00% Impervious Are					
۲ mii)	Гс n)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description		
8	.8	50	0.0600	0.09		Sheet Flow,		
15	.8	1,706	0.1300	1.80		Woods: Light underbrush n= 0.400 P2= 2.60" <b>Shallow Concentrated Flow,</b> Woodland Kv= 5.0 fps		
7	.0	2,040	0.1000	4.83	87.93	Channel Flow,		
						Area= 18.2 sf Perim= 24.4' r= 0.75' n= 0.080 Earth, long dense weeds		
31	.6	3,796	Total					

## Subcatchment 210X: OFFSITE



## Summary for Subcatchment 220X: OFFSITE

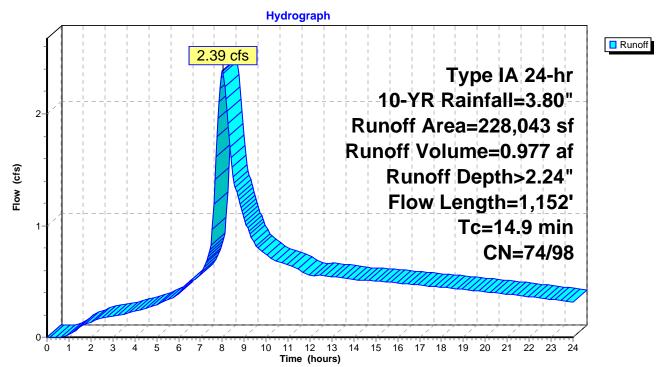
Runoff = 2.39 cfs @ 8.01 hrs, Volume= 0.977 af, Depth> 2.24"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

A	rea (sf)	a (sf)	CN D	escription			
2	28,043	,043	83 1/	83 1/4 acre lots, 38% imp, HSG C			
	141,387 86,656		62.00% Pervious 38.00% Impervio				
Tc (min)	Length (feet)	ength	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description	
8.3	50	50	0.0700	0.10		Sheet Flow,	
4.6	540	540	0.1500	1.94		Woods: Light underbrush n= 0.400 P2= 2.60" <b>Shallow Concentrated Flow,</b> Woodland Kv= 5.0 fps	
1.3	200	200	0.1400	2.62		Shallow Concentrated Flow,	
						Short Grass Pasture Kv= 7.0 fps	
0.7	362	362	0.0400	9.07	7.13	Pipe Channel, 12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'	
						n= 0.013	
440	4 4 5 0	4 4 5 0	Tatal				

14.9 1,152 Total

### Subcatchment 220X: OFFSITE



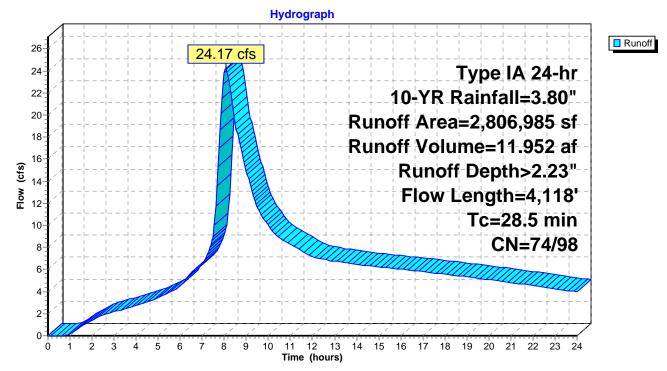
## Summary for Subcatchment 230X: OFFSITE

Runoff = 24.17 cfs @ 8.05 hrs, Volume= 11.952 af, Depth> 2.23"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

_	Area (sf)		CN D	escription				
	2,8	06,985	83 1	83 1/4 acre lots, 38% imp, HSG C				
	,	40,331	•		vious Area			
	1,0	66,654	3	8.00% Imp	ervious Are	ea		
	Тс	Length	Slope	Velocity	Capacity	Description		
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)			
	7.9	50	0.0800	0.11		Sheet Flow,		
						Woods: Light underbrush n= 0.400 P2= 2.60"		
	13.5	1,718	0.1800	2.12		Shallow Concentrated Flow,		
				/		Woodland Kv= 5.0 fps		
	7.1	2,350	0.1300	5.51	100.25	Channel Flow,		
						Area= 18.2 sf Perim= 24.4' r= 0.75'		
						n= 0.080 Earth, long dense weeds		
	28.5	4,118	Total					

## Subcatchment 230X: OFFSITE

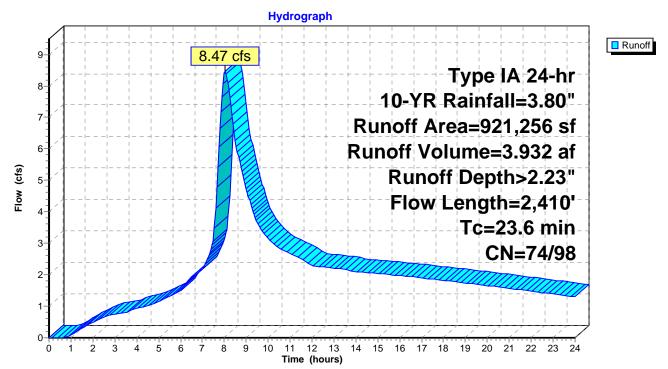


## Summary for Subcatchment 240X: OFFSITE

Runoff = 8.47 cfs @ 8.04 hrs, Volume= 3.932 af, Depth> 2.23"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

Α	rea (sf)	CN D	escription		
9	21,256	83 1	/4 acre lots	s, 38% imp	, HSG C
	71,179	-		vious Area	
3	50,077	3	8.00% Imp	pervious Are	ea
Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.9	50	0.1100	0.12		Sheet Flow,
11.7	1,215	0.1200	1.73		Woods: Light underbrush n= 0.400 P2= 2.60" <b>Shallow Concentrated Flow,</b> Woodland Kv= 5.0 fps
2.4	375	0.1400	2.62		Shallow Concentrated Flow,
					Short Grass Pasture Kv= 7.0 fps
0.5	300	0.0500	10.14	7.97	12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'
2.1	470	0.0600	3.79	69.74	n= 0.013 <b>Channel Flow,</b> Area= 18.4 sf Perim= 24.2' r= 0.76' n= 0.080 Earth, long dense weeds
23.6	2,410	Total			



## Subcatchment 240X: OFFSITE

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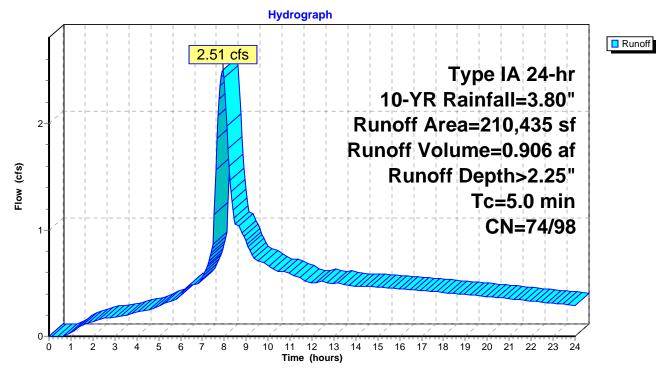
## Summary for Subcatchment 250X: OFFSITE

Runoff = 2.51 cfs @ 7.95 hrs, Volume= 0.906 af, Depth> 2.25"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

 A	rea (sf)	CN	Description		
	16,973	87	1/4 acre lot	s, 38% imp	o, HSG D
 1	93,462	83	1/4 acre lot	s, 38% imp	o, HSG C
2	10,435	83	Weighted A	verage	
1	30,470		62.00% Pei	vious Area	а
	79,965		38.00% Imp	pervious Ar	rea
_		~			
Tc	Length	Slope		Capacity	•
 (min)	(feet)	(ft/ft	(ft/sec)	(cfs)	
5.0					Direct Entry,
					-

## Subcatchment 250X: OFFSITE



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## Summary for Subcatchment 260X: OFFSITE

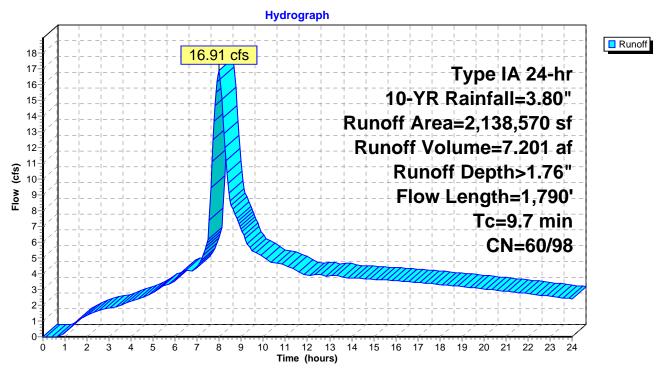
Runoff = 16.91 cfs @ 7.99 hrs, Volume= 7.201 af, Depth> 1.76"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

_	A	rea (sf)	CN E	Description		
	1	49,971	87 1	/4 acre lots	s, 38% imp,	HSG D
	1,1	29,187			s, 38% imp,	
	8	59,412	61 1	/4 acre lots	<u>s, 38% imp,</u>	HSG A
	2,1	38,570	74 V	Veighted A	verage	
	1,3	25,913	6	2.00% Per	vious Area	
	8	12,657	3	8.00% Imp	ervious Are	ea
	_					
	Tc	Length	Slope	Velocity	Capacity	Description
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)	
	2.3	50	0.2500	0.37		Sheet Flow,
						Grass: Short n= 0.150 P2= 2.60"
	0.1	100	0.0800	12.83	10.08	Pipe Channel,
						12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'
						n= 0.013
	7.3	1,640	0.0600	3.74	68.11	Channel Flow,
						Area= 18.2 sf Perim= 24.4' r= 0.75'
_						n= 0.080 Earth, long dense weeds

9.7 1,790 Total

### Subcatchment 260X: OFFSITE

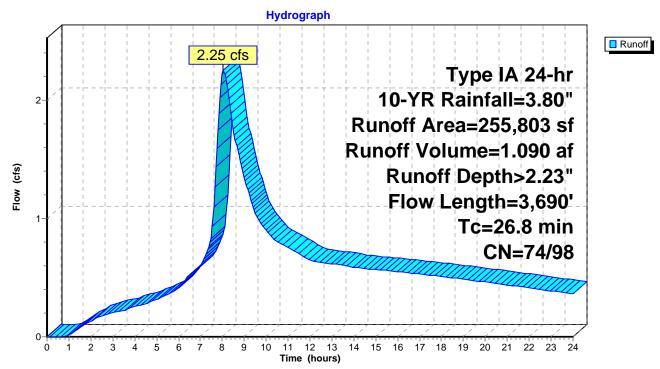


## Summary for Subcatchment 270X: OFFSITE

Runoff = 2.25 cfs @ 8.05 hrs, Volume= 1.090 af, Depth> 2.23"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

A	rea (sf)	CN E	Description		
2	255,803	83 1	/4 acre lots	s, 38% imp,	HSG C
	58,598	-		vious Area	
	97,205	Ċ	88.00% imp	ervious Are	38
Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.7	50	0.0200	0.06		Sheet Flow,
					Woods: Light underbrush n= 0.400 P2= 2.60"
2.7	180	0.0500	1.12		Shallow Concentrated Flow,
4 7	400	0.0700	4.05		Woodland $Kv = 5.0 \text{ fps}$
1.7	190	0.0700	1.85		Shallow Concentrated Flow,
1.2	730	0.0500	10.14	7.97	Short Grass Pasture Kv= 7.0 fps Pipe Channel,
1.2	750	0.0000	10.14	1.57	12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'
					n= 0.013
4.9	1,100	0.0400	3.74	68.86	Channel Flow,
					Area= 18.4 sf Perim= 18.2' r= 1.01'
					n= 0.080 Earth, long dense weeds
2.6	1,440	0.0400	9.07	7.13	Pipe Channel,
					12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'
					n= 0.013
26.8	3,690	Total			



## Subcatchment 270X: OFFSITE

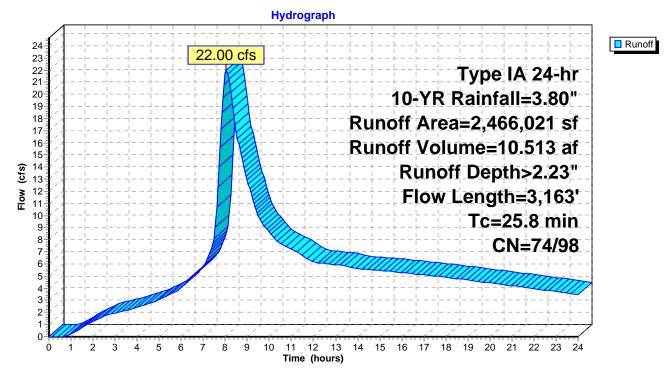
## Summary for Subcatchment 280X: OFFSITE

Runoff = 22.00 cfs @ 8.05 hrs, Volume= 10.513 af, Depth> 2.23"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Type IA 24-hr 10-YR Rainfall=3.80"

A	rea (sf)	CN D	escription		
2,4	66,021	83 1.	/4 acre lots	s, 38% imp	, HSG C
,	1,528,933         62.00% Pervious Area           937,088         38.00% Impervious Area				
Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.5	50	0.0500	0.09		<b>Sheet Flow,</b> Woods: Light underbrush n= 0.400 P2= 2.60"
9.1	1,473	0.1500	2.71		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
7.2	1,640	0.0600	3.79	69.74	Channel Flow, Area= 18.4 sf Perim= 24.2' r= 0.76' n= 0.080 Earth, long dense weeds
25.8	3,163	Total			

## Subcatchment 280X: OFFSITE



### Summary for Reach 1R: Existing Channel

 Inflow Area =
 397.715 ac, 37.34% Impervious, Inflow Depth >
 2.06" for 10-YR event

 Inflow =
 138.13 cfs @
 8.13 hrs, Volume=
 68.330 af

 Outflow =
 138.05 cfs @
 8.15 hrs, Volume=
 68.264 af, Atten= 0%, Lag= 1.1 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 3.52 fps, Min. Travel Time= 1.5 min Avg. Velocity = 2.60 fps, Avg. Travel Time= 2.0 min

Peak Storage= 12,169 cf @ 8.15 hrs Average Depth at Peak Storage= 3.10' Defined Flood Depth= 3.50' Flow Area= 50.6 sf, Capacity= 195.68 cfs Bank-Full Depth= 3.81' Flow Area= 60.3 sf, Capacity= 248.44 cfs

Custom cross-section, Length= 310.0' Slope= 0.0226 '/' (101 Elevation Intervals) Constant n= 0.080 Earth, long dense weeds Inlet Invert= 189.00', Outlet Invert= 182.00'

Offset (feet)	Elevation (feet)	Chan.Depth (feet)
-18.00	3.81	0.00
-13.41	2.81	1.00
-7.60	2.51	1.30
-1.50	0.00	3.81
1.50	0.00	3.81
9.78	2.51	1.30
11.04	2.81	1.00
14.50	3.81	0.00

Depth (feet)	End Area (sq-ft)	Perim. (feet)	Storage (cubic-feet)	Discharge (cfs)
0.00	0.0	3.0	0	0.00
2.51	25.6	18.2	7,929	89.18
2.81	31.9	25.4	9,874	103.49
3.81	60.3	33.7	18,701	248.44

Hydrograph Inflow
Outflow 138 13 cfs 138.05 cfs 150 Inflow Area=397.715 ac 140 Avg. Flow Depth=3.10' 130 120 Max Vel=3.52 fps 110 n=0.080 100 L=310.0' 90 Flow (cfs) 80 S=0.0226 '/' 70 Capacity=248.44 cfs 60-50 40 30 20 10 0-3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 ż 4 Ó 1 Time (hours)

# **Reach 1R: Existing Channel**

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Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 50

### Summary for Reach 2R: Existing Channel

 Inflow Area =
 259.358 ac, 36.53% Impervious, Inflow Depth > 2.11" for 10-YR event

 Inflow =
 91.29 cfs @
 8.18 hrs, Volume=
 45.535 af

 Outflow =
 91.21 cfs @
 8.20 hrs, Volume=
 45.477 af, Atten= 0%, Lag= 1.3 min

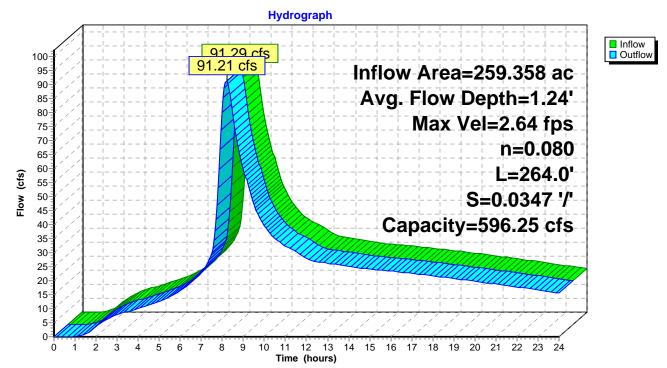
Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 2.64 fps, Min. Travel Time= 1.7 min Avg. Velocity = 1.72 fps, Avg. Travel Time= 2.6 min

Peak Storage= 9,118 cf @ 8.20 hrs Average Depth at Peak Storage= 1.24' Bank-Full Depth= 2.60' Flow Area= 119.1 sf, Capacity= 596.25 cfs

Custom cross-section, Length= 264.0' Slope= 0.0347'/ (102 Elevation Intervals) Constant n= 0.080 Earth, long dense weeds Inlet Invert= 200.00', Outlet Invert= 190.84'

Offset (feet)	Elevation (feet)	Chan.Depth (feet)
-40.00	2.60	0.00
-36.00	1.60	1.00
0.00	0.00	2.60
23.00	1.00	1.60
28.00	2.60	0.00

Depth	End Area	Perim.	Storage	Discharge
(feet)	(sq-ft)	(feet)	(cubic-feet)	(cfs)
0.00	0.0	0.0	0	0.00
1.00	22.8	45.5	6,006	49.56
1.60	54.7	61.0	14,431	175.74
2.60	119.1	68.4	31,442	596.25



## **Reach 2R: Existing Channel**

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Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 52

### Summary for Reach 3R: Existing Channel

 Inflow Area =
 235.942 ac, 36.24% Impervious, Inflow Depth > 2.14" for 10-YR event

 Inflow =
 85.51 cfs @
 8.14 hrs, Volume=
 42.050 af

 Outflow =
 84.68 cfs @
 8.20 hrs, Volume=
 41.903 af, Atten= 1%, Lag= 3.6 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 2.77 fps, Min. Travel Time= 4.6 min Avg. Velocity = 1.82 fps, Avg. Travel Time= 7.1 min

Peak Storage= 23,438 cf @ 8.20 hrs Average Depth at Peak Storage= 1.16' Bank-Full Depth= 2.60' Flow Area= 119.3 sf, Capacity= 662.85 cfs

Custom cross-section, Length= 768.0' Slope= 0.0428 '/' (102 Elevation Intervals) Constant n= 0.080 Earth, long dense weeds Inlet Invert= 232.90', Outlet Invert= 200.00'

Offset (feet)	Elevation (feet)	Chan.Depth (feet)
-40.00	2.60	0.00
-36.00	1.60	1.00
0.00	0.00	2.60
23.00	1.00	1.60
28.26	2.60	0.00

Depth	End Area	Perim.	Storage	Discharge
(feet)	(sq-ft)	(feet)	(cubic-feet)	(cfs)
0.00	0.0	0.0	0	0.00
1.00	22.8	45.5	17,472	55.06
1.60	54.7	61.1	42,003	195.25
2.60	119.3	68.7	91,629	662.85

Ó

Hydrograph Inflow
Outflow 85.51 cfs 84.68 cfs 95 90 Inflow Area=235.942 ac 85 Avg. Flow Depth=1.16' 80 75 Max Vel=2.77 fps 70-65 n=0.080 60 L=768.0' (cts) 55<sup>-</sup> 50-Flow S=0.0428 '/' 45 40 Capacity=662.85 cfs 35-30-25 20 15 10 5 0-3 4 5 7 9 11 12 13 14 15 16 17 18 19 20 21 22 23 24 1 ż 6 8 10

Time (hours)

# **Reach 3R: Existing Channel**

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### Summary for Reach 4R: Existing Channel

105.707 ac, 38.00% Impervious, Inflow Depth > 2.01" for 10-YR event Inflow Area = 8.01 hrs. Volume= 17.715 af Inflow 38.69 cfs @ = Outflow 8.10 hrs, Volume= = 37.02 cfs @ 17.618 af, Atten= 4%, Lag= 5.0 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 2.97 fps, Min. Travel Time= 7.5 min Avg. Velocity = 2.01 fps, Avg. Travel Time= 11.1 min

Peak Storage= 16,702 cf @ 8.10 hrs Average Depth at Peak Storage= 1.61' Bank-Full Depth= 7.60' Flow Area= 292.6 sf, Capacity= 2,366.15 cfs

Custom cross-section, Length= 1,340.0' Slope= 0.0351 '/' (102 Elevation Intervals) Constant n= 0.080 Earth. long dense weeds Inlet Invert= 236.00', Outlet Invert= 189.00'

+
+

Offset (feet)	(feet)	Chan.Depth (feet)
-44.00	7.60	0.00
-26.00	5.00	2.60
-26.00	5.00	2.60
0.00	0.00	7.60
22.00	5.00	2.60
35.00	6.60	1.00
37.00	7.60	0.00
57.00	7.00	0.00

Depth (feet)	End Area (sq-ft)	Perim. (feet)	Storage (cubic-feet)	Discharge (cfs)
0.00	0.0	0.0	0	0.00
5.00	120.0	49.0	160,800	758.07
6.60	216.1	73.3	289,522	1,544.82
7.60	292.6	82.6	392,084	2,366.15

Hydrograph Inflow
Outflow 38.69 cfs 42 Inflow Area=105.707 ac 40 37.02 cfs 38-Avg. Flow Depth=1.61' 36 34 Max Vel=2.97 fps 32 30n=0.080 28 26 24 22 20 18 L=1,340.0' Flow (cfs) S=0.0351 '/' Capacity=2,366.15 cfs 16-14-12-10 8 6 4 2 0-3 14 15 16 17 18 19 20 21 22 23 ż 4 5 6 Ż 8 ģ 10 11 12 13 24 Ó 1 Time (hours)

# **Reach 4R: Existing Channel**

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### Summary for Reach 5R: Existing Channel

 Inflow Area =
 221.773 ac, 36.94% Impervious, Inflow Depth >
 2.15" for 10-YR event

 Inflow =
 80.99 cfs @
 8.15 hrs, Volume=
 39.807 af

 Outflow =
 80.97 cfs @
 8.16 hrs, Volume=
 39.774 af, Atten= 0%, Lag= 0.8 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 3.18 fps, Min. Travel Time= 1.1 min Avg. Velocity = 2.12 fps, Avg. Travel Time= 1.7 min

Peak Storage= 5,397 cf @ 8.16 hrs Average Depth at Peak Storage= 1.06' Bank-Full Depth= 2.60' Flow Area= 119.3 sf, Capacity= 825.92 cfs

Custom cross-section, Length= 212.0' Slope= 0.0665 '/' (102 Elevation Intervals) Constant n= 0.080 Earth, long dense weeds Inlet Invert= 247.00', Outlet Invert= 232.90'

Offset (feet)	Elevation (feet)	Chan.Depth (feet)
-40.00	2.60	0.00
-36.00	1.60	1.00
0.00	0.00	2.60
23.00	1.00	1.60
28.26	2.60	0.00

Depth	End Area	Perim.	Storage	Discharge
(feet)	(sq-ft)	(feet)	(cubic-feet)	(cfs)
0.00	0.0	0.0	0	0.00
1.00	22.8	45.5	4,823	68.61
1.60	54.7	61.1	11,595	243.29
2.60	119.3	68.7	25,293	825.92

Hydrograph Inflow
Outflow 80.99 cfs 80.97 cfs 90 85 Inflow Area=221.773 ac 80 Avg. Flow Depth=1.06' 75 70 Max Vel=3.18 fps 65 n=0.080 60 55 L=212.0' Flow (cfs) 50 45 S=0.0665 '/' 40 Capacity=825.92 cfs 35-30 25 20 15 10 5 0-3 5 6 7 8 9 11 12 13 14 15 16 17 18 19 20 21 22 23 24 1 ż 4 10 Ó

Time (hours)

# **Reach 5R: Existing Channel**

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Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 58

### Summary for Reach 6R: Existing Channel

 Inflow Area =
 110.419 ac, 37.11% Impervious, Inflow Depth > 2.16" for 10-YR event

 Inflow =
 40.01 cfs @
 8.09 hrs, Volume=
 19.855 af

 Outflow =
 39.72 cfs @
 8.14 hrs, Volume=
 19.808 af, Atten= 1%, Lag= 2.8 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 2.74 fps, Min. Travel Time= 3.3 min Avg. Velocity = 1.86 fps, Avg. Travel Time= 4.8 min

Peak Storage= 7,792 cf @ 8.14 hrs Average Depth at Peak Storage= 0.80' Bank-Full Depth= 2.60' Flow Area= 119.3 sf, Capacity= 870.78 cfs

Custom cross-section, Length= 537.0' Slope= 0.0739 '/' (102 Elevation Intervals) Constant n= 0.080 Earth, long dense weeds Inlet Invert= 286.70', Outlet Invert= 247.00'

Offset (feet)	Elevation (feet)	Chan.Depth (feet)
-40.00	2.60	0.00
-36.00	1.60	1.00
0.00	0.00	2.60
23.00	1.00	1.60
28.26	2.60	0.00

Depth	End Area	Perim.	Storage	Discharge
(feet)	(sq-ft)	(feet)	(cubic-feet)	(cfs)
0.00	0.0	0.0	0	0.00
1.00	22.8	45.5	12,217	72.34
1.60	54.7	61.1	29,369	256.50
2.60	119.3	68.7	64,068	870.78

Hydrograph Inflow
Outflow 40.01 cfs 39.72 cfs 44 42 Inflow Area=110.419 ac 40 38 Avg. Flow Depth=0.80' 36-Max Vel=2.74 fps 34 32 30 n=0.080 28 20 22 24 22 20 20 L=537.0' S=0.0739 '/' 18 Capacity=870.78 cfs 16 14-12 10-8 6 4 2 0-3 5 9 10 14 15 16 17 18 19 20 21 22 23 24 Ó 1 ż 4 6 Ż 8 11 12 13 Time (hours)

# **Reach 6R: Existing Channel**

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### Summary for Reach 7R: Existing Channel

 Inflow Area =
 51.254 ac, 38.00% Impervious, Inflow Depth > 2.23" for 10-YR event

 Inflow =
 19.13 cfs @
 8.05 hrs, Volume=
 9.505 af

 Outflow =
 18.85 cfs @
 8.12 hrs, Volume=
 9.468 af, Atten= 1%, Lag= 4.0 min

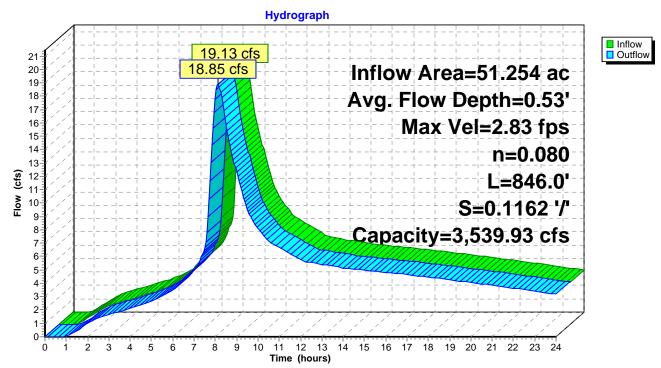
Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 2.83 fps, Min. Travel Time= 5.0 min Avg. Velocity = 1.82 fps, Avg. Travel Time= 7.8 min

Peak Storage= 5,630 cf @ 8.12 hrs Average Depth at Peak Storage= 0.53' Bank-Full Depth= 5.48' Flow Area= 231.4 sf, Capacity= 3,539.93 cfs

Custom cross-section, Length= 846.0' Slope= 0.1162 '/' (102 Elevation Intervals) Constant n= 0.080 Earth, long dense weeds Inlet Invert= 385.00', Outlet Invert= 286.70'

Offset (feet)	Elevation (feet)	Chan.Depth (feet)
-32.47	5.48	0.00
-28.13	2.82	2.66
-15.44	0.76	4.72
0.00	0.00	5.48
10.98	0.38	5.10
27.45	5.48	0.00

Depth	End Area	Perim.	Storage	Discharge
(feet)	(sq-ft)	(feet)	(cubic-feet)	(cfs)
0.00	0.0	0.0	0	0.00
0.38	3.6	18.7	3,010	7.47
0.76	12.4	27.7	10,456	45.66
2.82	89.2	47.6	75,493	859.63
5.48	231.4	61.6	195,786	3,539.93



# **Reach 7R: Existing Channel**

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### Summary for Reach 8R: Existing Channel

 Inflow Area =
 59.165 ac, 36.33% Impervious, Inflow Depth > 2.12" for 10-YR event

 Inflow =
 21.64 cfs @
 8.02 hrs, Volume=
 10.430 af

 Outflow =
 21.27 cfs @
 8.07 hrs, Volume=
 10.387 af, Atten= 2%, Lag= 3.0 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 3.19 fps, Min. Travel Time= 4.7 min Avg. Velocity = 1.89 fps, Avg. Travel Time= 8.0 min

Peak Storage= 6,020 cf @ 8.07 hrs Average Depth at Peak Storage= 0.42' Bank-Full Depth= 2.50' Flow Area= 77.4 sf, Capacity= 670.49 cfs

Custom cross-section, Length= 905.0' Slope= 0.1197 '/' Constant n= 0.080 Earth, long dense weeds Inlet Invert= 395.00', Outlet Invert= 286.70'

Offset (feet)	Elevation (feet)	Chan.Depth (feet)
-22.22	2.50	0.00
-6.14	0.00	2.50
6.65	0.00	2.50
26.94	2.50	0.00

Depth	End Area	Perim.	Storage	Discharge
(feet)	(sq-ft)	(feet)	(cubic-feet)	(cfs)
0.00	0.0	12.8	0	0.00
2.50	77.4	49.5	70,081	670.49

Hydrograph Inflow
Outflow 21.64 cfs 24 23 22 21.27 cfs Inflow Area=59,165 ac 21 20 Avg. Flow Depth=0.42' 19 Max Vel=3.19 fps 18 17 16 n=0.080 15 **Flow (cfs)** 12 12 11 10 L=905.0' S=0.1197 '/' 10-9-Capacity=670.49 cfs 8 7 6 5 4 3 2 1 0 3 14 15 16 17 18 19 20 21 22 23 24 ż 4 5 6 Ż 8 ģ 10 11 12 13 Ó 1 Time (hours)

# **Reach 8R: Existing Channel**

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### Summary for Reach 9R: Existing Channel

 Inflow Area =
 111.354 ac, 36.78% Impervious, Inflow Depth > 2.16" for 10-YR event

 Inflow =
 42.30 cfs @
 8.07 hrs, Volume=
 20.085 af

 Outflow =
 41.27 cfs @
 8.15 hrs, Volume=
 19.998 af, Atten= 2%, Lag= 5.0 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 3.19 fps, Min. Travel Time= 5.9 min Avg. Velocity = 2.15 fps, Avg. Travel Time= 8.7 min

Peak Storage= 14,549 cf @ 8.15 hrs Average Depth at Peak Storage= 1.02' Bank-Full Depth= 3.80' Flow Area= 146.2 sf, Capacity= 1,290.64 cfs

Custom cross-section, Length= 1,126.0' Slope= 0.0728 '/' (102 Elevation Intervals) Constant n= 0.080 Earth, long dense weeds Inlet Invert= 329.00', Outlet Invert= 247.00'

Offset (feet)	Elevation (feet)	Chan.Depth (feet)
-28.08	3.80	0.00
-16.33	1.53	2.27
0.00	0.00	3.80
27.00	1.91	1.89
33.90	3.80	0.00

	End Area	Perim.	Storage	Discharge
(feet)	(sq-ft)	(feet)	(cubic-feet)	(cfs)
0.00	0.0	0.0	0	0.00
1.53	29.0	38.1	32,697	121.48
1.91	44.9	45.5	50,509	222.82
3.80	146.2	62.6	164,659	1,290.64

Hydrograph Inflow
Outflow 42.30 cfs 46 Inflow Area=111.354 ac 44 41.27 cfs 42-Avg. Flow Depth=1.02' 40 38-Max Vel=3.19 fps 36 34-34-32-30-28-26-24-22-20-20n=0.080 L=1,126.0' S=0.0728 '/' Capacity=1,290.64 cfs 18-16 14 12<sup>.</sup> 10<sup>.</sup> 8-6-4-2-0-3 10 14 15 16 17 18 19 20 21 22 23 24 Ó 1 ż 4 5 6 Ż 8 ģ 11 12 13 Time (hours)

# **Reach 9R: Existing Channel**

Type IA 24-hr 10-YR Rainfall=3.80" Printed 3/14/2017 LLC Page 66

### Prepared by AKS Engineering & Forestry, LLC HydroCAD® 10.00-18 s/n 01338 © 2016 HydroCAD Software Solutions LLC

### Summary for Reach 10R: Existing Channel

 Inflow Area =
 106.524 ac, 36.73% Impervious, Inflow Depth >
 2.17" for 10-YR event

 Inflow =
 40.66 cfs @
 8.03 hrs, Volume=
 19.247 af

 Outflow =
 40.10 cfs @
 8.08 hrs, Volume=
 19.179 af, Atten= 1%, Lag= 2.9 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs Max. Velocity= 3.43 fps, Min. Travel Time= 4.2 min Avg. Velocity = 2.05 fps, Avg. Travel Time= 7.0 min

Peak Storage= 10,006 cf @ 8.08 hrs Average Depth at Peak Storage= 0.61' Bank-Full Depth= 2.36' Flow Area= 76.0 sf, Capacity= 551.68 cfs

Custom cross-section, Length= 857.0' Slope= 0.0881 '/' Constant n= 0.080 Earth, long dense weeds Inlet Invert= 404.50', Outlet Invert= 329.00'

Offset (feet)	Elevation (feet)	Chan.Depth (feet)	
-21.83	2.36	0.00	
-7.20	0.00	2.36	
7.20	0.00	2.36	
28.20	2.36	0.00	
	A D.		

Depth	End Area	Perim.	Storage	Discharge
(feet)	(sq-ft)	(feet)	(cubic-feet)	(cfs)
0.00	0.0	14.4	0	0.00
2.36	76.0	50.4	65,155	551.68

Hydrograph Inflow
Outflow 40.66 cfs 44 40.10 cfs Inflow Area=106.524 ac 42 40-Avg. Flow Depth=0.61' 38 36 Max Vel=3.43 fps 34 32n=0.080 30-28-20 26 24 22 20 20 L=857.0' S=0.0881 '/' Capacity=551.68 cfs 18-16 14 12-10-8-6 4 2-0-3 14 15 16 17 18 19 20 21 22 23 ż 4 5 6 Ż 8 ģ 10 11 12 13 24 Ó 1 Time (hours)

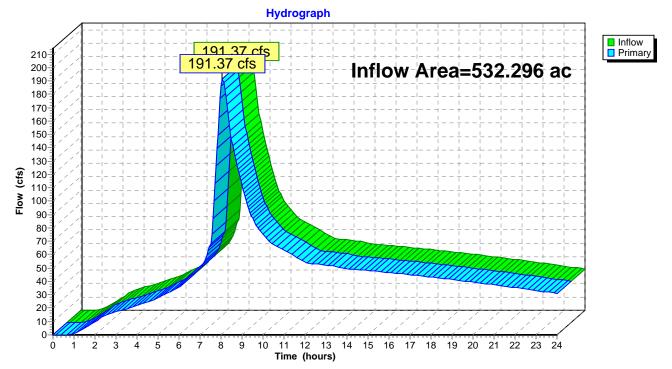
### **Reach 10R: Existing Channel**

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### Summary for Link 1L: Discharge to Stormwater Facility

Inflow Are	a =	532.296 ac, 37	7.03% Impervious, Inflow	Depth > 2.07"	for 10-YR event
Inflow	=	191.37 cfs @	8.07 hrs, Volume=	91.980 af	
Primary	=	191.37 cfs @	8.07 hrs, Volume=	91.980 af, Atte	en= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs



### Link 1L: Discharge to Stormwater Facility

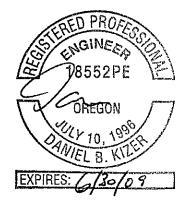
## WEST HILLS PROPERTIES STORMWATER **APPENDIX B** REPORT

### **STORMWATER PLAN & CALCULATIONS**

### FOR

### WEST HILLS PROPERTIES LLC

### McMINNVILLE, OREGON



2272.2020.0

September 2007

WESTECH ENGINEERING, INC. 3841 Fairview Industrial Dr. SE, Suite 100 Salem, OR 97302 (503) 585-2474

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-	•	

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	Master Summary
	Tc Calculations
	Curve Number Calculations

- APPENDIX 2: KHA PROPERTY DEVELOPED CONDITIONS CALCULATIONS Master Summary Tc Calculations Detention Pond Calculations
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JO # 2272.2020.0

### 1.1 Project Overview

The West Hills Properties LLC property encompasses just over 200 acres and is made up of many different subdivisions including, West Hills Phases 1-5, Valley's Edge Phases 2-5, Hillcrest Phases 6-8, and Northridge subdivision (Refer to Figure 1). These residential subdivisions will create approximately 690 lots. In order to maximize developable area and minimize construction costs a regional detention basin has been constructed based on the City of McMinnville detention requirements

### 1.2 McMinnville Stormwater Requirements

The City of McMinnville requires the detention on all developments that create a significant portion of impervious area. New developments are required to detain the difference between the post-developed 10-year 24-hour and the pre-developed 10-year 24-hour storm event, with a maximum release rate equal to the pre-developed 10-year 24-hour storm event.

### 1.3 Stormwater Detention Methodology and Criteria

The proposed residential subdivision will take up a significant portion of the drainage basin made up of forests and pasture, which upon development will require a significant amount of detention due to the addition of impervious area. In order to determine the size of the detention facility, maximum flow release rate from the detention facility, and bypass flow rate, and overflow rates must be determined. To determine the maximum flow release rate from the detention facility the 10-year, 24-hour pre-developed flow rates were determined for the land occupying the buildout development area (a significant portion of the entire drainage basin). These flow rates will later be used to help size the outlet orifice of our detention facility. The bypass flow rate for the detention facility can be sized by determining the peak 10-year, 24-hour runoff event for the entire upstream drainage basin and subtracting off the 10-year, 24-hour runoff event for the buildout development area. The developed 10-year, 24-hour runoff event for the entire drainage was used to determine the total overflow capacity of the detention pond.

The 10-year 24-hour runoff events for the development and the entire drainage basin were determined with the aid of the "PondPack" computer simulation program created by Haested Methods using the Santa Barbara Urban Hydrograph methodology. The Type 1A, 24-hour rainfall distribution was utilized to convert selected rainfall depths listed in Table 1 of a particular recurrence interval into a hyetograph.

Recurrance Interval (years)	Rainfall Depth (inches)
2	2.4
5	3.1
10	3.6
25	4.2
50	4.7
100	5.3

Table 1:	McMinnville	24-Hour	Rainfall	<b>Events</b>
----------	-------------	---------	----------	---------------

The total drainage basin was modeled as 11 sub-basins, while the subdivision was modeled as 9 sub-basins for both the predeveloped and developed conditions as illustrated in Figure 2 and Figure 3. The predeveloped curve numbers were determined for each sub-basin based on either a wooded or pasture land use. The area of woods vs. pasture was determined by using a scaled aerial photographs (Refer to Appendix 5 for full size sheets). Wooded and pasture land areas were assigned Curve Numbers (CN) equal to 70 and 74, respectively. The curve numbers were then weighted based on areas (refer to Appendix 1 through 4 for calculations). The curve numbers are associated with a type C and D soil per the City of McMinnville Storm Drainage Master Plan. However, for this project a type C soil was used though out the basin. Supporting soils maps CN selection tables can be found in Appendix 7.

Developed runoff conditions were determined by assigning curve numbers to each of the drainage basins based upon residential density. The subdivision had a residential density that ranged from 2.4 residential units per acre to 3.8 residential units per acre as shown in Table 2 and Table 3 and illustrated in Figure 2. If a sub-basin had a residential density less than 3 units per acre it was rounded up to 3 units per acre. If a sub-basin had a residential density between 3 and 4 units per acre the density was rounded up to 4 units per acre. Sub-basins with assigned residential density of 3 units per acre and 4 units per acre were assigned curve numbers of 83 and 81, respectively, and in accordance with TR-55 Curve Numbers.

BASIN	AREA	PREDEVELOPED LAND-USE		DEVELOPED LAND-USE (DU/Acre)		
		Woods Area	Pasture Area	DU	Calculated	Assigned
C1.0.A	58.9	0.0	58.9	189	3.2	4
C1.0.B	7.4	0.2	7.2	18	2.4	3
C1.1.A	44.5	0.0	44,5	162	3.6	4
C2.0.A	18.2	13.2	6.0	69	3.8	4
C3.0.A	23.2	8.4	14.8	78	3.4	4
C3.1.A	36.8	36.6	0.2	96	2.6	3
C3.2.A	8	8.0	0.0	20	2.5	3
C4.0.A	10.2	3.3	6.9	37	3.6	4
TOTAL	207.2	69.7	138.5	669	N/A	N/A

Table 2: Subdivision Area Predeveloped and Developed Land-Use

BASIN	AREA	PREDEVELOPED LAND-USE		DEVELOPED LAND-USE	
		Woods Area	Pasture Area	Assigned DU/Acre	
C1.0.A	54	0.0	54.0	4	
C1.0.B	7.4	0.2	7.2	3	
C1.1.A	43.3	0.0	43,3	4	
C2.0.A	39.7	33.1	6.6	4	
C2.1.A	11.5	8.2	3.3	4	
C3.0.A	23.8	9.0	14.8	4	
C3.1.1.A	95	45.6	49.4	4	
C3.1.A	42.4	39.6	2.8	3	
C3.2.A	78.4	61.5	16.9	4	
C3.2.B	15.1	2.8	12.3	4	
C4.0.A	49.1	18.6	30.5	4	
C5.0.A	73.3	17.5	55.8	4	
TOTAL	533	236.1	296.9	N/A	

Table 3: Total Drainage Basin Predeveloped and Developed Land-Use

### <u>1.4 Calculations Summary</u>

l

Refer to Appendix 1 through 4 for the runoff calculations, Tc calculations, and pond volume calculations. Table 4 and Table 5 provide a summary of all the peak runoff values for each sub-basin.

BASIN	10-Year, 24-Hour Predeveloped Flows (CFS)	10-Year, 24-Hour Developed Flows (CFS)
C1.0.A	10.78	23.88
C1.0.B	1.54	2.74
C1.1.A	7.43	17.03
C2.0.A	2.52	6.63
C3.0.A	3.54	0.87
C3.1.A	3.63	15.57
C3.2.A	0.78	2.32
C4.0.A	1.79	3.39
PEAK	31.64	70.17

Table 4: Subdivision Pre and Post Developed Peak Flows

BASIN	10-Year, 24-Hour Predeveloped Flows (CFS)	10-Year, 24-Hour Developed Flows (CFS)
C1.0.A	9.88	22.28
C1.0.B	1.54	2.8
C1.1.A	7.23	17.02
C2.0.A	4.32	16.02
C2.1.A	1.21	4.48
C3.0.A	2.52	9.33
C3.1.1.A	10,63	33.95
C3.1.A	10.92	14.36
C3.2.A	7.97	27.86
C3.2.B	2.42	5.65
C4.0.A	6.72	18.56
C5.0,A	9.93	27.27
PEAK	73.96	199.1

Table 5: Total Drainage Basin Pre and Post Developed Peak Flows

### 1.5 Detention Volume Determination

Please refer to Appendix 2 for the detention calculations and Figure 4. The detention volume was determined in compliance with McMinnville's required maximum release rate equal to the basins peak 10-year runoff event, while capturing the 10-year post-developed runoff event. Based on preliminary calculations we determined the approximate amount of storage required. The detention basins grading plan, i.e., the area as a function of height was entered into the "Pond Pack" computer program, which determines volume as a function of height. By iteration, the orifice size was adjusted until the maximum release rate was equal to the 10-year predeveloped runoff event. The maximum amount of water stored in the pond was equal to the required detention volume. The total detention required is 3.567 ac-ft or 155,379 cubic-feet. The detention pond as shown on sheet C8 of the Civil drawings and Figure 4 have a total detention capacity of approximately 190,000 cubic-feet.

The detention basin was sized to provide the volume necessary to limit the stormwater discharge rate to the release rate that is equivalent to the 10-year, 24-hour pre-developed runoff event for the total drainage basin (74 cfs).

The 10-year, 24-hour pre-developed runoff event for the total basin was calculated to be 74 cfs. Three pipe discharges on Redmond Hill Road are shown on construction drawing sheets St-2 and St-3. These 3 discharges are as follows:

- 1. Detention Pond 24-inch discharge pipe with 16.5-inch orifice, restricted the release rate to <u>14 cfs</u> with the pond at water surface elevation 184.0
- 2. A 12-inch discharge pipe from a slope inlet set at elevation 180.0, which restricts the release rate at <u>7 cfs</u> with the pond at water surface elevation 184.0.

3. A 48-inch cross culvert at Redmond Hill Road Station 38+25. At the ditch water surface elevation of 185.00 the water begins to flow overland east to the detention pond. At elevation 185.0, the 48-inch culvert can convey 54 cfs across Redmond Hill Road to the open ditch on the south side.

At elevation 185.50, the 48-inch culvert can convey 65 cfs across Redmond Hill Road to the open ditch on the south side. The overflow for the north-south ditch can convey 51 cfs at a depth of flow of 6-inches (Manning's value of 0.030 for the overland flow across the park grass.)

Refer to the Detention Pond Grading Plan on Sheet G9 for the surface overflow route for the north-south ditch.

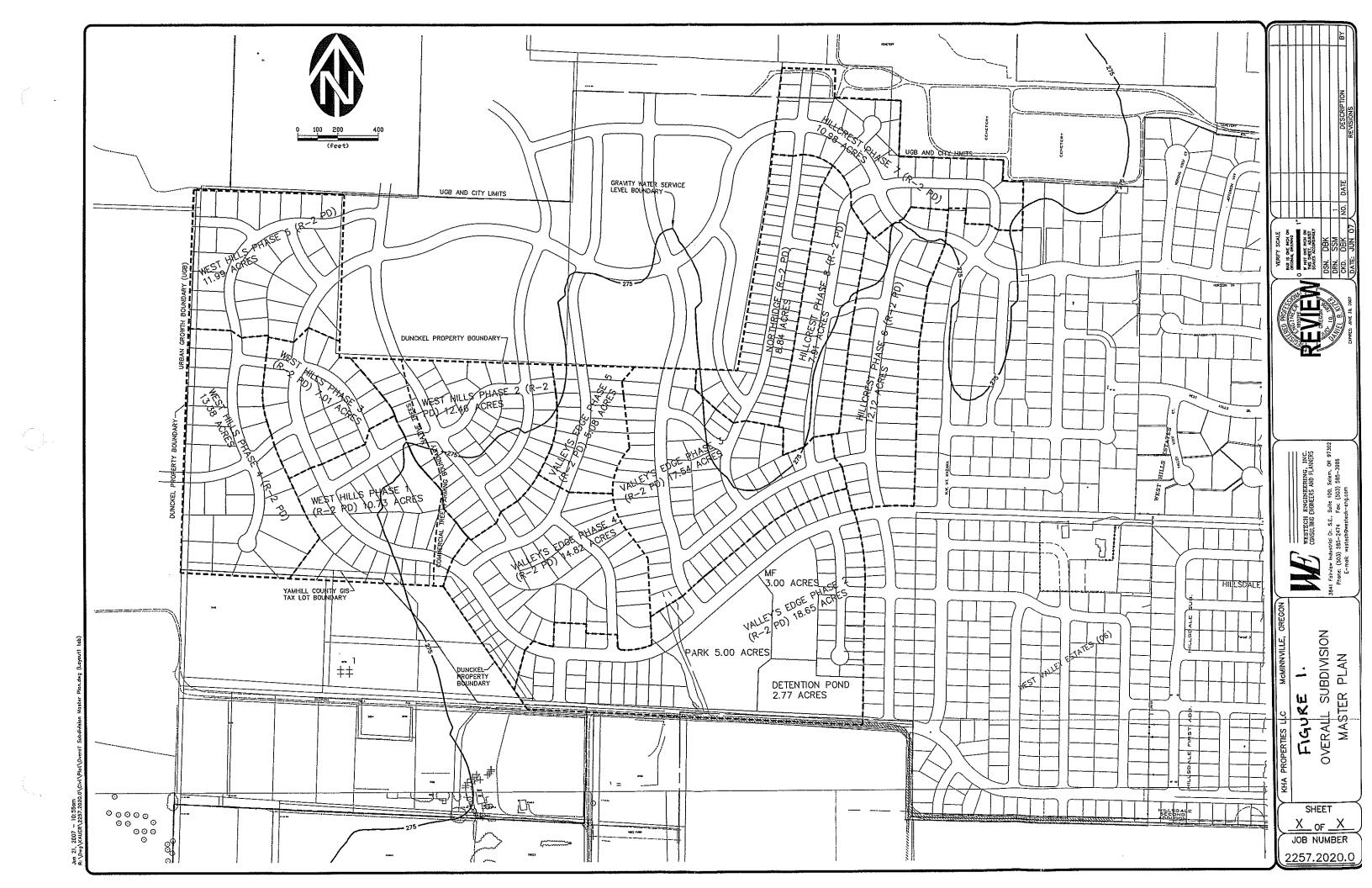
### <u>1.6</u> Over Flow Routing Summary

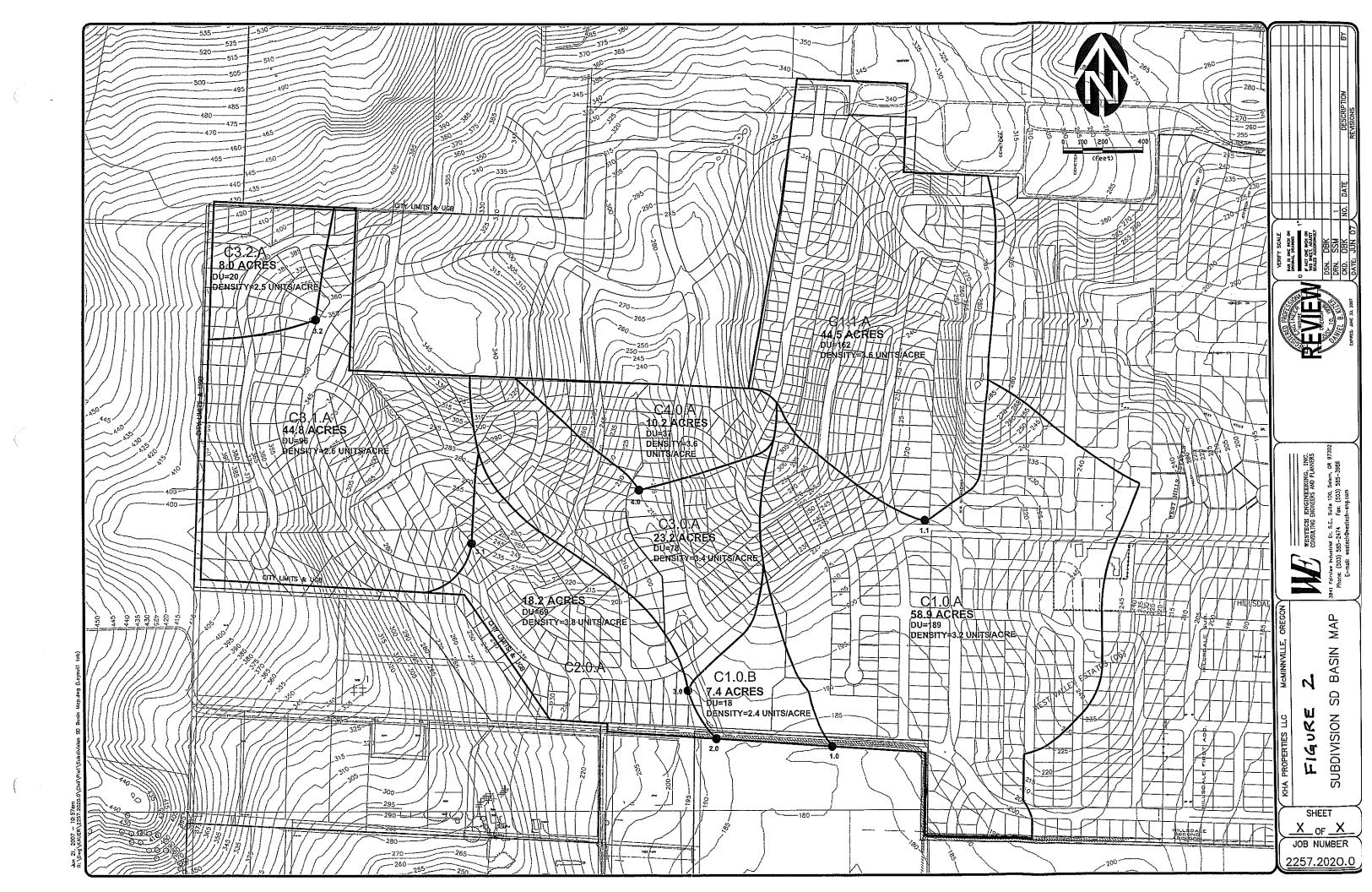
The detention pond was sized with a total overflow capacity equal to the post developed 10-year storm for the entire drainage basin or 199.1 cfs. As indicated on the Civil Drawings and in Figure 4 once the detention pond begins to fill until the stormwater reaches the overflow elevation of 184. At this elevation the orifice will release 21 cfs (the predeveloped 10-year flow for the total basin). Above this elevation (between 185 and 184) water will back up to the culvert west of the pond and a second Type III inlet. The capacity of the 125-foot long spillway at a flow depth of 3" is approximately 109 cfs.

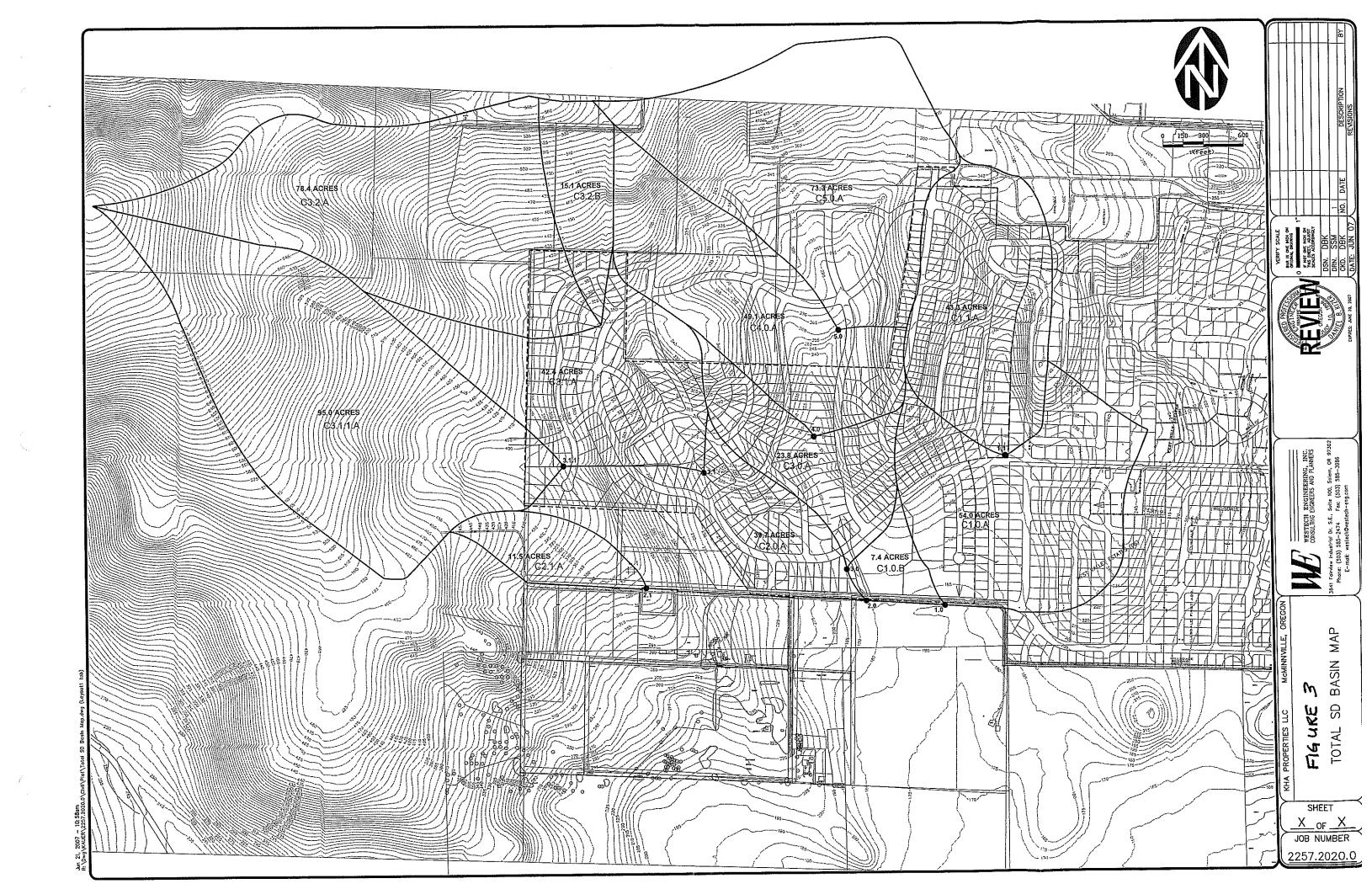
The detention pond can overflow via 4 routes:

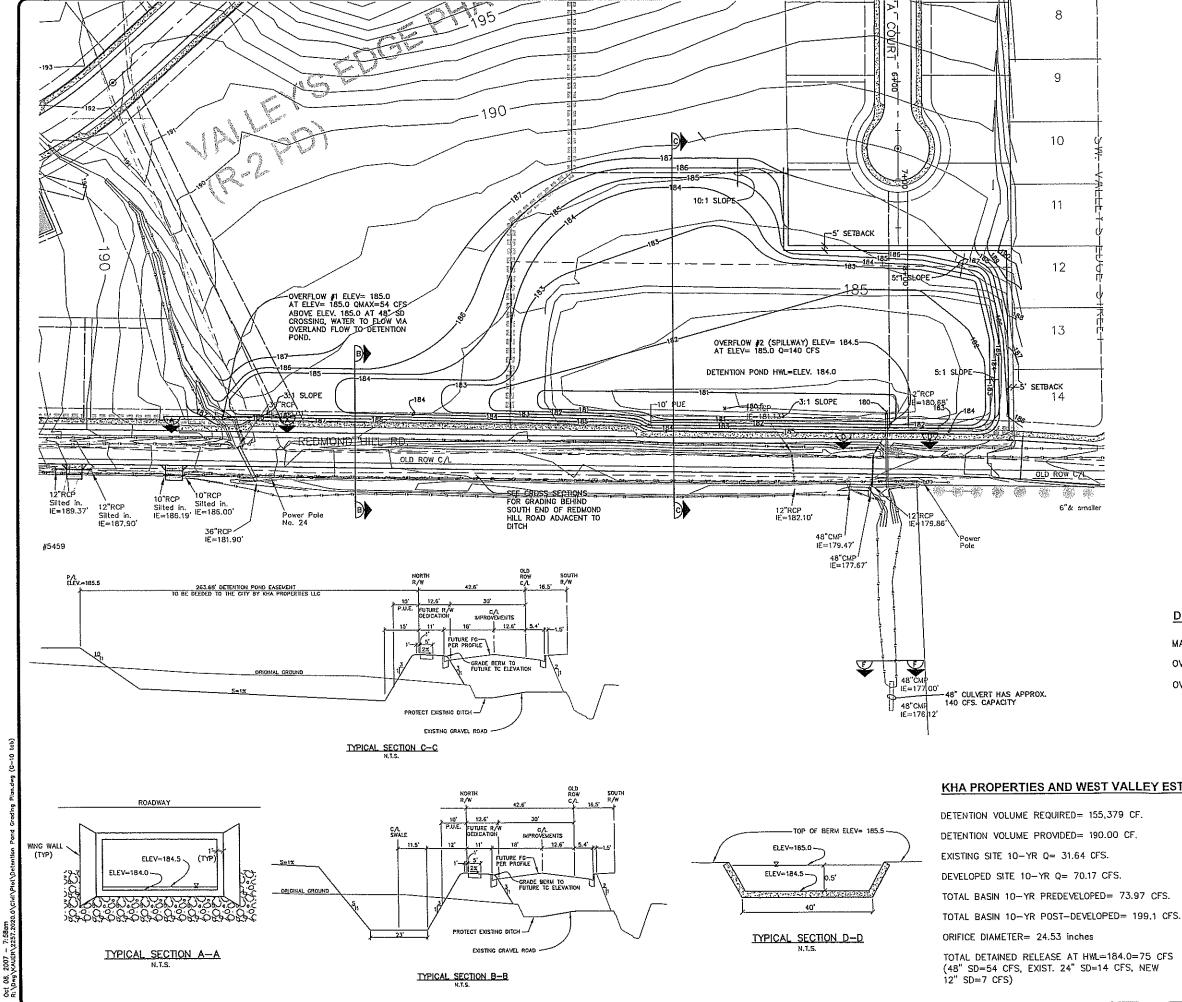
- 1. Water can flow into the two overflow catchbasins set at elevation 184.0 along the side of the south berm in the detention pond.
- 2. Water can overflow the flow control manhole riser piping inside the manhole at Redmond Hill Road Station 31+43.
- 3. Water can overflow the north, curbside sidewalk at elevation 184.98 at Redmond Hill Road Station 32+50. The sidewalk serves as the overland flow route for water to flow across Redmond Hill Road.

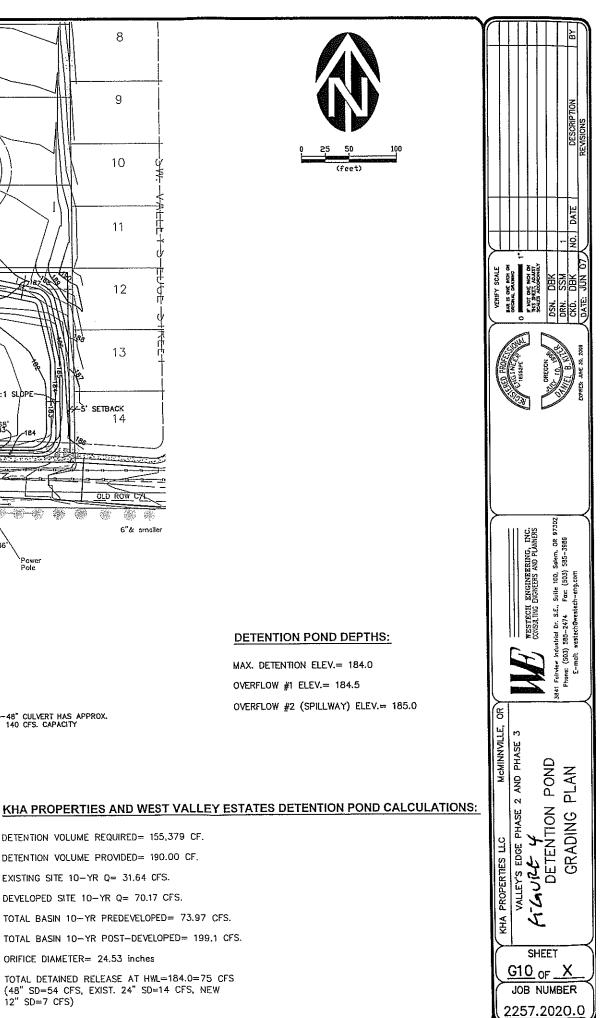
Above elevation 185.5, water can overflow through the remainder of the capacity of the 48-inch culvert crossing Redmond Hill Road at Station 38+25. Capacity is available between flow depth of 34-inches (elevation 185) flow depth of 48-inches (elevation 186.2).

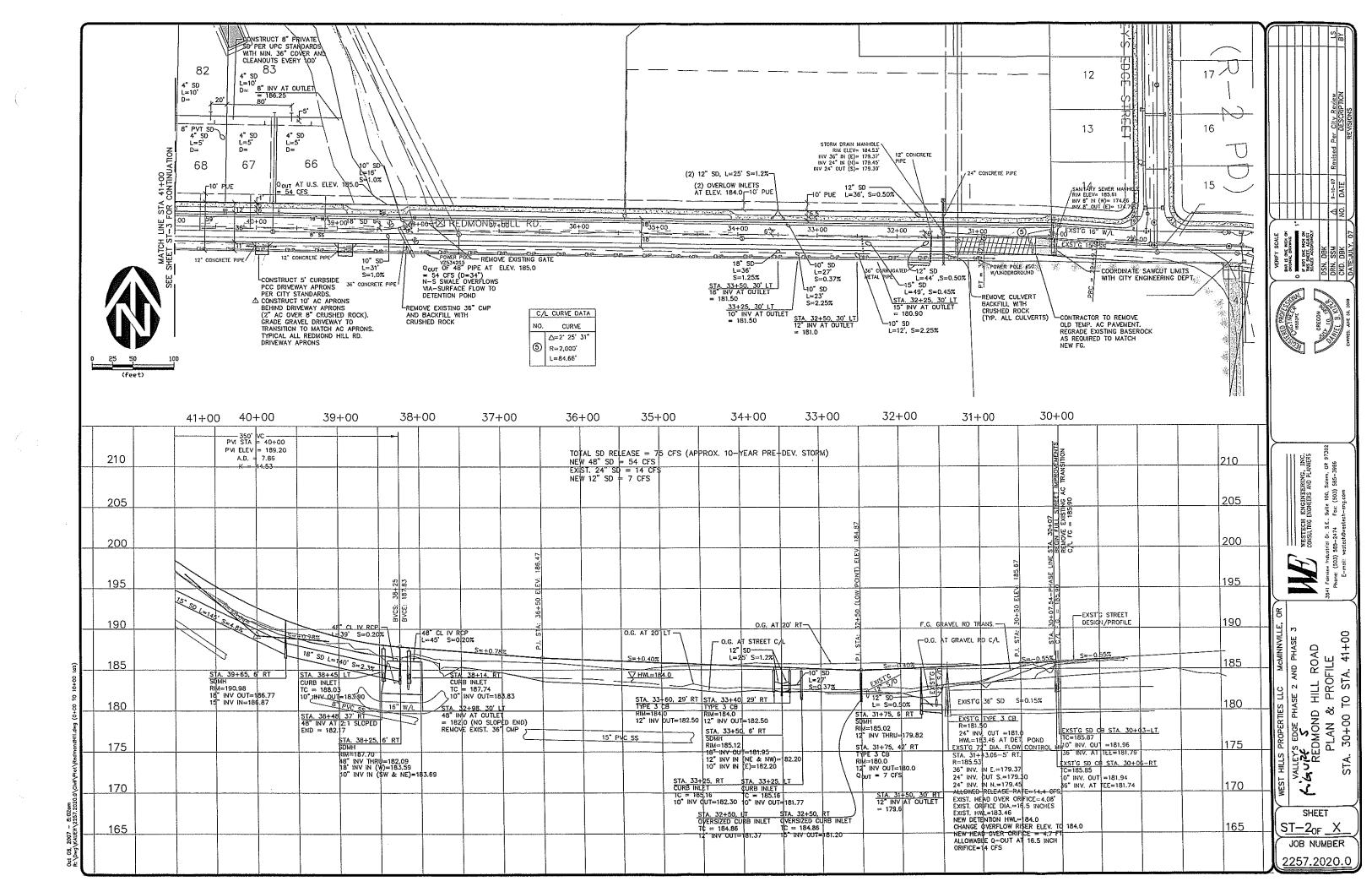


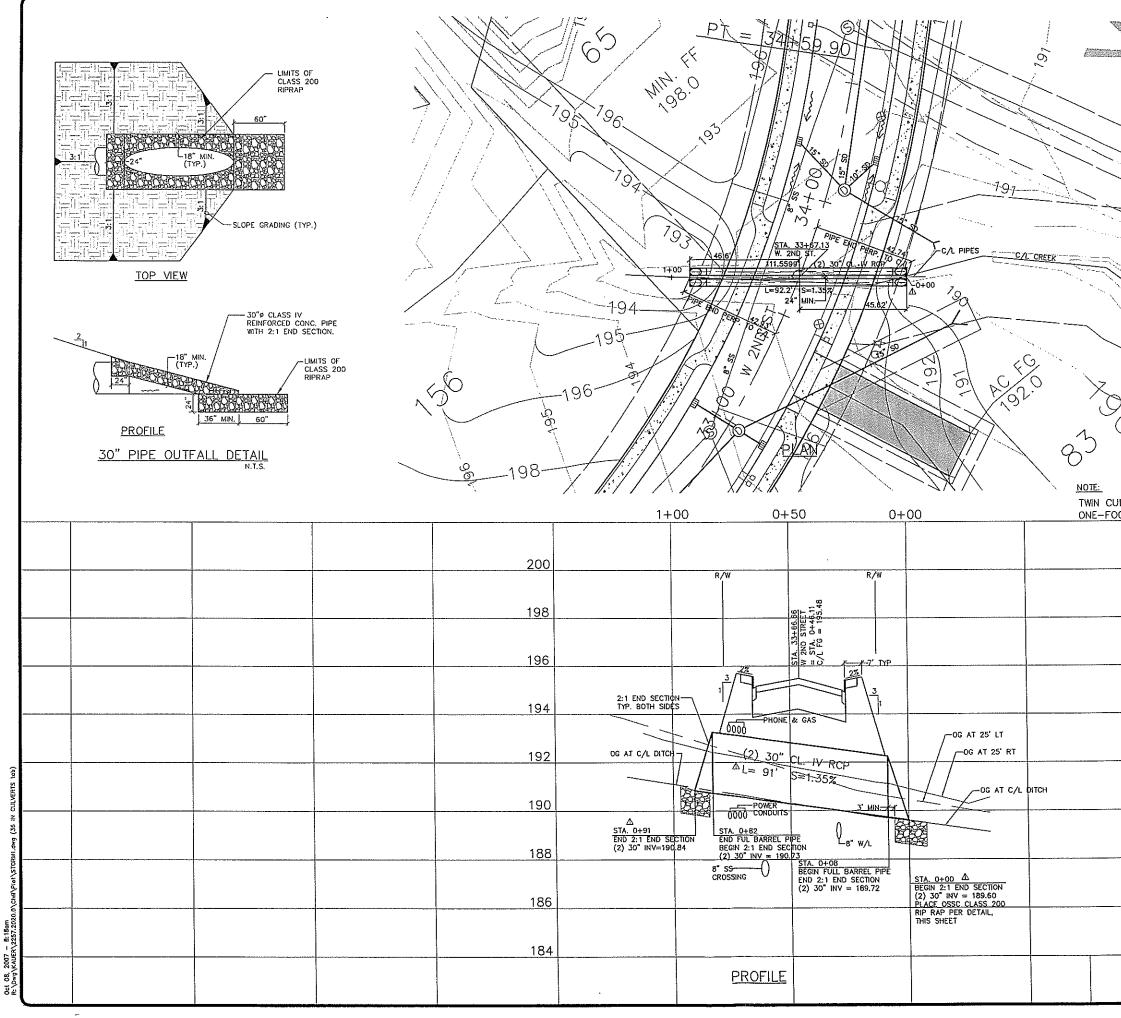






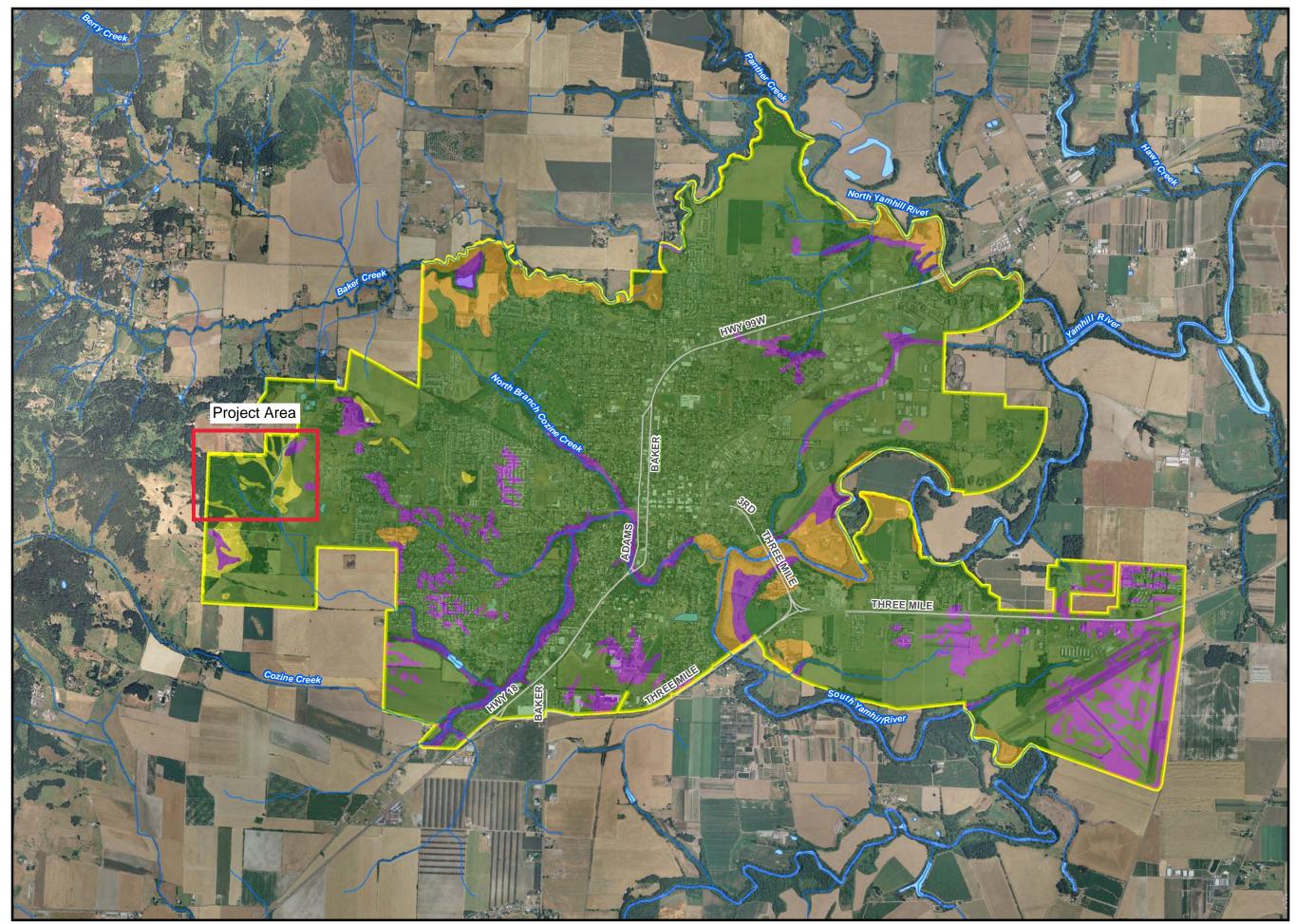




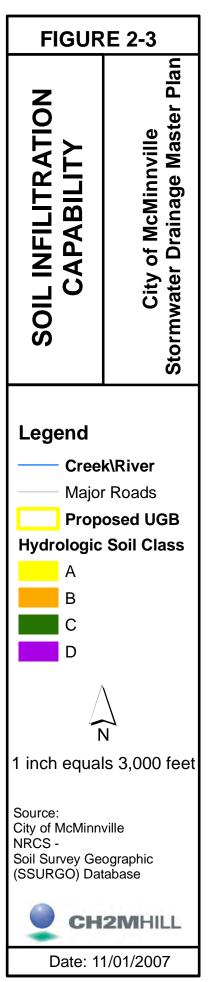


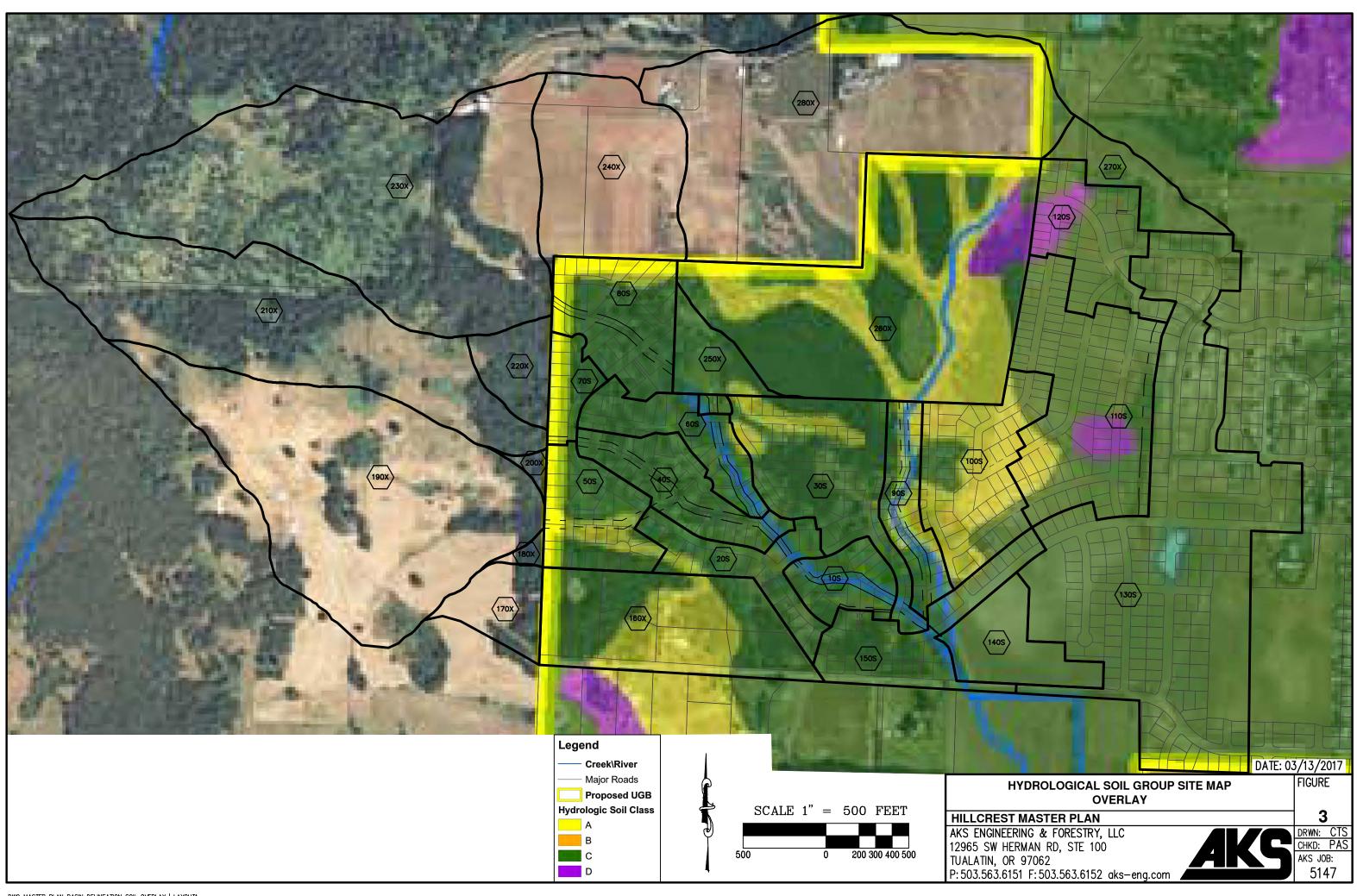
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## MCMINNVILLE STORM DRAINAGE MASETER PLAN HYDROLOGICAL SOIL GROUP MAP **APPENDIX C**



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DWG: MASTER PLAN BASIN DELINEATION SOIL OVERLAY | LAYOUT1

# APPENDIX D TR55 RUNOFF CURVE NUMBERS

### TR55 RUNOFF CURVE NUMBERS

### **Chapter 2**

**Estimating Runoff** 

Technical Release 55 Urban Hydrology for Small Watersheds

### **Table 2-2a**Runoff curve numbers for urban areas 1/2

Cover description					umbers for soil group	
*	Average p	ercent				
Cover type and hydrologic condition	impervious		Α	В	С	D
Fully developed urban areas (vegetation established)						
Open space (lawns, parks, golf courses, cemeteries, etc.) الإ	:					
Poor condition (grass cover $< 50\%$ )			68	79	86	89
Fair condition (grass cover 50% to 75%)			49	69	79	84
Good condition (grass cover > 75%)			39	61	74	80
Impervious areas:	•••••		00	01	11	00
Paved parking lots, roofs, driveways, etc.						
(excluding right-of-way)			98	98	98	98
Streets and roads:			30	30	30	90
Paved; curbs and storm sewers (excluding						
right-of-way)			98	98	98	98
			98 83	98 89	98 92	98 93
Paved; open ditches (including right-of-way)			85 76			95 91
Gravel (including right-of-way)			76 72	85 82	89 87	91 89
Dirt (including right-of-way)	•••••		12	82	81	89
Western desert urban areas:			63	77	05	88
Natural desert landscaping (pervious areas only) 4/	•••••		03	11	85	66
Artificial desert landscaping (impervious weed barrier,						
desert shrub with 1- to 2-inch sand or gravel mulch			0.0	0.0	0.0	0.0
and basin borders)			96	96	96	96
Urban districts:	0		00	00	0.1	05
Commercial and business			89	92	94	95
Industrial			81	88	91	93
Residential districts by average lot size:						
1/8 acre or less (town houses)			77	85	90	92
1/4 acre			61	75	83	87
1/3 acre			57	72	81	86
1/2 acre			54	70	80	85
1 acre			51	68	79	84
2 acres		2	46	65	77	82
Developing urban areas						
Newly graded areas						
(pervious areas only, no vegetation) <sup>5/</sup>			77	86	91	94
Idle lands (CN's are determined using cover types						
similar to those in table $2-2c$ ).						

<sup>1</sup> Average runoff condition, and  $I_a = 0.2S$ .

<sup>2</sup> The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.

<sup>3</sup> CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space

cover type.

<sup>4</sup> Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.

<sup>5</sup> Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

### **Table 2-2b**Runoff curve numbers for cultivated agricultural lands 1/2

	Cover description			Curve num hydrologic s		
	cover description	Hydrologic		nyurologic s	on group	
Cover type	Treatment <sup>2/</sup>	condition $\frac{3}{2}$	А	В	С	D
Fallow	Bare soil		77	86	91	94
1 ullow	Crop residue cover (CR)	Poor	76	85	90	93
	crop restate cover (ch)	Good	74	83	88	90
Row crops	Straight row (SR)	Poor	72	81	88	91
	0 ( )	Good	67	78	85	89
	SR + CR	Poor	71	80	87	90
		Good	64	75	82	85
	Contoured (C)	Poor	70	79	84	88
		Good	65	75	82	86
	C + CR	Poor	69	78	83	87
		Good	64	74	81	85
	Contoured & terraced (C&T)	Poor	66	74	80	82
		Good	62	71	78	81
	C&T+ CR	Poor	65	73	79	81
		Good	61	70	77	80
Small grain	SR	Poor	65	76	84	88
-		Good	63	75	83	87
	SR + CR	Poor	64	75	83	86
		Good	60	72	80	84
	С	Poor	63	74	82	85
		Good	61	73	81	84
	C + CR	Poor	62	73	81	84
		Good	60	72	80	83
	C&T	Poor	61	72	79	82
		Good	59	70	78	81
	C&T+ CR	Poor	60	71	78	81
		Good	58	69	77	80
Close-seeded	SR	Poor	66	77	85	89
or broadcast		Good	58	72	81	85
legumes or	С	Poor	64	75	83	85
rotation		Good	55	69	78	83
meadow	C&T	Poor	63	73	80	83
		Good	51	67	76	80

 $^{\rm 1}$  Average runoff condition, and  $\rm I_a{=}0.2S$ 

 $^2$  Crop residue cover applies only if residue is on at least 5% of the surface throughout the year.

<sup>3</sup> Hydraulic condition is based on combination factors that affect infiltration and runoff, including (a) density and canopy of vegetative areas, (b) amount of year-round cover, (c) amount of grass or close-seeded legumes, (d) percent of residue cover on the land surface (good  $\geq$  20%), and (e) degree of surface roughness.

Poor: Factors impair infiltration and tend to increase runoff.

Good: Factors encourage average and better than average infiltration and tend to decrease runoff.

### **Table 2-2c**Runoff curve numbers for other agricultural lands 1/

Cover description		Curve numbers for hydrologic soil group			
Cover type	Hydrologic condition	А	В	C	D
Pasture, grassland, or range—continuous forage for grazing. ⊉	Poor Fair Good	68 49 39	79 69 61	86 79 74	89 84 80
Meadow—continuous grass, protected from grazing and generally mowed for hay.	_	30	58	71	78
Brush—brush-weed-grass mixture with brush the major element. ${}^{3\!/}$	Poor Fair Good	48 35 30 ⊈∕	$67 \\ 56 \\ 48$	77 70 65	83 77 73
Woods—grass combination (orchard or tree farm). 5/	Poor Fair Good	57 43 32	73 65 58	82 76 72	86 82 79
Woods. 6/	Poor Fair Good	45 36 30_⊈∕	66 60 55	77 73 70	83 79 77
Farmsteads—buildings, lanes, driveways, and surrounding lots.	_	59	74	82	86

<sup>1</sup> Average runoff condition, and  $I_a = 0.2S$ .

*Poor:* <50%) ground cover or heavily grazed with no mulch.</li>
 *Fair:* 50 to 75% ground cover and not heavily grazed.

*Good:* > 75% ground cover and lightly or only occasionally grazed.

*Poor*: <50% ground cover.

3

Fair: 50 to 75% ground cover.

Good: >75% ground cover.

 $^4$  Actual curve number is less than 30; use CN = 30 for runoff computations.

<sup>5</sup> CN's shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CN's for woods and pasture.

<sup>6</sup> *Poor:* Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning.
 *Fair:* Woods are grazed but not burned, and some forest litter covers the soil.
 *Good:* Woods are protected from grazing, and litter and brush adequately cover the soil.

### **Table 2-2d**Runoff curve numbers for arid and semiarid rangelands 1/2

Cover description			mbers for c soil group		
Cover type	Hydrologic condition <sup>2/</sup>	A 3⁄	В	С	D
Herbaceous-mixture of grass, weeds, and	Poor		80	87	93
low-growing brush, with brush the	Fair		71	81	89
minor element.	Good		62	74	85
Oak-aspen—mountain brush mixture of oak brush,	Poor		66	74	79
aspen, mountain mahogany, bitter brush, maple,	Fair		48	57	63
and other brush.	Good		30	41	48
Pinyon-juniper—pinyon, juniper, or both;	Poor		75	85	89
grass understory.	Fair		58	73	80
	Good		41	61	71
Sagebrush with grass understory.	Poor		67	80	85
	Fair		51	63	70
	Good		35	47	55
Desert shrub—major plants include saltbush,	Poor	63	77	85	88
greasewood, creosotebush, blackbrush, bursage,	Fair	55	72	81	86
palo verde, mesquite, and cactus.	Good	49	68	79	84

 $^1$   $\,$  Average runoff condition, and  $I_a,$  = 0.2S. For range in humid regions, use table 2-2c.

 $^2$   $\,$  Poor: <30% ground cover (litter, grass, and brush overstory).

Fair: 30 to 70% ground cover.

Good: > 70% ground cover.

<sup>3</sup> Curve numbers for group A have been developed only for desert shrub.



### **Exhibit F: Traffic Analysis Update Memo**



Lancaster Engineering prepared a detailed traffic impact study dated January, 2007 for the Hillcrest Subdivision in McMinnville, Oregon. Subsequent to approval of the 580-lot subdivision, changes have been proposed which would result in increased density, with a total development consisting of 579 single-family homes and 68 apartment units. This memorandum is written to provide information regarding the change in site trip generation as well as information regarding whether changes are required to the original mitigation recommendations contained in the January, 2007 analysis.

### Trip Generation

The January, 2007 traffic impact study provided trip generation projections for three analysis scenarios. These included the maximum development permitted under the prior R1 Residential zoning (679 homes), the maximum development permitted under the current R2 Residential zoning (873 homes), and the thenproposed actual development scenario (580 homes). These analysis scenarios resulted in 601 trips, 754 trips and 522 trips, respectively during the critical evening peak hour.

If the proposed development plan is modified as proposed to include 579 single-family homes and 68 apartment units, the resulting trip generation during the critical evening peak hour would be 552 trips, which is an increase of 30 trips as compared to the original development scenario analysis and fewer site trips than would have been permitted under the prior R1 Residential zoning. Detailed trip generation worksheets showing the projected site trips for the single-family home and apartment land uses are included in the attached technical appendix.

### Mitigation Analysis

Under the January, 2007 traffic impact study, an operational and safety analysis was prepared for the intersections of NW Hill Road at NW Horizon Drive, NW Hill Road at NW 2<sup>nd</sup> Street, and SW Hill Road at SW Redmond Hill Road. The analysis prepared for each of these intersections was revisited to determine whether the projected small increase in traffic would have resulted in the need for any additional mitigation.



### NW Hill Road at NW Horizon Drive

For the intersection of NW Hill Road at NW Horizon Drive, the operational analysis showed that the intersection was projected to operate acceptably without the need for mitigation through year 2026 even with maximum development under the R2 Residential zoning. Since the number of site trips generated under this scenario is far in excess of the number of trips generated under the currently-proposed development scenario, it can be concluded that no mitigation will be needed to support added traffic at this intersection.

### NW Hill Road at NW 2<sup>nd</sup> Street

For the intersection of NW Hill Road at NW 2<sup>nd</sup> Street, it was projected that the intersection would operate with volumes exceeding intersection capacity during the evening peak hour. It was recommended that the intersection be converted to all-way stop control in order to improve operation. With the conversion to all-way stop control the intersection was projected to operate acceptably through 2026 even with the addition of the maximum development levels permissible under the R-2 Residential zoning. Based on the prior analysis, it can be concluded that the recommended conversion to all-way stop control remains appropriate, and that the added trips from the currently-proposed development will not result in the need for any additional mitigation at this intersection. It should be noted that the conversion to all-way stop control has already been implemented at this intersection.

### SW Hill Road at SW Redmond Hill Road

For the intersection of SW Hill Road at SW Redmond Hill Road, the operational analysis again showed that the intersection was projected to operate acceptably without the need for mitigation through year 2026 even with maximum development under the R2 Residential zoning. Since the number of site trips generated under this scenario is far in excess of the number of trips generated under the currently-proposed development scenario, it can be concluded that no additional mitigation will be needed to support added traffic at this intersection.

### Turn Lane Warrant Analysis

In addition to the operational analysis of the three study intersections, a safety-based turn-lane warrant analysis was conducted for the study intersections. Based on the analysis, installation of a northbound left-turn lane on NW Hill Road at NW Horizon Drive was projected to be warranted upon development of the 290<sup>th</sup> home within the proposed subdivision. Similarly, northbound and southbound left-turn lanes were projected to be warranted on NW Hill Road at NW 2<sup>nd</sup> Street once site development reached 290 or more homes.

For the intersection of SW Hill Road at SW Redmond Hill Road it was determined that left-turn lane warrants would not be met under the maximum development scenario for the prior R1 Residential zoning (679 homes), but that installation of a left-turn lane would be warranted with maximum development under



the current R2 Residential zoning (873 homes). Since the revised development scenario results in fewer trips than the levels allowed under the prior R1 Residential zoning, it can be concluded that installation of a left-turn lane will not be needed upon completion of the revised development plan.

Since completion of the January, 2007 traffic impact study, the intersection of NW Hill Road at NW 2<sup>nd</sup> Street has been converted to all-way stop control. This change to the traffic control means that the left-turn lane warrant analysis previously prepared for this intersection is no longer applicable. Warrants for left-turn lanes are based on the idea that vehicles stopping within an otherwise free-flowing travel lane can create an unexpected hazard to through traffic and can increase the risk of rear-end collisions, as well as turningmovement collisions that can occur when a stopped vehicle is rear-ended and pushed into the path of oncoming traffic. However, since all vehicles must now stop on all intersection approaches, the turn-lane warrants can no longer be appropriately applied to the intersection. Accordingly, recommendations regarding installation of any new approach lanes at the intersection of NW Hill Road at NW 2<sup>nd</sup> Street would be based solely on capacity and delay concerns, rather than turn-lane warrants.

Based on the updated operational analysis for the intersection, it is projected that the intersection will operate acceptably during the morning peak hours with the existing lane configuration, but will operate at level of service "F" during the evening peak hours. If the previously-recommended northbound and southbound left-turn lanes are provided, the intersection would be projected to operate at level of service C and with all movements within capacity. Based on this analysis, the prior recommendation for installation of northbound and southbound left turn lanes at NW 2<sup>nd</sup> Street remains valid under the proposed development plan.

### Conclusions

Based on the detailed investigation of the revised development plan, the following improvement recommendations remain valid:

- A northbound left-turn lane should be provided on NW Hill Road at NW Horizon Drive once site development reaches a total of 290 homes.
- Northbound and southbound left-turn lanes should be provided on NW Hill Road at NW 2<sup>nd</sup> Street once site development reaches a total of 290 homes.

No other operational or safety mitigations are necessary or recommended in conjunction with the modified development proposal.

APPENDIX

### TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing Land Use Code: 210 Variable: Dwelling Units Variable Value: 579

### **AM PEAK HOUR**

### **PM PEAK HOUR**

Trip Equation: Ln(T)=0.90Ln(X)+0.51

*Trip Equation:* T = 0.70(X) + 9.74

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	104	311	415

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	321	189	510

### WEEKDAY

*Trip Equation:* Ln(T)=0.92Ln(X)+2.72

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	2,642	2,642	5,284

SATURDAY

Trip Equation: Ln(T)=0.93Ln(X)+2.64

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	2,599	2,599	5,198

Source: TRIP GENERATION, Ninth Edition

4

### TRIP GENERATION CALCULATIONS

Land Use: Apartment Land Use Code: 220 Variable: Dwelling Units Variable Value: 68

### **AM PEAK HOUR**

### Trip Rate: 0.51

	Enter	Exit	Total
Directional Distribution	20%	80%	
Trip Ends	7	28	35

### **PM PEAK HOUR**

### Trip Rate: 0.62

	Enter	Exit	Total
Directional Distribution	65%	35%	
Trip Ends	27	15	42

### WEEKDAY

Trip Rate: 6.65

SATURDAY
----------

Trip Rate: 6.39

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	226	226	452

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	217	217	434

Source: TRIP GENERATION, Ninth Edition

### HCM Unsignalized Intersection Capacity Analysis 1: NW Hill Road & NW 2nd Street

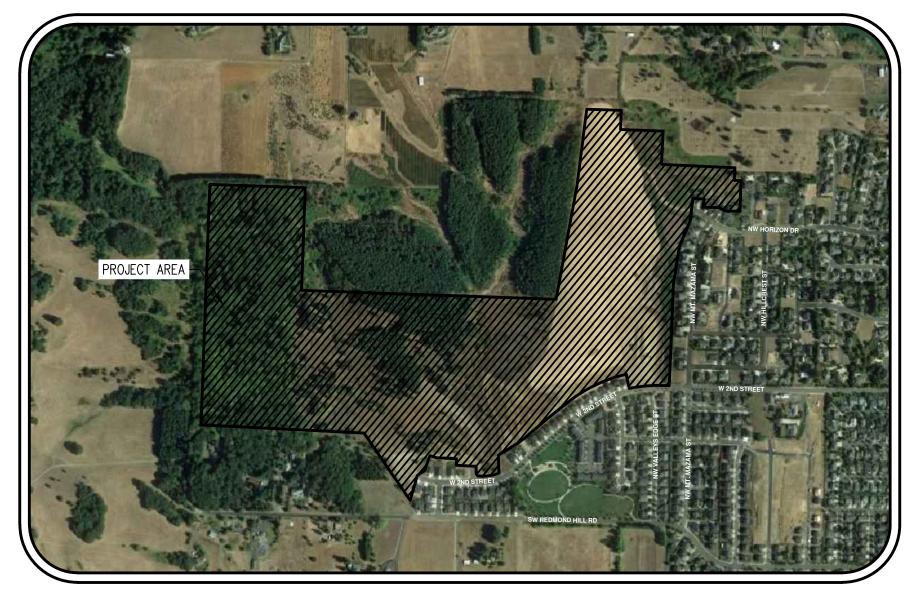
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Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		<del>ب</del>	1		\$			\$			\$	
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	51	177	46	41	71	67	28	182	122	149	132	29
Future Volume (vph)	51	177	46	41	71	67	28	182	122	149	132	29
Peak Hour Factor	0.78	0.78	0.78	0.78	0.78	0.78	0.78	0.78	0.78	0.78	0.78	0.78
Hourly flow rate (vph)	65	227	59	53	91	86	36	233	156	191	169	37
Direction, Lane #	EB 1	EB 2	WB 1	NB 1	SB 1							
Volume Total (vph)	292	59	230	425	397							
Volume Left (vph)	65	0	53	36	191							
Volume Right (vph)	0	59	86	156	37							
Hadj (s)	0.08	-0.57	-0.13	-0.08	0.13							
Departure Headway (s)	7.8	3.2	7.9	7.1	7.4							
Degree Utilization, x	0.64	0.05	0.51	0.84	0.82							
Capacity (veh/h)	412	1121	399	485	468							
Control Delay (s)	23.6	6.4	18.7	37.6	35.4							
Approach Delay (s)	20.7		18.7	37.6	35.4							
Approach LOS	С		С	E	E							
Intersection Summary												
Delay			29.6									
Level of Service			D									
Intersection Capacity Utiliza	ition		76.2%	IC	U Level o	of Service			D			
Analysis Period (min)			15									

	۶	-	$\mathbf{i}$	4	+	•	1	1	1	1	ţ	~
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		ę	1		\$			\$			\$	
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	34	106	31	88	184	174	61	164	76	114	211	63
Future Volume (vph)	34	106	31	88	184	174	61	164	76	114	211	63
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	37	115	34	96	200	189	66	178	83	124	229	68
Direction, Lane #	EB 1	EB 2	WB 1	NB 1	SB 1							
Volume Total (vph)	152	34	485	327	421							
Volume Left (vph)	37	0	96	66	124							
Volume Right (vph)	0	34	189	83	68							
Hadj (s)	0.08	-0.57	-0.16	-0.04	0.03							
Departure Headway (s)	8.6	3.2	7.1	7.7	7.5							
Degree Utilization, x	0.36	0.03	0.96	0.70	0.87							
Capacity (veh/h)	378	1121	500	452	468							
Control Delay (s)	16.5	6.3	57.3	26.7	43.2							
Approach Delay (s)	14.6		57.3	26.7	43.2							
Approach LOS	В		F	D	E							
Intersection Summary												
Delay			40.5									
Level of Service			E									
Intersection Capacity Utilizat	ion		76.7%	IC	U Level o	of Service			D			
Analysis Period (min)			15									

### HCM Unsignalized Intersection Capacity Analysis 1: NW Hill Road & NW 2nd Street

	≯	+	$\mathbf{F}$	4	+	*	•	1	1	1	ţ	~
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		<del>ب</del>	1		÷		ľ	¢Î		ľ	el el	
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	34	106	31	88	184	174	61	164	76	114	211	63
Future Volume (vph)	34	106	31	88	184	174	61	164	76	114	211	63
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	37	115	34	96	200	189	66	178	83	124	229	68
Direction, Lane #	EB 1	EB 2	WB 1	NB 1	NB 2	SB 1	SB 2					
Volume Total (vph)	152	34	485	66	261	124	297					
Volume Left (vph)	37	0	96	66	0	124	0					
Volume Right (vph)	0	34	189	0	83	0	68					
Hadj (s)	0.08	-0.57	-0.16	0.57	-0.15	0.57	-0.09					
Departure Headway (s)	7.8	3.2	6.5	8.4	7.6	8.2	7.5					
Degree Utilization, x	0.33	0.03	0.88	0.15	0.55	0.28	0.62					
Capacity (veh/h)	429	1121	535	402	438	416	452					
Control Delay (s)	14.6	6.3	40.1	11.7	18.5	13.2	20.8					
Approach Delay (s)	13.0		40.1	17.1		18.6						
Approach LOS	В		E	С		С						
Intersection Summary												
Delay			24.9									
Level of Service			С									
Intersection Capacity Utiliza	tion		65.5%	IC	CU Level o	of Service			С			
Analysis Period (min)			15									

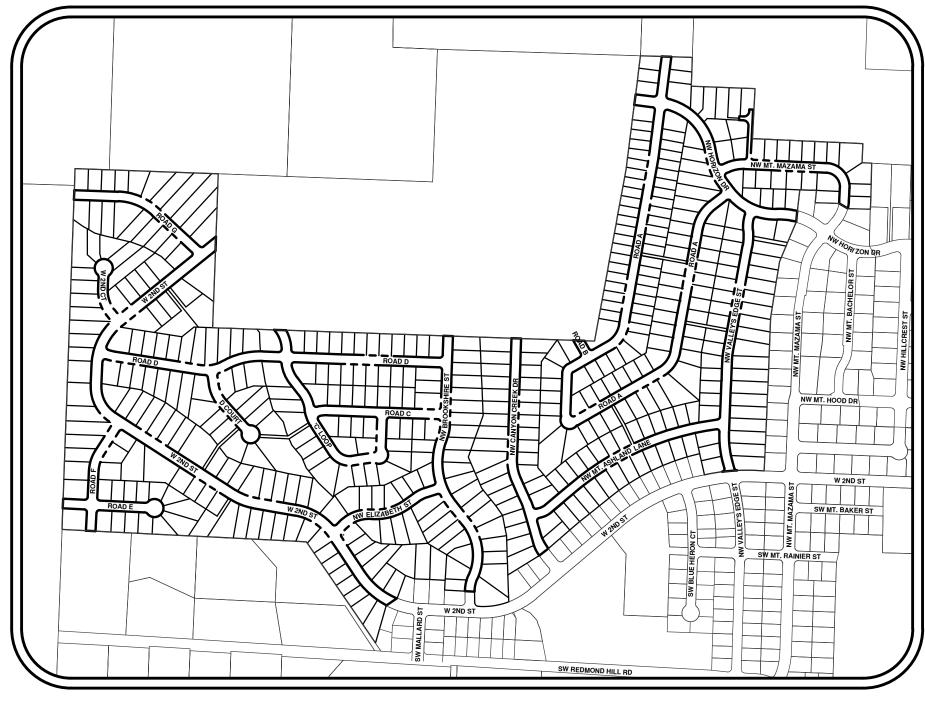
### HILLCREST PLANNED DEVELOPMENT



### VICINITY MAP 1' = 750'

		LE	GEND		
	<u>EXISTING</u>	PROPOSED		<b>EXISTING</b>	PROPOSE
DECIDUOUS TREE	$\odot$	$\odot$	STORM SEWER CLEAN OUT	0	•
	M	M	STORM SEWER CATCH BASIN		
CONIFEROUS TREE	75		STORM SEWER AREA DRAIN		
FIRE HYDRANT	Q	<b>A</b>	STORM SEWER MANHOLE	0	
WATER BLOWOFF	Ŷ	Ť	GAS METER	Ø	
WATER METER			GAS VALVE	D	
WATER VALVE	$\bowtie$	M	GUY WIRE ANCHOR	<u>(</u>	<u>(</u>
DOUBLE CHECK VALVE	$\boxtimes$		POWER POLE	-0-	-
AIR RELEASE VALVE	රූ	P	POWER VAULT	P	Ρ
SANITARY SEWER CLEAN O	UT O	•	POWER JUNCTION BOX	$\triangle$	$\bigtriangleup$
SANITARY SEWER MANHOLE	0	$\bullet$	POWER PEDESTAL		
SIGN	<del>- 0 -</del>		COMMUNICATIONS VAULT	C	С
STREET LIGHT	¢	¢	COMMUNICATIONS JUNCTION BOX	$\triangle$	
MAILBOX	MB	[MB]	COMMUNICATIONS RISER	$\bigcirc$	•
		EXISTING		PROPOSED	
RIGHT-OF-WAY LINE			<b></b> _		·
BOUNDARY LINE					
PROPERTY LINE					
CENTERLINE					
DITCH		>	> _ <b>&gt;</b> _	>	->
CURB					
EDGE OF PAVEMENT					
EASEMENT					
FENCE LINE		<del>0 0 0</del>			
GRAVEL EDGE					
POWER LINE		— — PWR — — –	— — PWR — <b>PWR</b> —		PWR
OVERHEAD WIRE		OHW	OHW —		онw ———
COMMUNICATIONS LINE		— — сом — –	— сом — сом — сом –		сом ————
FIBER OPTIC LINE		— — CFO — –	— — cfo — — — —	— CFO — — —	— — CFO —
GAS LINE		— — GAS — — –	— GAS — GAS — GAS —	GAS	— GAS ————
STORM SEWER LINE		— — stm — — —	— — stm — <b>stm</b> —		STM
SANITARY SEWER LINE		— — SAN — — –	— — SAN — <b>— SAN</b> —		5AN
WATER LINE					

### **MASTER PLAN UPDATE**



SITE MAP 1"=500'

### SHEET INDEX

P-00 COVER SHEET WITH SITE AND VICINITY MAPS P-01 MASTER PLAN LAYOUT WITH AERIAL P-02 STREET PLAN WITH ROAD GRADE P-03 MASTER PLAN OVERLAY

### PRELIMINARY SUBDIVISION PLAT

SU-00 PRELIMINARY SUBDIVISION PLAT OVERVIEW SU-01 PRELIMINARY SUBDIVISION PLAT SU-02 PRELIMINARY SUBDIVISION PLAT SU-03 PRELIMINARY SUBDIVISION PLAT

### PRELIMINARY GRADING PLAN

GR-00 PRELIMINARY GRADING OVERVIEW GR-01 PRELIMINARY GRADING PLAN GR-02 PRELIMINARY GRADING PLAN GR-03 PRELIMINARY GRADING PLAN

### PRELIMINARY STREET PLAN

ST-00 PRELIMINARY STREET PLAN OVERVIEW ST-01 PRELIMINARY STREET PLAN ST-02 PRELIMINARY STREET PLAN ST-03 PRELIMINARY STREET PLAN

### PRELIMINARY STREET PROFILES

SP-00	PRELIMINARY	STREET	PROFILES
SP-01	PRELIMINARY	STREET	PROFILES
SP-02	PRELIMINARY	STREET	PROFILES
SP-03	PRELIMINARY	STREET	PROFILES
SP-04	PRELIMINARY	STREET	PROFILES
SP-05	PRELIMINARY	STREET	PROFILES



### **DEVELOPER/OWNER**

WEST HILLS PROPERTIES LLC CONTACT: HOWARD ASTER PO BOX 731 MCMINNVILLE, OR 97128 PHONE: 503-434-0425

### **ENGINEERING**/ SURVEYING/LANDSCAPE **ARCHITECTURE FIRM**

AKS ENGINEERING & FORESTRY, LLC CONTACT: PAUL SELLKE, PE, GE 12965 SW HERMAN ROAD, SUITE 100 TUALATIN, OR 97062 PH: 503-563-6151 FAX: 503-563-6152

### **GEOTECHNICAL ENGINEER**

GEOPACIFIC ENGINEERING, INC. CONTACT: JIM IMBRIE, PE, GE 14835 SW 72ND AVENUE TIGARD, OR 97224 PHONE: 503-598-8445

### **PROJECT LOCATION:**

LOCATED NORTH OF NW 2ND ST, WEST OF NW MT MAZAMA ST, SOUTH OF NW FOX RIDGE RD, IN McMINNVILLE, OREGON

### **PROPERTY DESCRIPTION:**

TAX LOT 801 (YAMHILL COUNTY TAX MAP R4524) LOCATED IN THE CENTER OF THE EAST 1/2 OF SECTION 45, CITY OF MCMINNVILLE, YAMHILL COUNTY, OREGON

### **EXISTING LAND USE:**

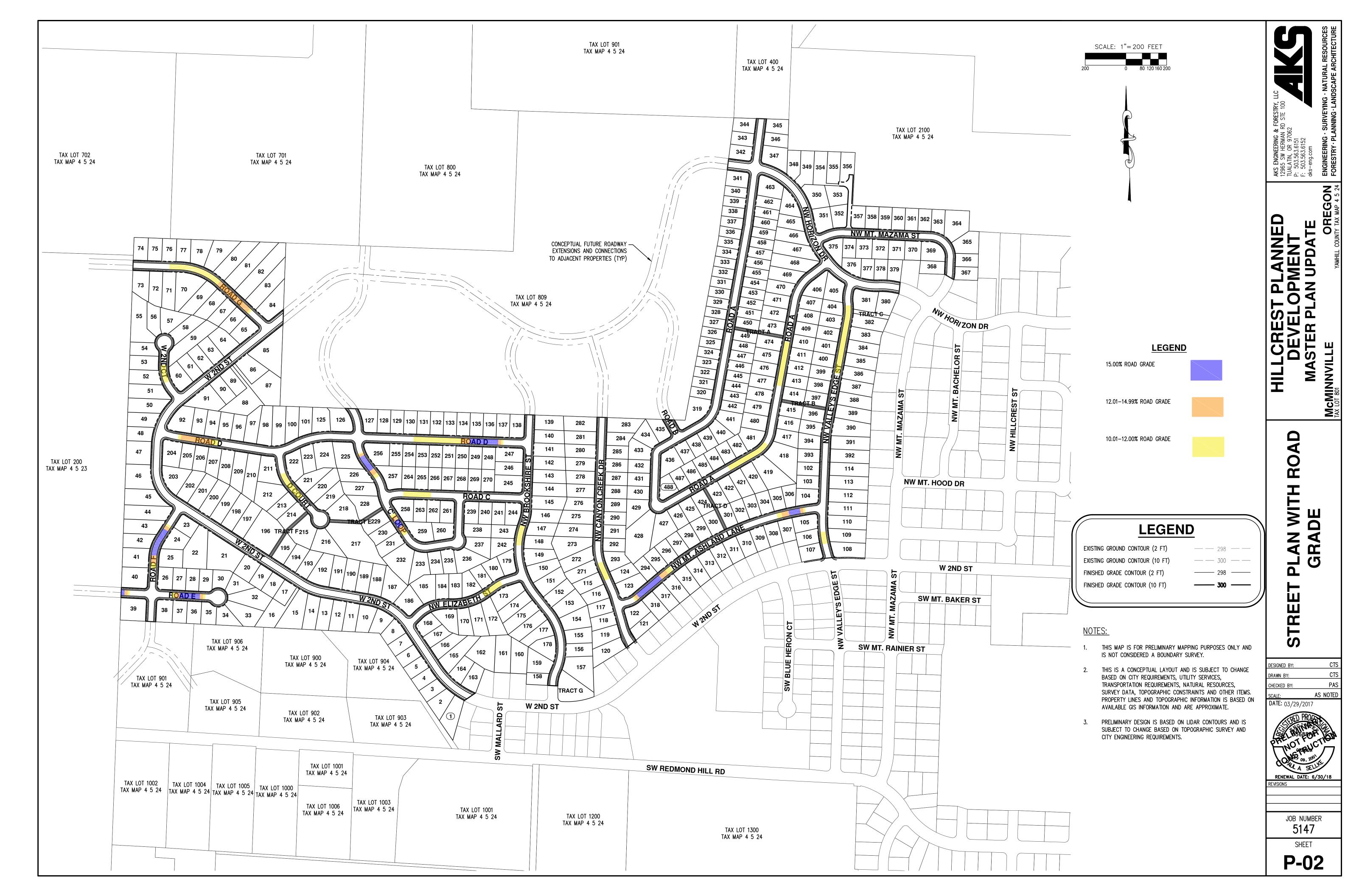
VACANT LAND

### **PROJECT PURPOSE:**

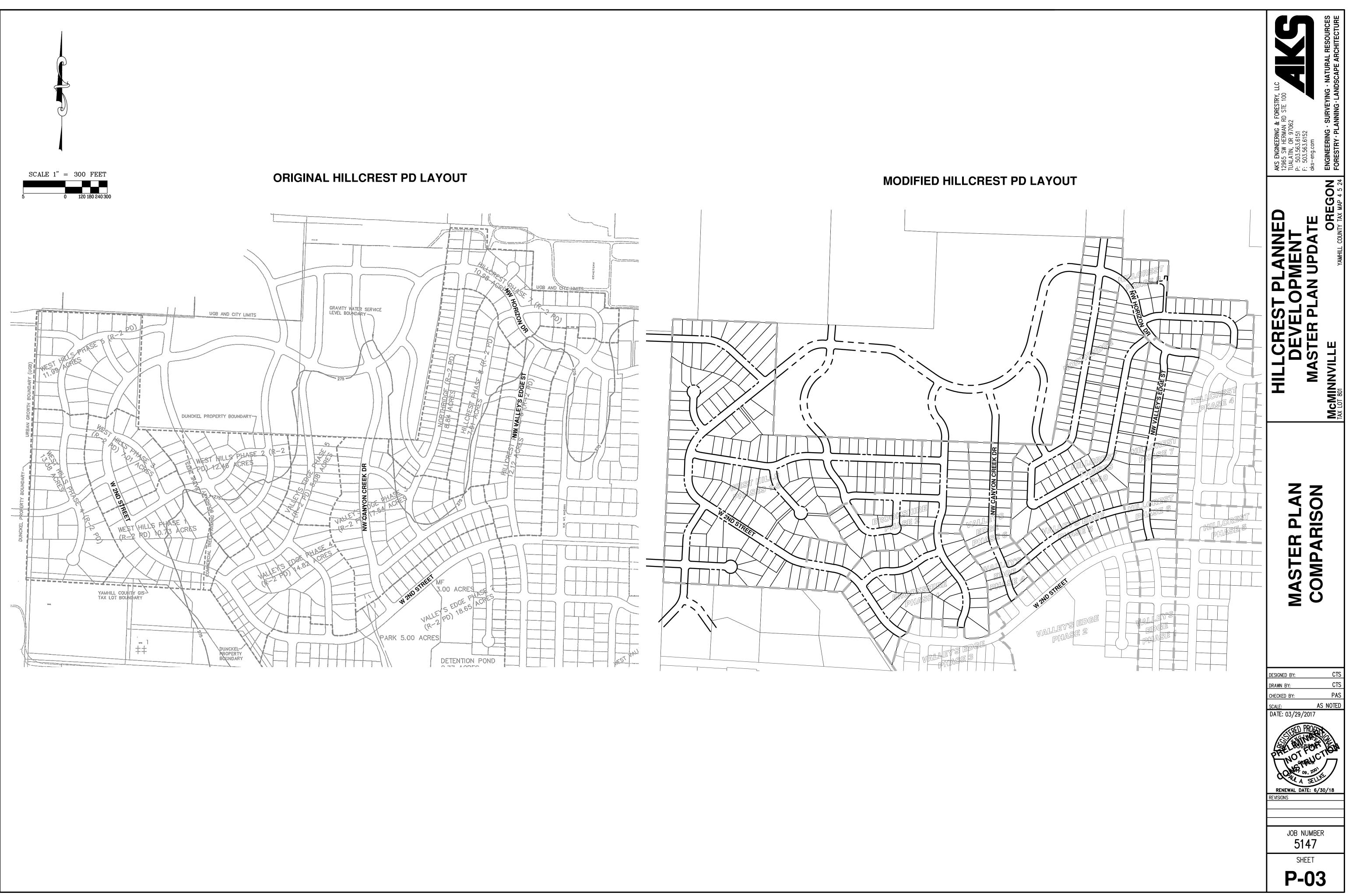
SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT SUBDIVISION

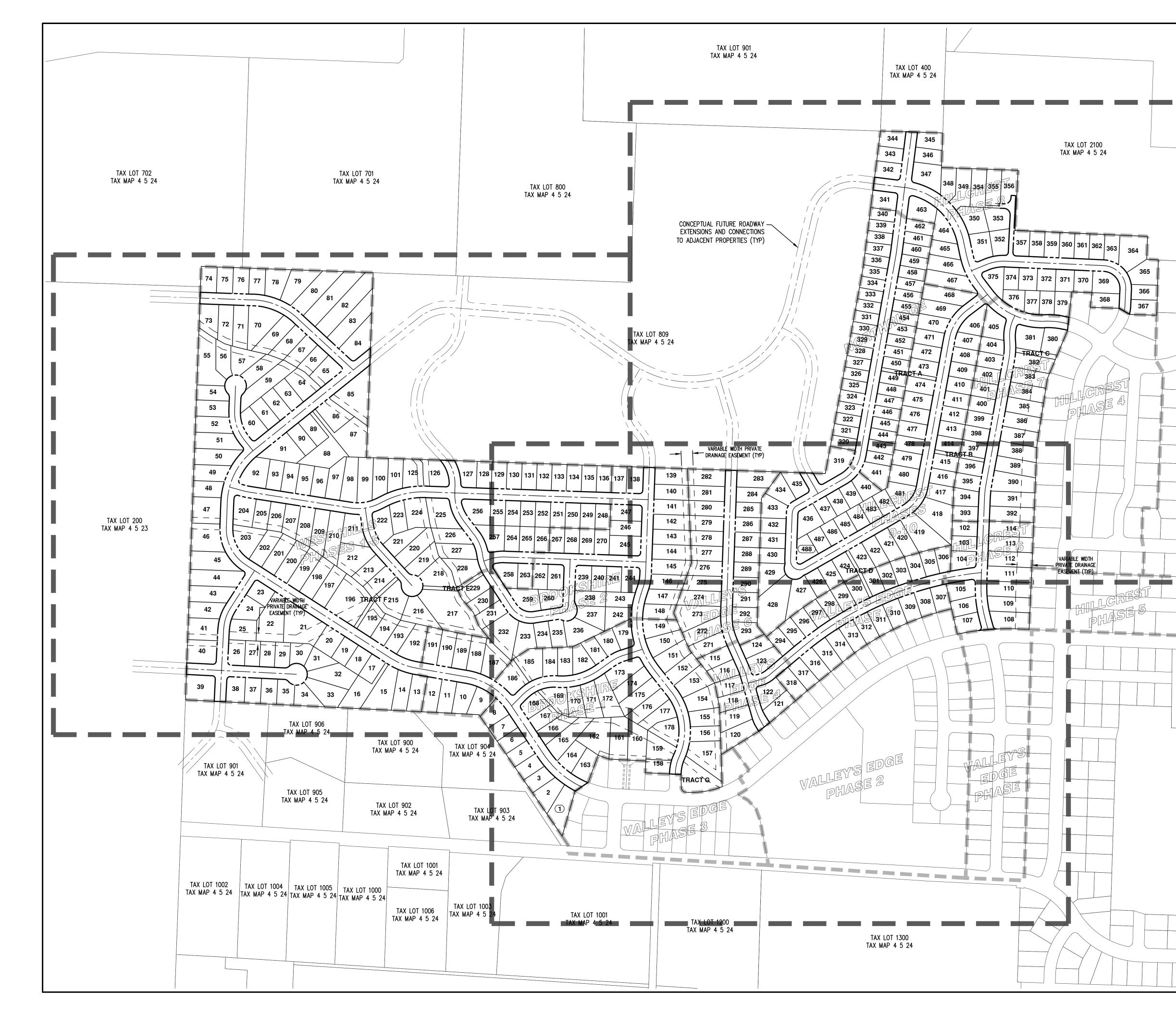
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 dks-eng.com	ENGINEERING · SURVEYING · NATURAL RESOURCES FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE
HILLCREST PLANNED DEVELOPMENT MASTER PLAN UPDATE	MCMINNVILLE TAX LOT 801 YAMHILL COUNTY TAX MAP 4 5 24
COVER SHEET WITH SITE AND VICINITY MAPS	
DESIGNED BY: DRAWN BY: CHECKED BY: SCALE: AS DATE: 03/29/2017 DATE: 03/29/2017 DATE: 03/29/2017 DATE: 03/29/2017 CHECKED BY: SCALE: AS DATE: 03/29/2017 CHECKED BY: SCALE: AS DATE: 03/29/2017 CHECKED BY: SCALE: AS SCALE: AS DATE: 03/29/2017 CHECKED BY: SCALE: AS SCALE: AS SCAL	

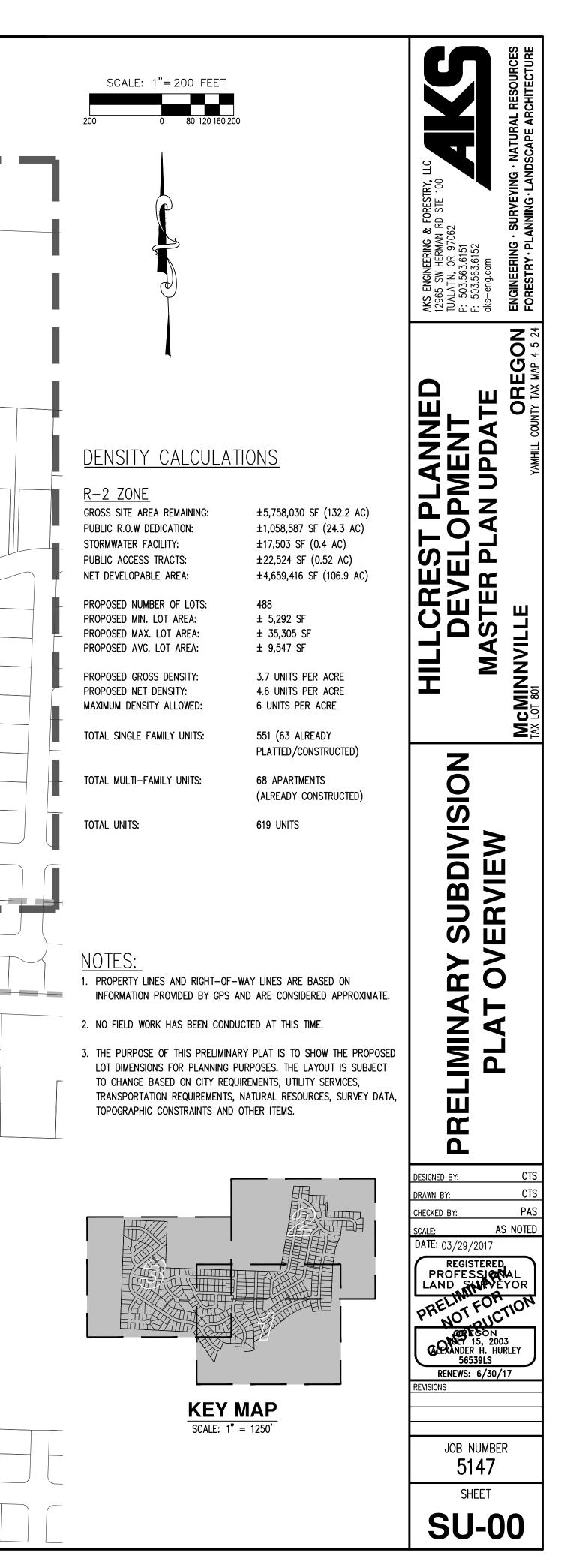


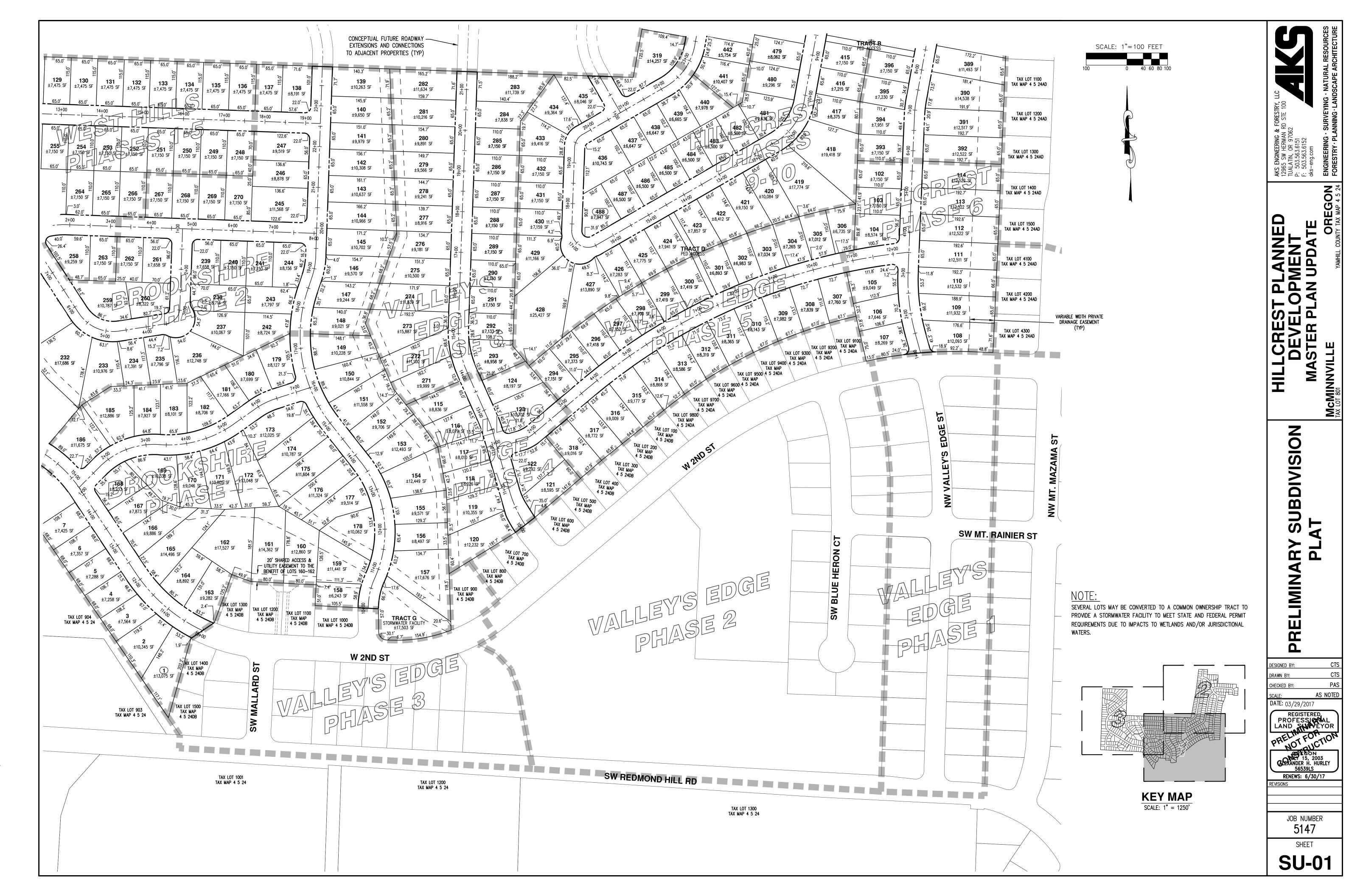


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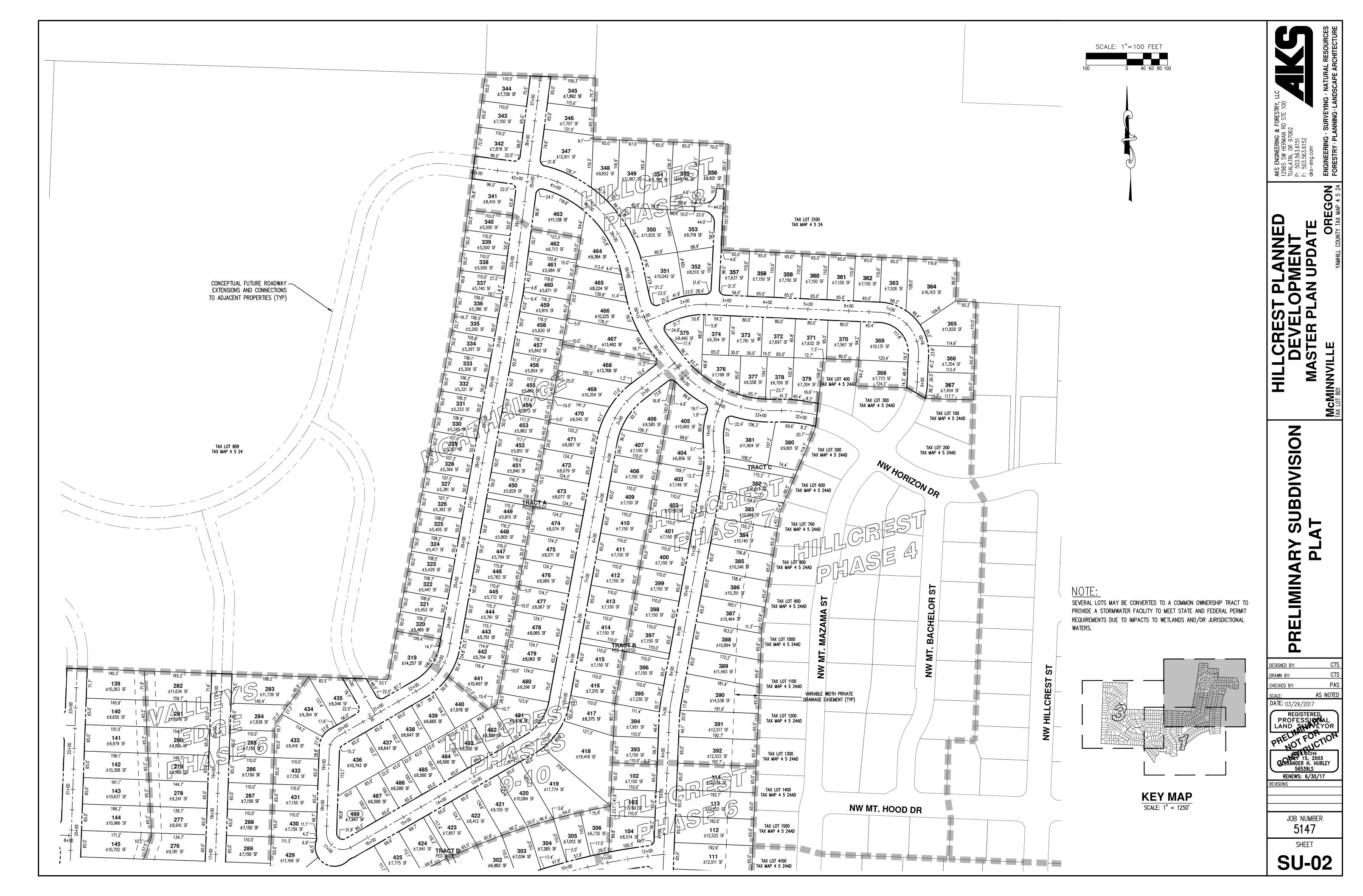




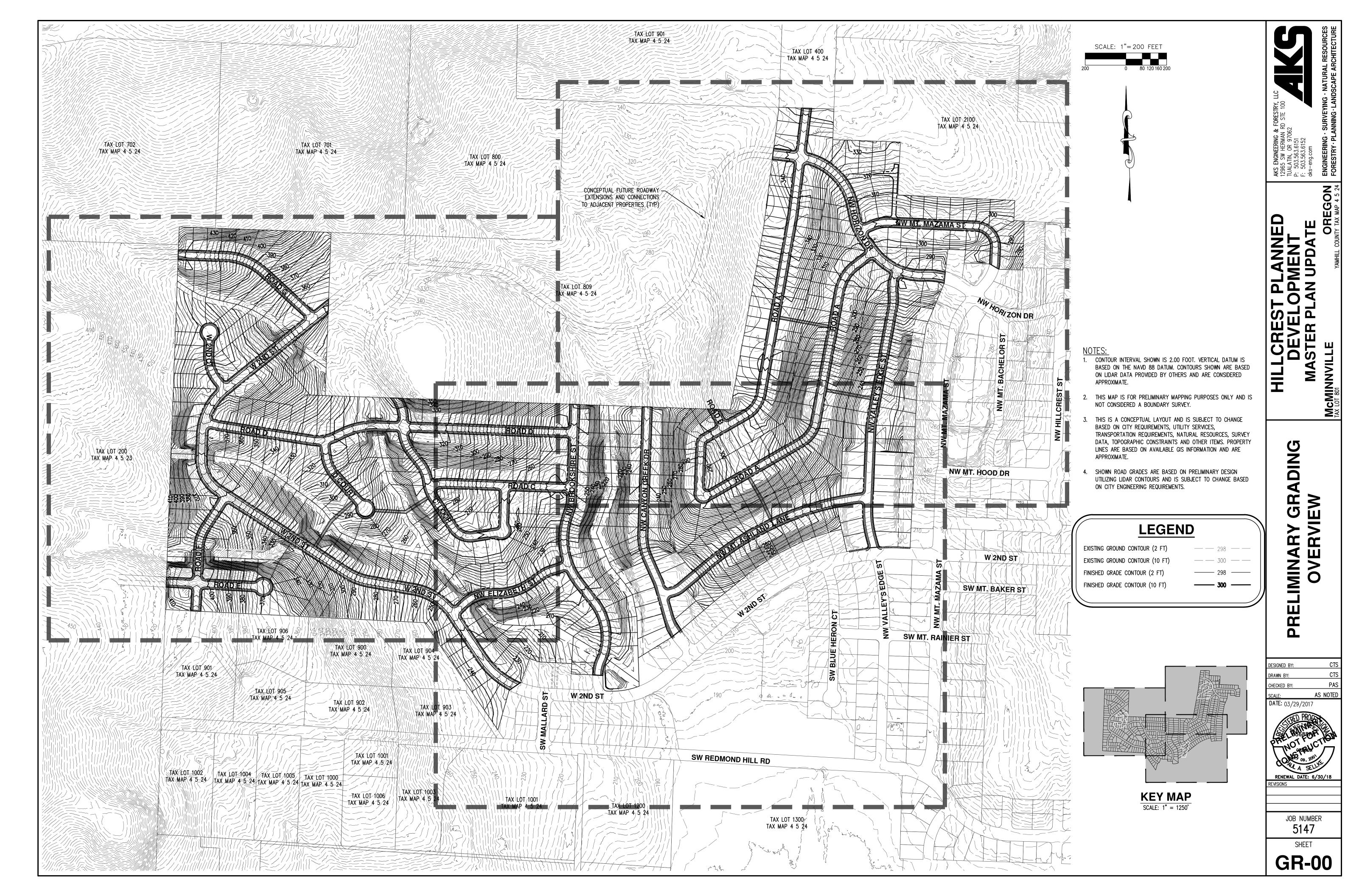


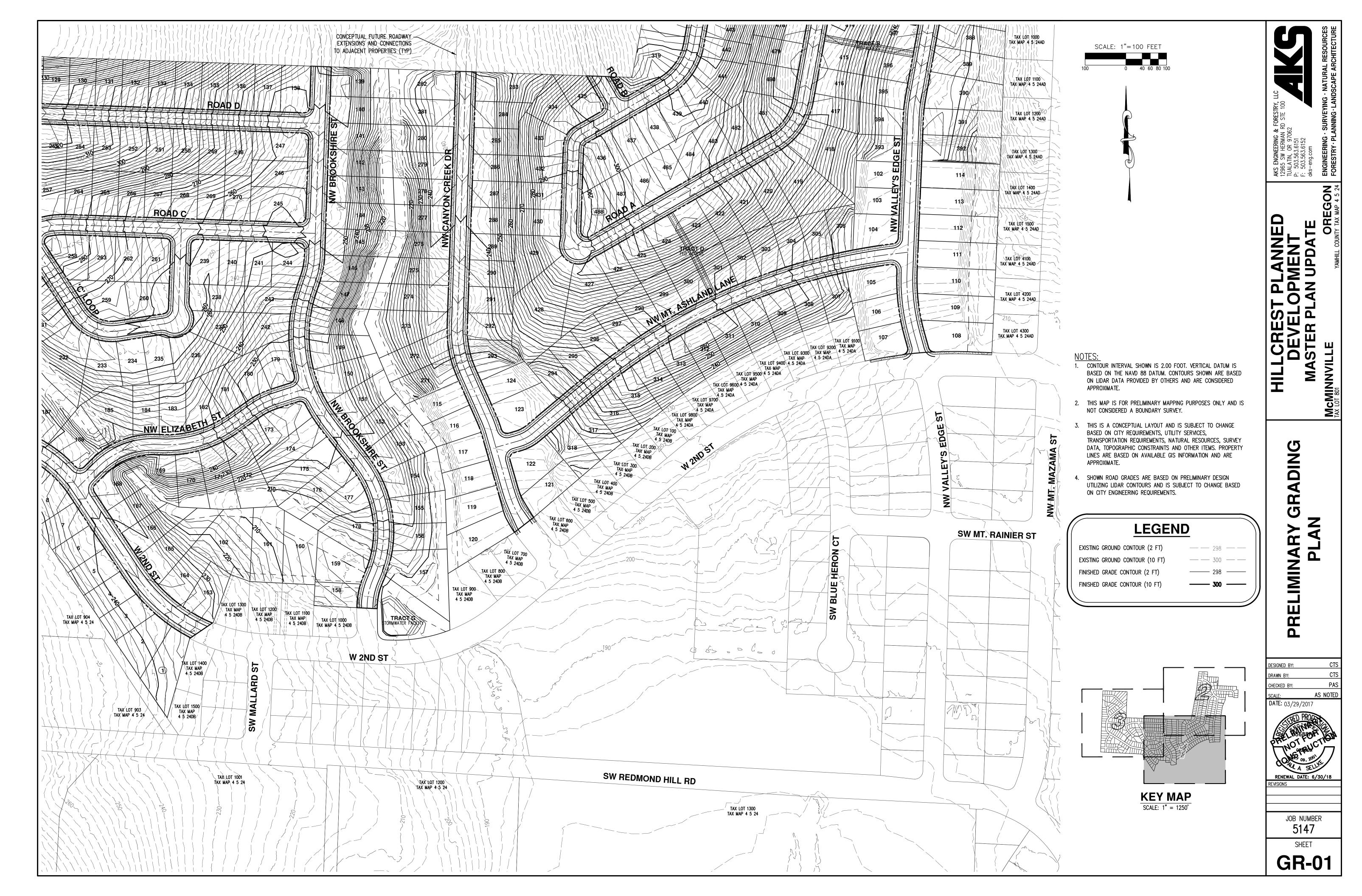


AKS DRAWING FILE: 5147 PRELIMINARY PLAT.DWG | LAYOUT: SU

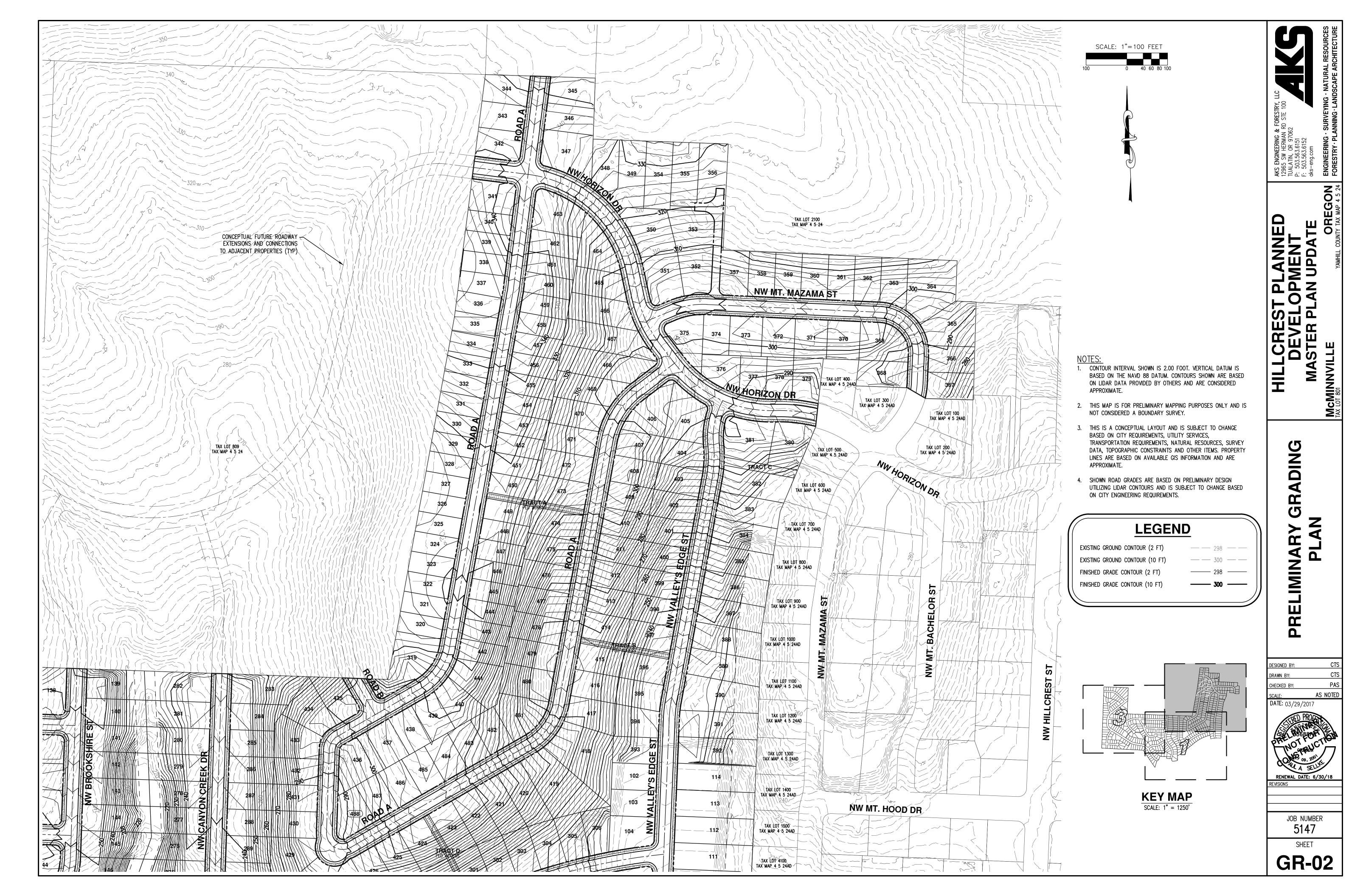


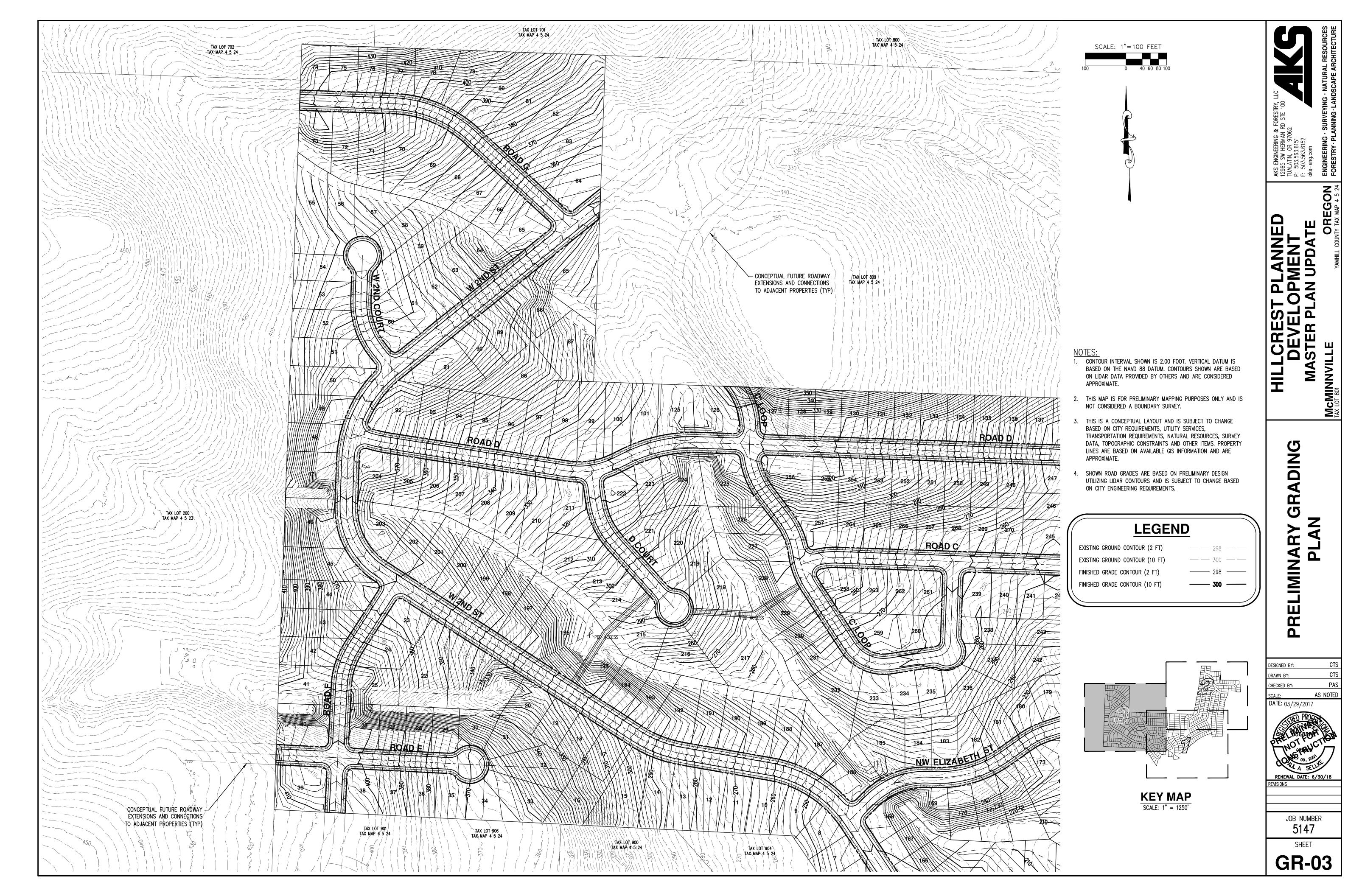


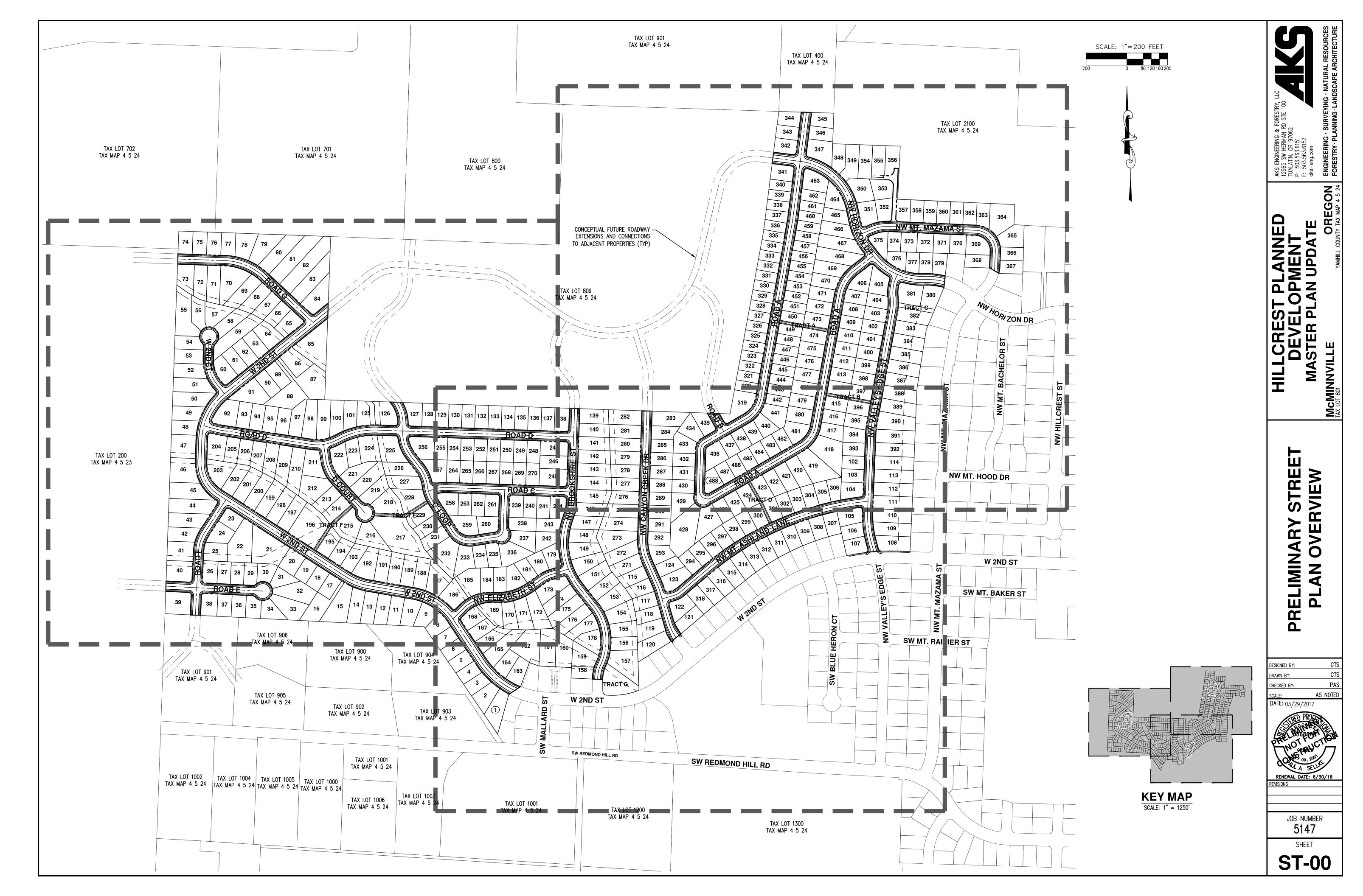




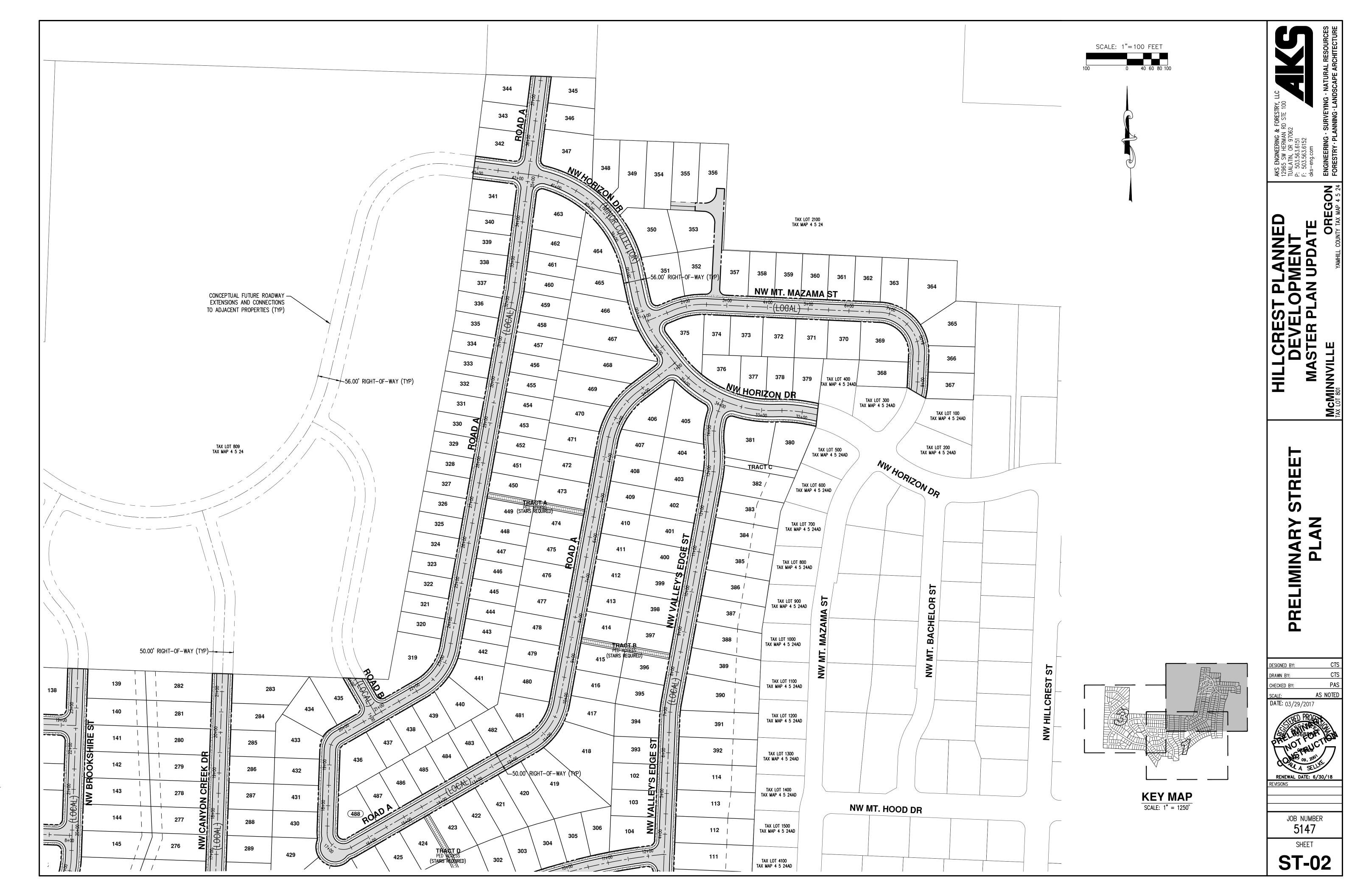
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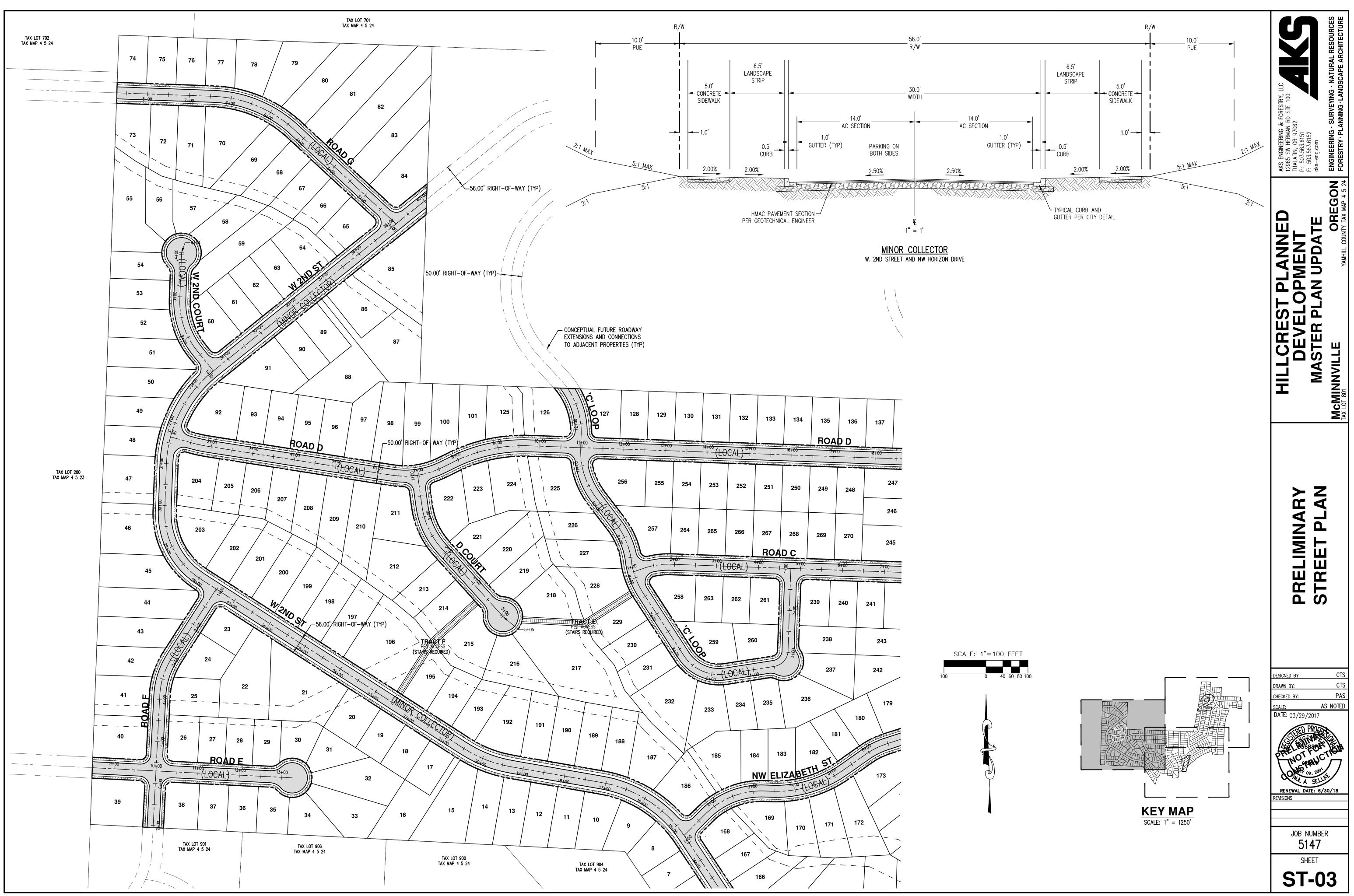


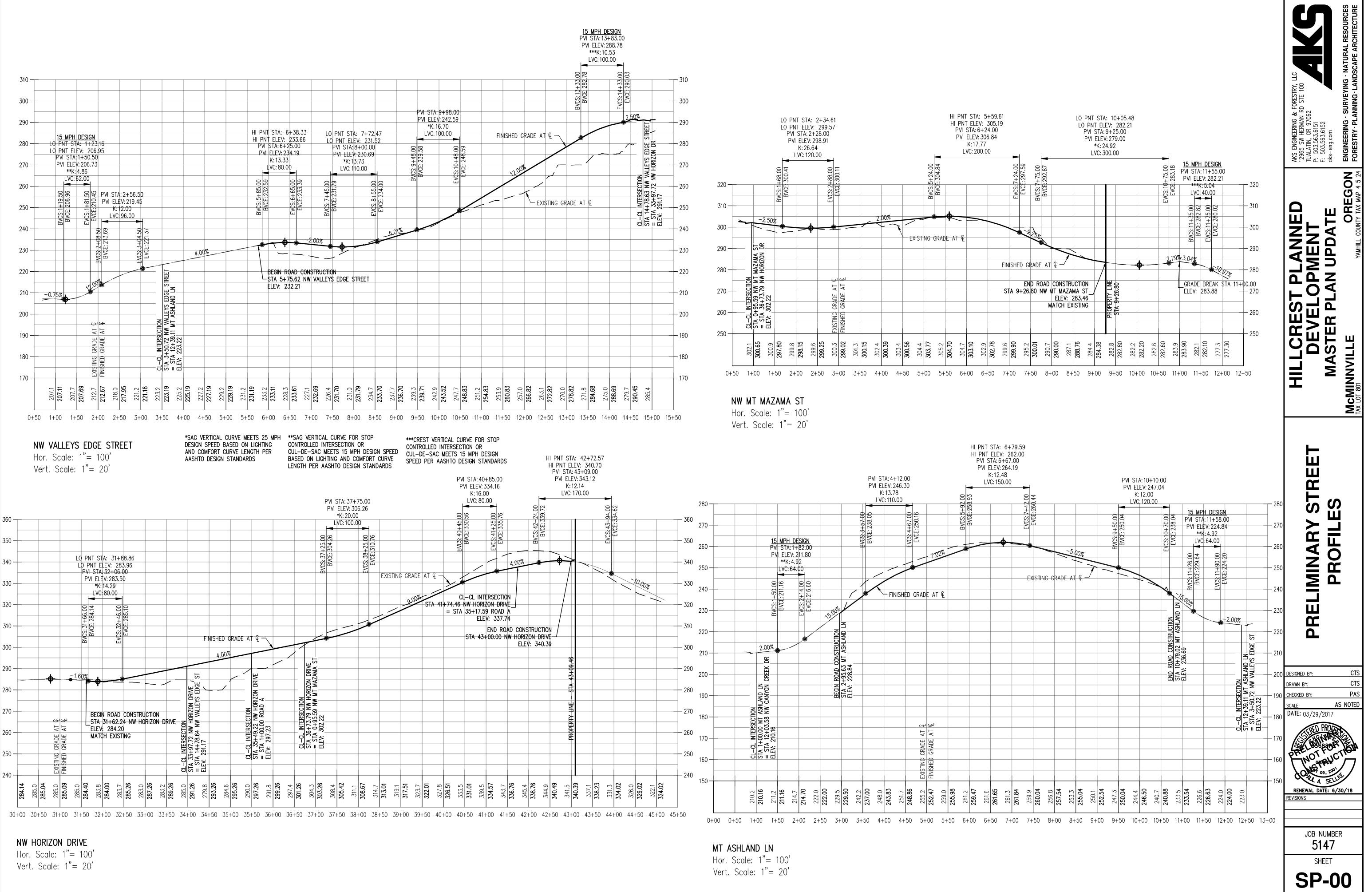


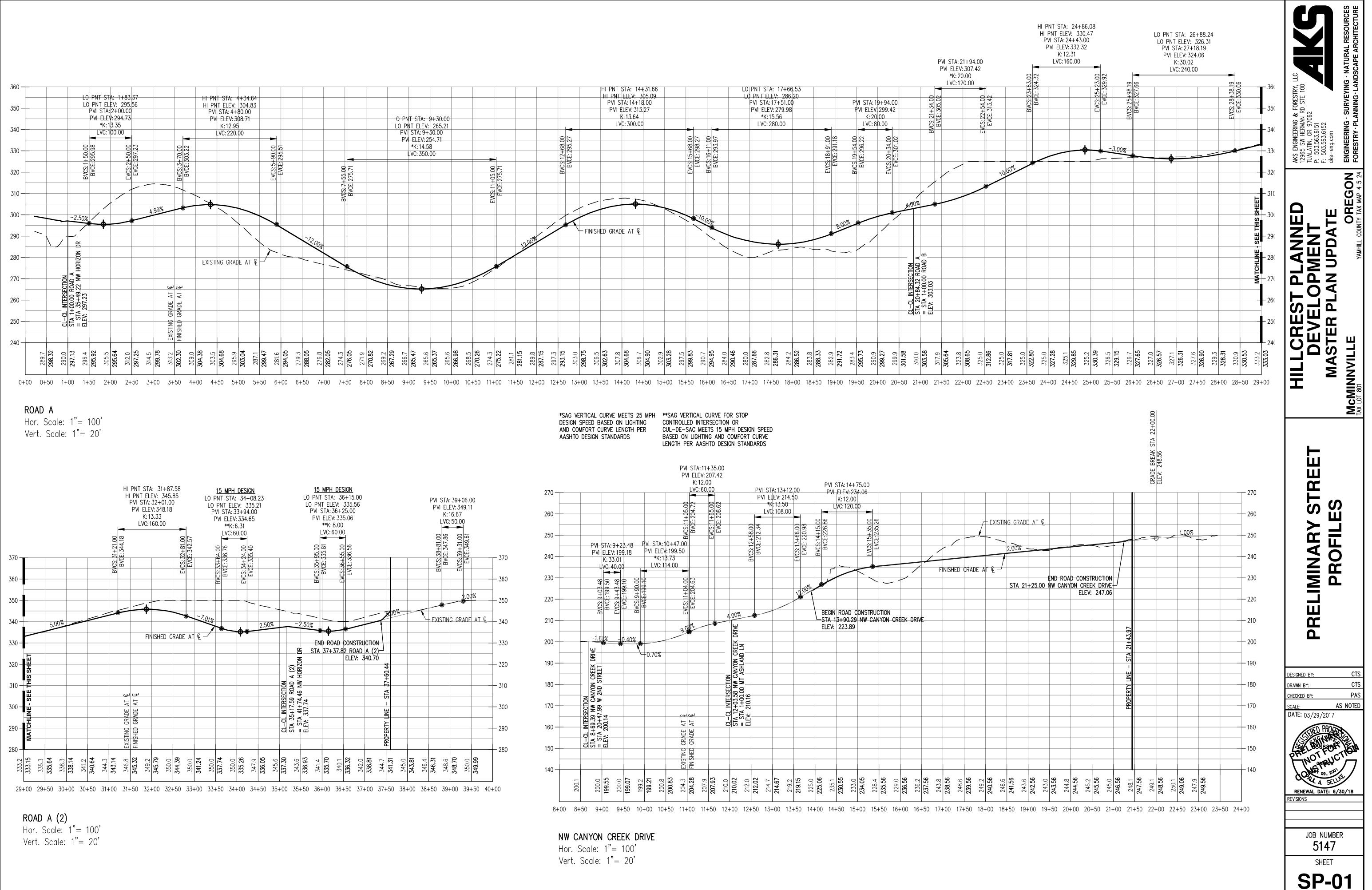


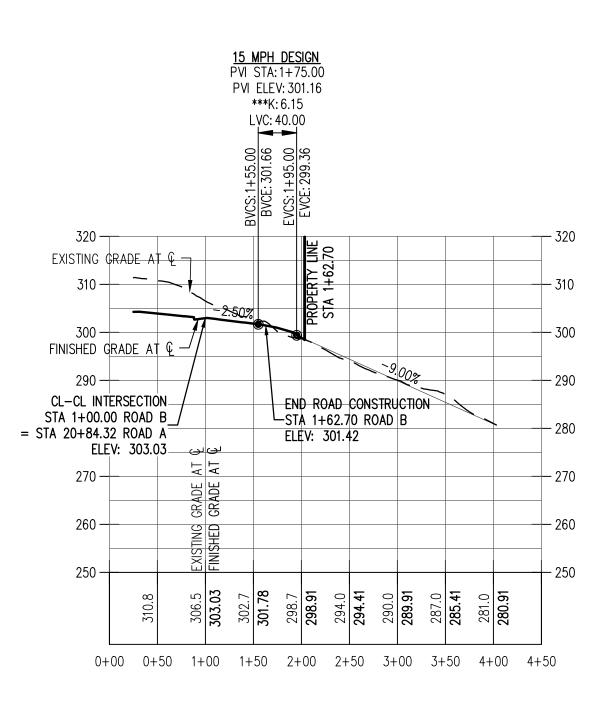




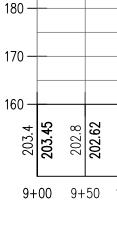








ROAD B Hor. Scale: 1"= 100' Vert. Scale: 1"= 20'



-1.64%

270 -

260 -

250 —

240 -

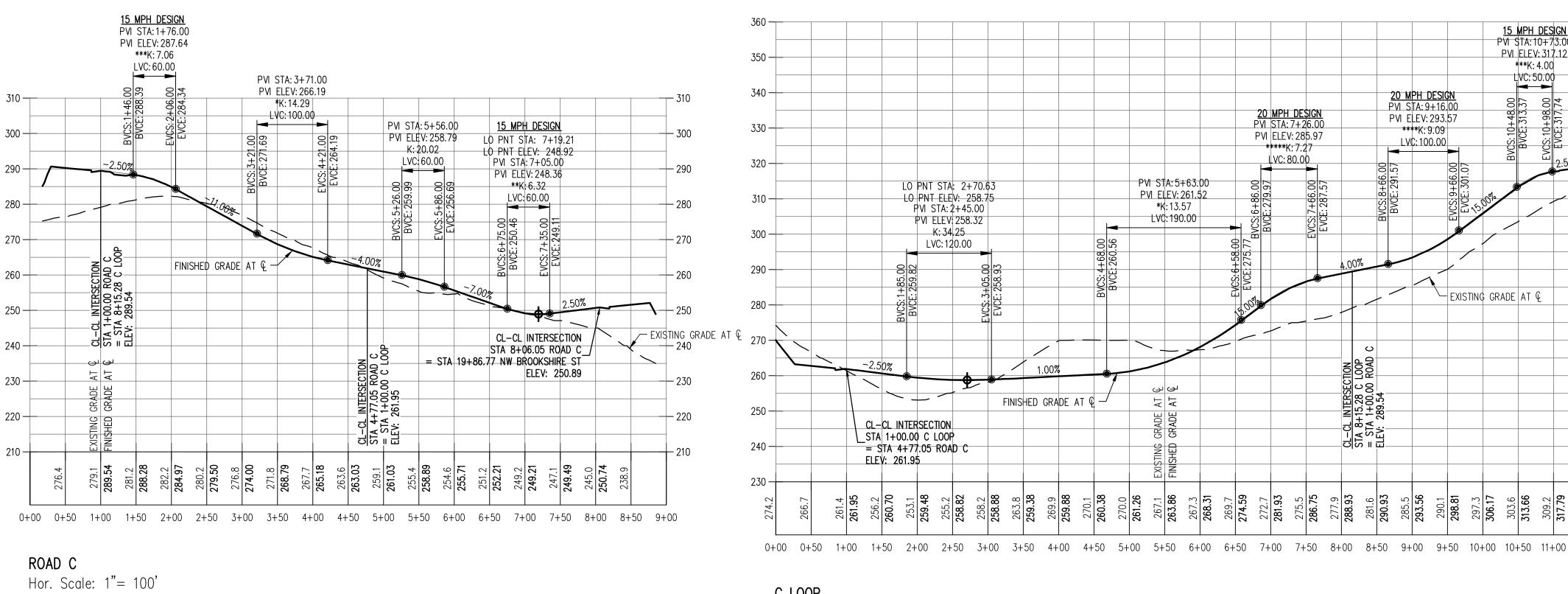
230 -

220 -

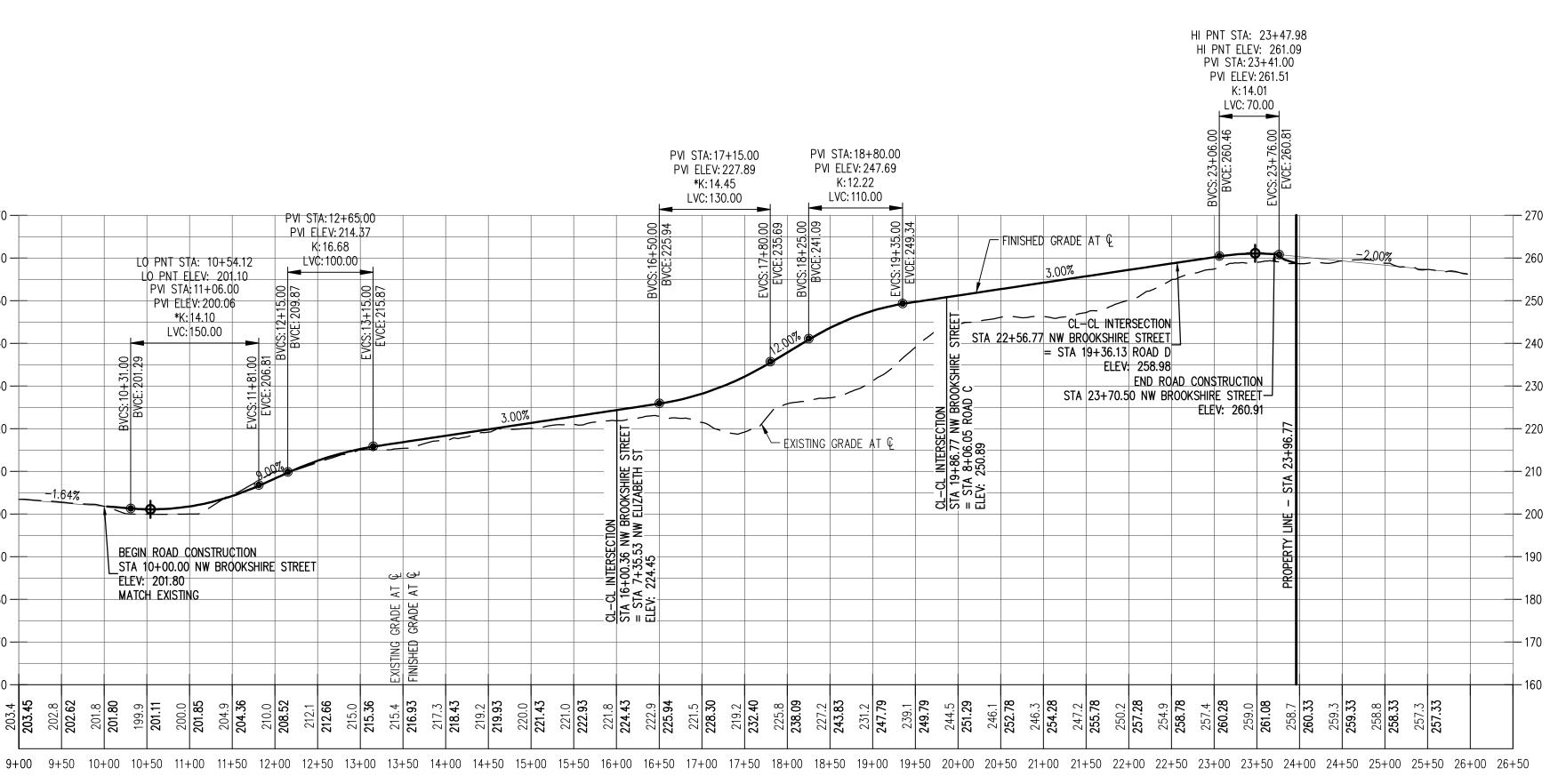
210 -

200 -

190 -



Vert. Scale: 1"= 20'



## NW BROOKSHIRE STREET

Hor. Scale: 1"= 100' Vert. Scale: 1"= 20'

\*SAG VERTICAL CURVE MEETS 25 MPH \*\*SAG VERTICAL CURVE FOR STOP DESIGN SPEED BASED ON LIGHTING AND COMFORT CURVE LENGTH PER AASHTO DESIGN STANDARDS

CONTROLLED INTERSECTION OR CUL-DE-SAC MEETS 15 MPH DESIGN SPEED CUL-DE-SAC MEETS 15 MPH DESIGN BASED ON LIGHTING AND COMFORT CURVE LENGTH PER AASHTO DESIGN STANDARDS

\*\*\*CREST VERTICAL CURVE FOR STOP CONTROLLED INTERSECTION OR SPEED PER AASHTO DESIGN STANDARDS PER AASHTO DESIGN STANDARDS

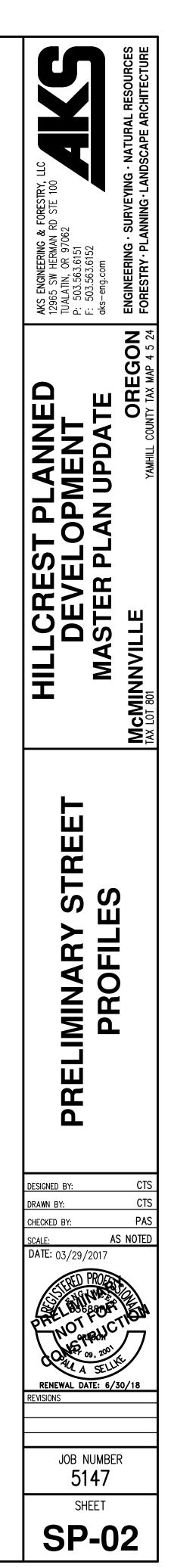
\*\*\*\*SAG VERTICAL CURVE MEETS 20 MPH DESIGN SPEED BASED ON

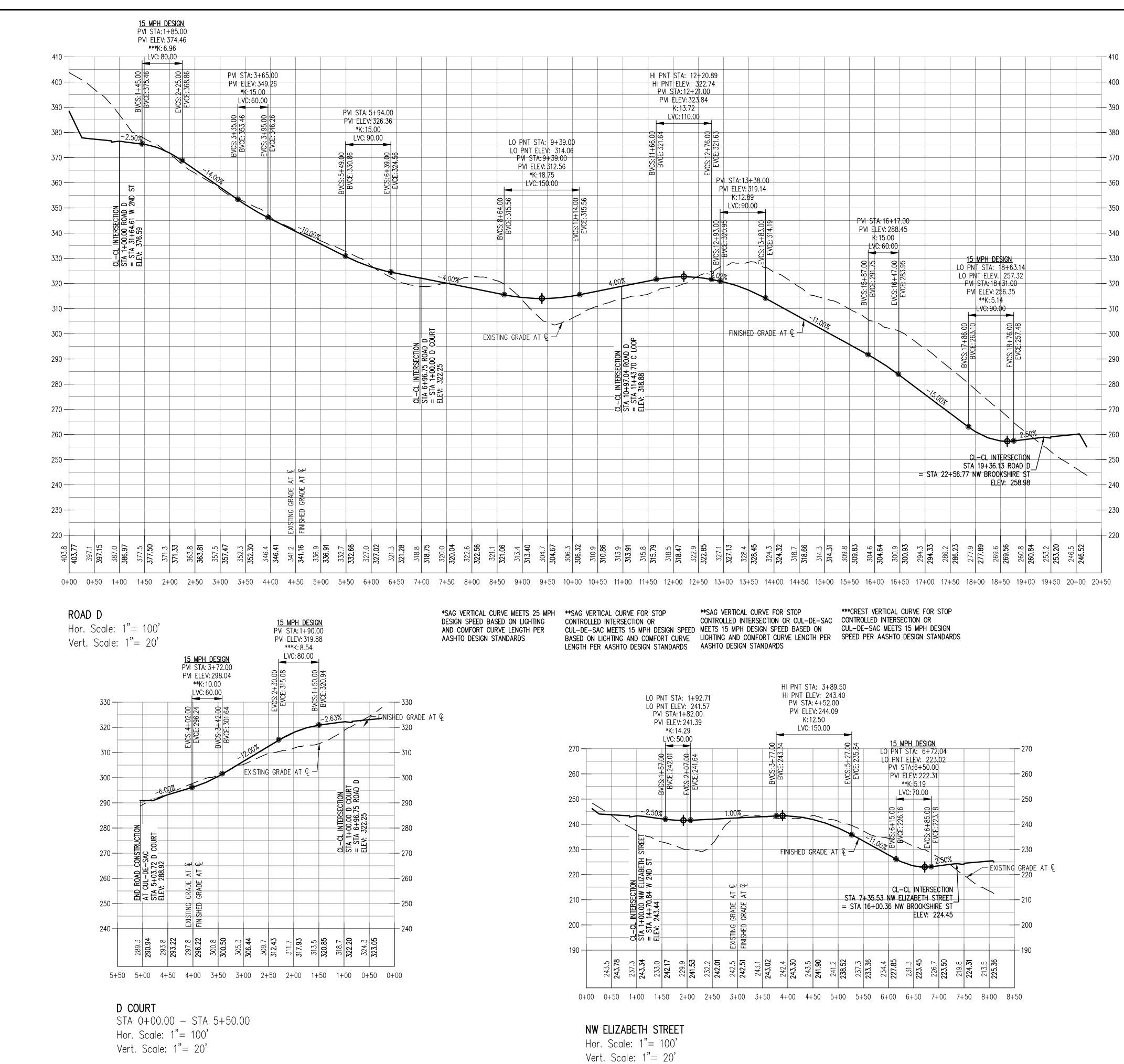
C LOOP Hor. Scale: 1"= 100'

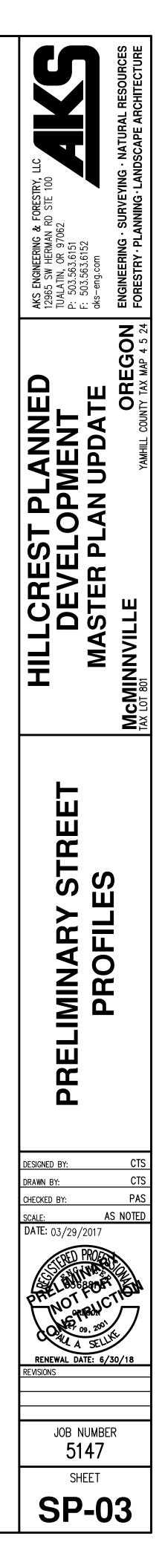
Vert. Scale: 1"= 20'

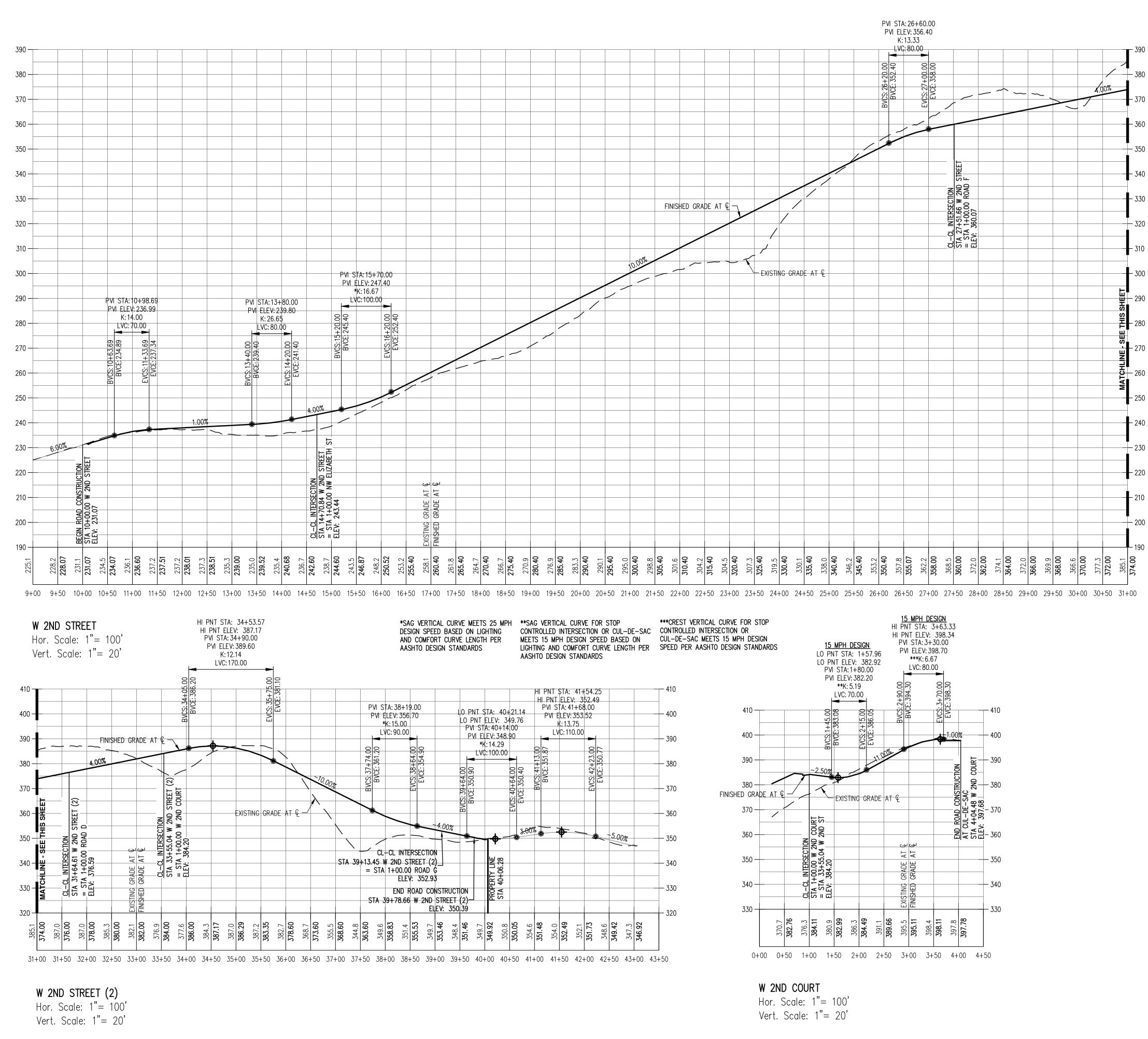
\*\*\*\*\*CREST VERTICAL CURVE MEETS 20 MPH DESIGN SPEED LIGHTING AND COMFORT CURVE LENGTH PER AASHTO DESIGN STANDARDS

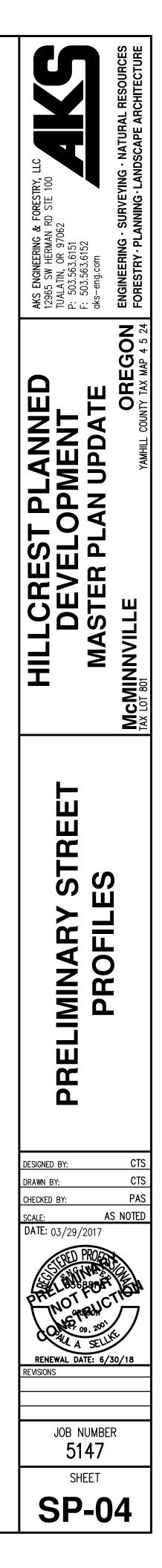
		LO L(	PN.	<u>MPH</u> T ST. IT EL STA:	A: 1	2+14	4.67																	
<u>N</u> 00			PVI	ELE **K:	<del>V: 31</del> 10.6	<u>6.78</u> 7																		- 360
00 2				LVC:	80.0		_																	- 350
			BVCS: 11+88.00 RVCF- 317 78			EVCS: 12+68.00	EVCE: 318./8															/		- 340
			BVCS	5	,	EVCS			~		<u> </u>		5.	00%				<u> </u>						- 330
.50	% - 	-2.5	0%	•	4																			- 320
					N																			- 310
					END ROAD CONSTRUCTION STA 12+37.67 C LOOP	5 																		- 300
	ECTION	C LOOP			0AD CON 2+37.67	ELEV: 317.69																		- 290
	L INTERS		318.88		STA 1		0																	- 280
		SIA ST	ELEX: -				STA 12+91.50																	- 270
																								- 260
							RTY LINE																	- 250
							PROPERTY																	- 240
		~				~		~		~		~		~		~		~		~			_	- 230
	314.7	318.73	320.3	317.54	326.2	318.0	328.9	320.38	329.4	322.8{	327.5	325.38	326.9	327.88	327.0	330.38	328.6	332.88	332.3	335.38	338.2			
0	11+	-50	12-	+00	12+	+50	13-	+00	13+	-50	14+	+00	14+	-50	15+	-00	15+	-50	16+	+00	16+	-50	17+	00

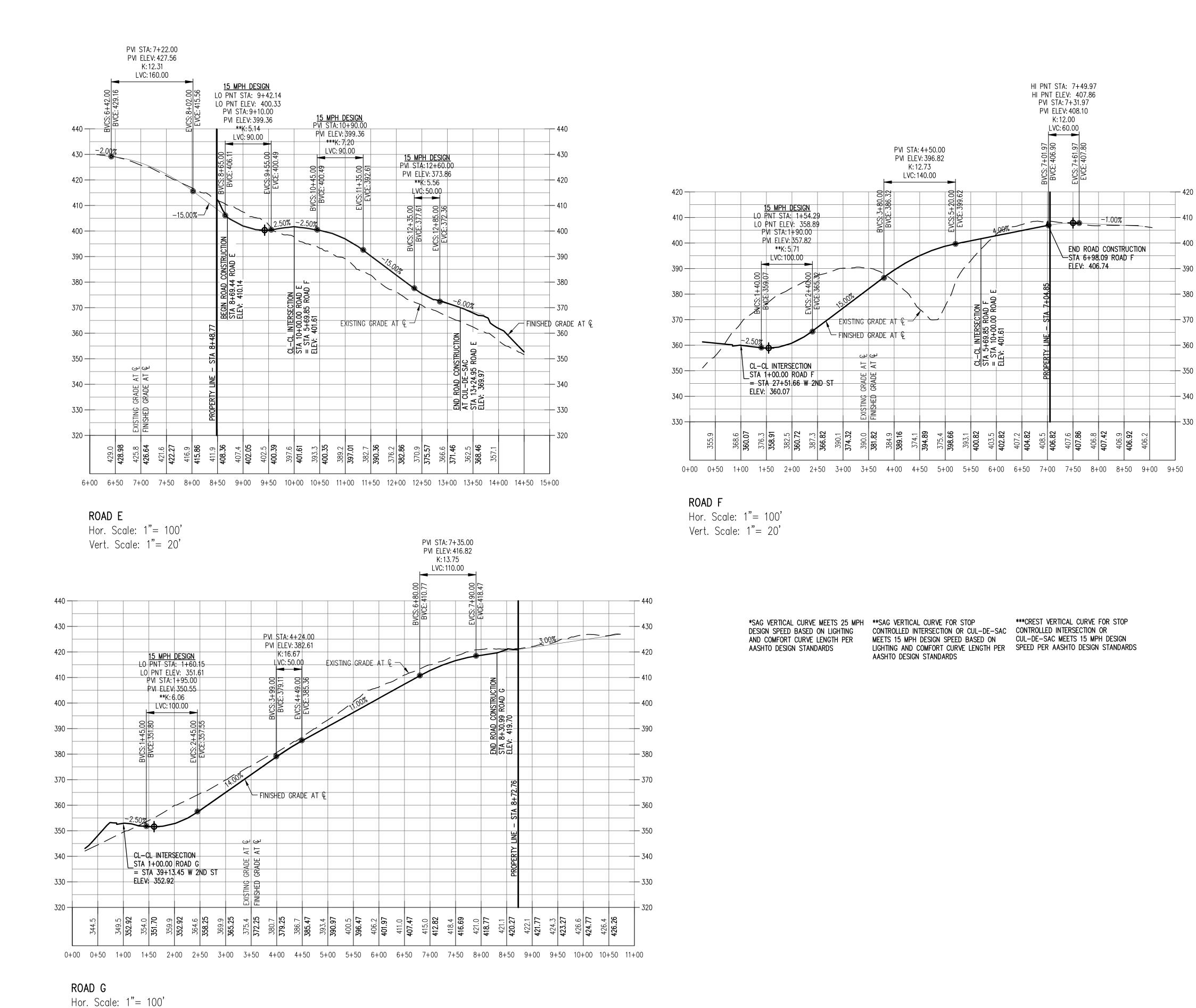




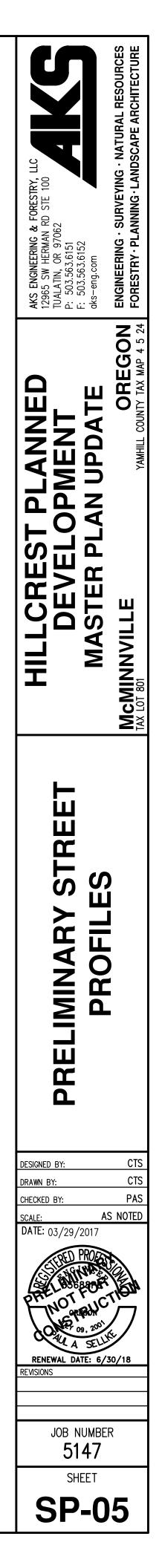








Vert. Scale: 1"= 20'



#### NOTICE

#### Planning Commission

NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 18<sup>th</sup> day of May, 2017, at the hour of 6:30 p.m. in the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, relating to the following matter:

#### MODIFICATION OF AN EXISTING PLANNED DEVELOPMENT – WEST HILLS PROPERTIES, LLC

#### DOCKET NUMBER: ZC 6-17

West Hills Properties, LLC, is requesting approval to amend Planned Development Ordinance No. 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested is approval to amend an approved residential subdivision and phasing plan on approximately 132 acres of land. The subject site is located north of West Second Street, west of NW Mt. Mazama Street and south of NW Fox Ridge Road and is more specifically described as Tax Lot 801, Section 24, T. 4 S., R. 5 W., W.M.

#### AMENDMENTS TO THE McMINNVILLE ZONING ORDINANCE

#### DOCKET NUMBER: G 2-17

The City of McMinnville is proposing to amend Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance to update provisions to allow local street grades up to and including fifteen (15) percent.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE Fifth Street, McMinnville, Oregon, during working hours, and on the City of McMinnville website at www.mcminnvilleoregon.gov.

For additional information please contact the Planning Department at the above address or by phone at (503) 434-7311.

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

Heather Richards

Planning Director

Publish in the Tuesday, May 9, 2017, News Register

# PUBLIC HEARING NOTICE



NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 18<sup>th</sup> day of May, 2017, at the hour of 6:30 p.m. at the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

#### MODIFICATION OF AN EXISTING PLANNED DEVELOPMENT - WEST HILLS PROPERTIES, LLC

#### DOCKET NUMBER: ZC 6-17

West Hills Properties, LLC, is requesting approval to amend Planned Development Ordinance No. 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested is approval to amend an approved residential subdivision and phasing plan on approximately 132 acres of land. The subject site is located north of West Second Street, west of NW Mt. Mazama Street and south of NW Fox Ridge Road and is more specifically described as Tax Lot 801, Section 24, T. 4 S., R. 5 W., W.M.

The Planning Commission will conduct a hearing and make a decision to recommend approval to the McMinnville City Council or to deny the application. Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission and City Council in making a decision.

The Planning Commission's recommendation on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Testimony and evidence at the public hearing must be directed toward those criteria, which are generally as follows:

- 1. The goals and policies of the McMinnville Comprehensive Plan.
- The requirements of McMinnville Ordinance No. 3380 (the Zoning Ordinance) with particular emphasis on Section 17.03.020 (Purpose), Chapter 17.15 (R-2 Single-Family Residential Zone), Chapter 17.51 (Planned Development Overlay), Chapter 17.53 (Land Division Standards), Chapter 17.72 (Applications and Review Process), and Chapter 17.74 (Review Criteria).

<u>17.74.070</u> Planned Development Amendment - Review Criteria. An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:

- An increase in the amount of land within the subject site;
- An increase in density including the number of housing units;
- A reduction in the amount of open space; or
- Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas and access.

An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
- D. The plan can be completed within a reasonable period of time;
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;

The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

3. The requirements of McMinnville Planned Development Ordinance No. 4868.

The referenced zoning ordinance criteria is available for review in the Planning Department's portion of the city's website located at: <u>www.mcminnvilleoregon.gov</u>.

Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity to provide the Planning Commission opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5th Street, McMinnville, Oregon, during working hours, and is available for review in the Planning Department's portion of the city's website located at: www.mcminnvilleoregon.gov.

For additional information contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.

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

Heather Richards Planning Director

### ORDINANCE NO. 4868

An Ordinance rezoning certain property from an R-1 (Single-Family Residential) zone to an R-2 PD (Single-Family Residential Planned Development) zone on a parcel of land approximately 164.1 acres in size.

#### RECITALS

The Planning Commission received an application (ZC 19-06) from KHA Properties, LLC, dated December 14, 2007, for a zone change from an R-1 (Single-Family Residential) zone to an R-2 PD (Single-Family Residential Planned Development) zone on a parcel of land approximately 164.1 acres in size. The property is more specifically described as a Tax Lot 800, Section 24, T. 4 S., R. 5 W., W.M.

A public hearing was held on February 15, 2007 at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on February 8, 2007, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said request, found that said change conformed to the zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change and has recommended said change to the Council; and

On March 8, 2007, an appeal of the Planning Commission's recommendation was filed with the City Planning Department. Consistent with the requirements of the McMinnville Zoning Ordinance, a public hearing was scheduled before the City Council on April 10, 2007 after due notice had been given in the local newspaper, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application and materials and staff report were presented. Prior to public agency input being received, the hearing was continued by the City Council to its April 24, 2007 hearing where it was concluded and a decision reached; and now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by KHA Properties, LLC.

Section 2. That the property described in Exhibit "A," is hereby rezoned from an R-1 (Single-Family Residential) zone to an R-2 PD (Single-Family Residential Planned Development) zone, subject to the following conditions:

- 1. That the planned development overlay shall require the following setbacks:
  - A. Development of the multi-family lot and lots within the Northridge subdivision shall be to standard R-4 zone setbacks.
  - B. Lots within the Valley's Edge Phase 2 subdivision shall be to a standard R-3 zone setback.
  - C. All other lots shall meet applicable R-2 zoning setbacks.

The Planning Director is authorized to permit reductions or increases to these setback standards as may be necessary to provide for the retention of trees greater than nine (9) inches in diameter measured at 4.5 feet above grade. In no case, however, may the side yard setback be reduced to less than five feet, or the exterior side yard setback to less than 12 feet, or the distance from the property line to the front opening of a garage be reduced to less than 18 feet without approval of the Planning Commission pursuant to the requirements of Chapter 17.69 (Variance). A request to adjust the setbacks for these lots shall be accompanied by a building plan for the subject site that clearly indicates the location of existing trees. Trees to be retained shall be protected during all phases of home construction.

That existing trees greater than nine inches DBH (diameter at breast height) shall not be removed without prior review and written approval of the Planning Director. In addition, all trees shall be protected during home construction. A plan for such protection must be submitted with the building permit application and must meet with the approval of the Planning Director prior to release of construction or building permits within the subject site. Requests for removal of such trees based upon claims of disease, or hazard should be accompanied by a report from a licensed arborist.

2. That the "Hillcrest" tentative subdivision plan (revised as necessary to comply with the adopted conditions of approval) be placed on file with the Planning Department and that it become a part of the zone and binding on the property owner and developer, and shall in no way be binding on the City.

The developer shall be responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

- 3. That site plans and building elevations for the proposed multi-family units must be submitted to the Planning Director for review and approval prior to the issuance of any building permits for said units. The following criteria shall apply:
  - A. The building layout must be nonlinear in design, even if to meet this goal the number of units has to be reduced.
  - B. The building roof lines and facades must be broken so as to avoid a flat, uniform appearance.

- C. The site shall be heavily landscaped with emphasis on those sides facing a public street. Street-side landscaping shall include berming, and street trees a minimum of two-inch caliper at time of planting. In addition, parking lots shall be broken up by landscaping, and usable open space shall be provided within the development.
- D. Signage shall be limited to a maximum of two free-standing monument-type signs, each not more than four feet in height and not exceeding 36 square feet in area. The signs, if illuminated, must be indirectly illuminated and non flashing.
- E. Horizontal lap siding or similar type siding must be used (no T-111 or similar), and architectural composition roofing or a similar or higher grade type of roofing must be applied.
- 4. Prior to the issuance of the 290<sup>th</sup> building permit for the master planned development, the developer shall complete the installation of left-turn-lane improvements, meeting the City's and Yamhill County's standards, at the intersections of Hill Road / Horizon Drive and Hill Road / West Second Street.
- 5. That the minimum lot sizes within the Hillcrest development may be reduced below 7,000 square feet, provided the overall residential density within the subject site (less the parkland and storm detention areas) does not exceed the net density allowed by the R-2 zone (gross density reduced by 25 percent to account for public infrastructure).

Passed by the Council this 24<sup>th</sup> day of April 2007, by the following votes:

Ayes: Hansen, Hill, Menke, Olson, May, Yoder

Nays:

Approved this 24<sup>th</sup> day of April 2007.

MAYOR COUNCIL PRESIDENT

Attest:

Approved as to form:

Y ATTORNEY

CITYATIORNE

ORDINANCE NO. 4868

#### EXHIBIT "A"

A tract of land in Section 24, Township 4 South, Range 5 West, Yamhill County, Oregon, being part of the John B. Davis Donation Land Claim No. 44 and the William C. Davis Donation Land Claim No. 69, and also being part of the tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, HOWARD N. ASTER and MARGARAT E.B. ASTER, and RAYMOND C. KAUER and BARBARA M. KAUER to KHA PROEPRTIES, LLC and recorded in Instrument 200322470, Yamhill County Deed and Mortgage Records, and being more particularly described as follows:

Being at a point that is North 36.415 chains from the Southwest corner of said John B. Davis Donation Land Claim; thence South 89°10'43 East 3408.02 feet along the South line of that tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, HOWARD N. ASTER and MARGARAT E.B. ASTER, and RAYMOND C. KAUER and BARBARA M. KAUER to KHA PROEPRTIES, LLC and recorded in Instrument 200322470, Yamhill County Deed and Mortgage Records; thence North 00°20'28" West 629.86 feet; thence North 01°43'13" East 48.02 feet; thence North 00°39'53" West 52.35 feet; thence North 03°40'44" West 47.94 feet; thence North 06°24'27" West 75.06 feet; thence North 10°54'26" West 75.05 feet; thence North 14°29'26" West 76.51 feet; thence North 17°46'24" West 60.35 feet to the beginning of a non-tangent curve concave to the South having a radius of 1030.21 feet; thence Easterly 255.43 feet along said curve (chord=North 83°08'50" East 254.78 feet); thence South 89°45'00" East 50.70 feet; thence North 00°15'00" East 267.78 feet to the Southwest corner of HILLCREST PHASE 4; thence North 00°15'00" East 532.22 feet along the West line of HILLCREST PHASE 4; thence North 06°52'55" East 291.959 feet along said West line; thence North 20°40'09" East 224.52 feet along said West line; thence North 04°06'34" East 60.55 feet along said West line; thence North 04°35'27" East 108.63 feet along said West line to the Northwest corner of HILLCREST PHASE 4; thence North 89°55'14" East 87.28 feet along the north line of HILLCREST PHASE 4; thence South 04°31'24" West 64.21 feet along said North line; thence North 89°55'14" East 126.21 feet along said North line; thence South 61°40'46" East 52.10 feet along said line; thence North 89°32'11 East 117.10 feet along said line to the West line of HILLCREST PHASE 3; thence North 00°27'49" West 240.00 feet along said West line to the North line of said KHA PROPERTIES, LLC tract; thence North 89°06'31" West 50.3 feet along said North line; thence North 1.50 chains along said north line; thence North 89°30" West 8.71 chains along said line; thence North 00°45' East 6.25 chains along said line; thence South 89°45" West 24.89 chains along said line; thence South 690.73 feet along said line; thence West 28.25 chains along said line to the Northwest corner of said KHA PROPERTIES, LLC tract; thence South 37.985 chains along the West line of said tract to the point of beginning.

EXCEPTING THEREFROM that tract of land described in deed to Yamhill County and recorded August 5, 1926 in Book 94, Page 461, Yamhill County Deed Records.

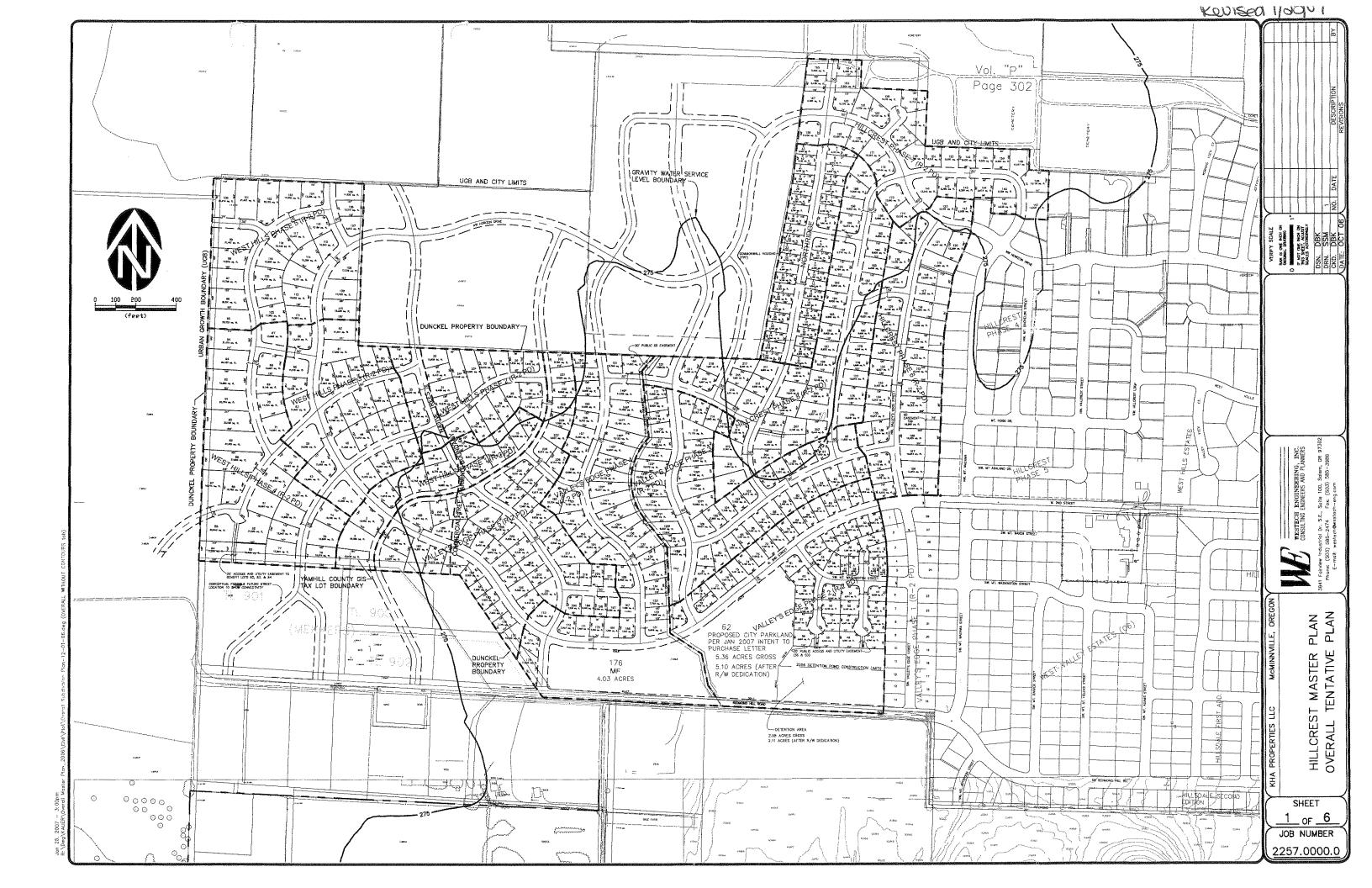
ALSO EXCEPTING that tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, and RAYMOND C. KAUER and BARBARA M. KAUER to DONALD and JEAN OLIVER and recorded Film Volume 3096, Page 354, Yamhill County Deed Records.

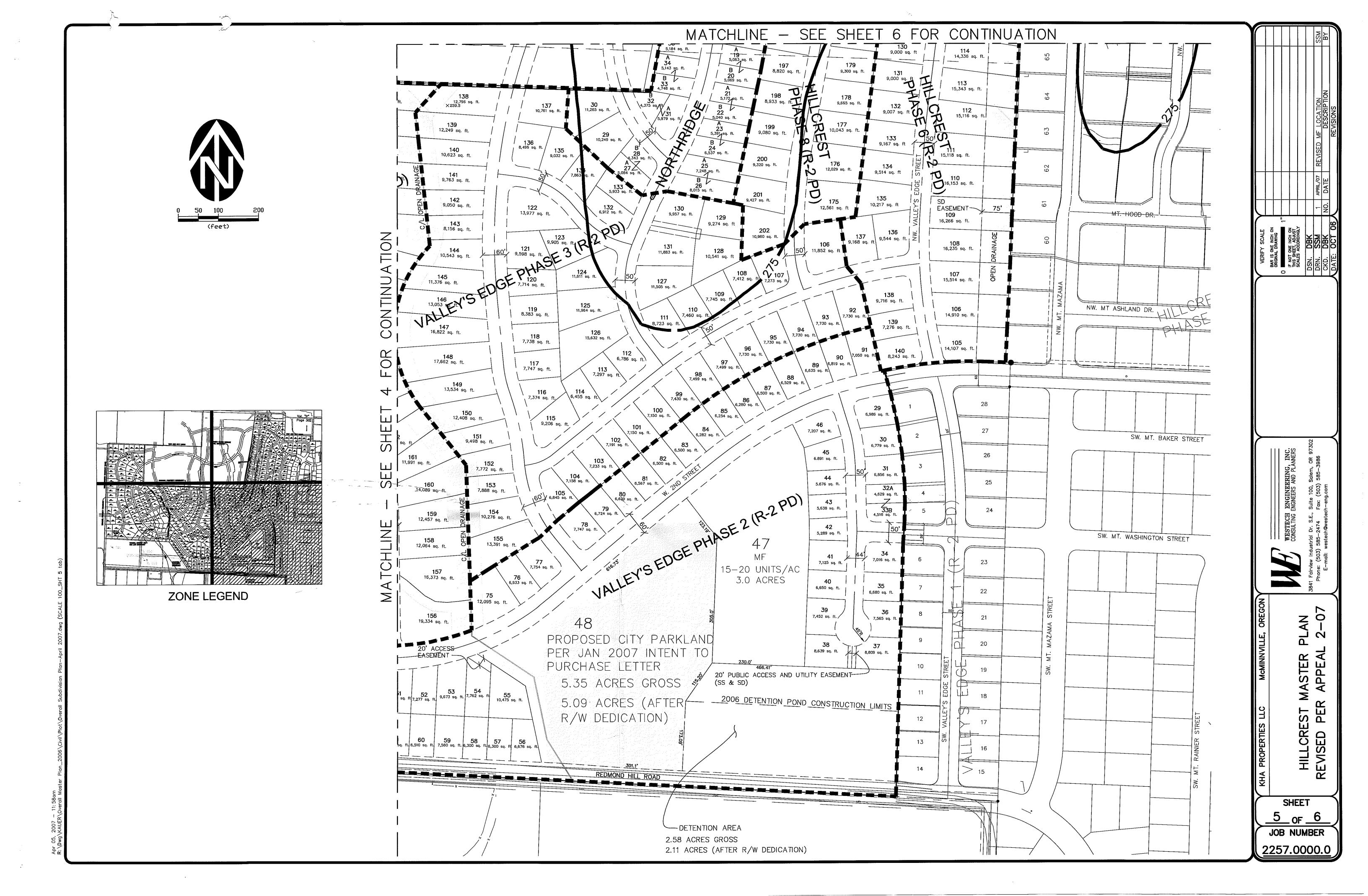
ALSO EXCEPTING that tract of land described in deed from BARRY HOUSE and ROBERTA HOUSE, and RAYMOND C KAUER and BARBARA M. KAUER to RICHARD and CHARLOTTE BORGEN and recorded in Film Volume 309, Page 433, Yamhill County Deed and Mortgage Records.

ALSO EXCEPTING that tract of land described in deed to UNION LODGE NO. 43 A.F. and A.M. and recorded November 24, 1906 in Book 46 Page 571, Yamhill County Deed Records.

ALSO EXCEPTING that tract of land described in deed to LINFIELD COLLEGE, trustee of the RAYMOND C KAUER and BARBARA M. KAUER Charitable Remainder Unitrust and BARRY W. HOUSE and ROBERTA M. HOUSE Charitable Remainder Unitrust and recorded December 27, 1995 in Instrument No. 199517375 and Instrument No. 199517376, Yamhill County Deed and Mortgage Records.

ALSO EXCEPTING the following described tract: Beginning at a point that is North 36.415 chains from the Southwest corner of said John B. Davis Donation Land Claim; thence North 20.00 feet to the North line of the county road which is the TRUE POINT OF BEGINNING; thence East along the fence line bordering the county road 1471 feet to an aluminum pipe; thence North 37°19' West 450 feet to an aluminum pipe; thence North 44°27' West 316 feet to an aluminum pipe; thence, which is the West line of the John B. Davis donation Land Claim; thence South along said fence to the point of beginning.







Real-World Geotechnical Solutions Investigation • Design • Construction Support

May 10, 2016 Project No. 16-4142

#### West Hills Properties

Mr. Howard Aster PO Box 731 McMinnville, Oregon 97128 Phone: (503) 472-0473

c/o AKS Engineering and Forestry Alex Hurley 12965 SW Herman Rd #100 Tualatin, Oregon 97062 Phone: (503) 563-6151

Via email with hard copies mailed upon request: Alex Hurley (alex@aks-eng.com)

#### SUBJECT: PRELIMINARY GEOTECHNICAL ENGINEERING REPORT VALLEY'S EDGE PHASE 4 SUBDIVISION WEST 2<sup>ND</sup> STREET & NW CANYON CREEK DRIVE MCMINNVILLE, OREGON

This report presents the results of a geotechnical explorations conducted by GeoPacific Engineering, Inc. (GeoPacific) for the above-referenced project. The purpose of our work was to evaluate subsurface conditions at the site and provide preliminary recommendations for site development. The report can be finalized after grading plans are reviewed by GeoPacific. This geotechnical study was performed in accordance with GeoPacific Proposals No. P-5547 and No. P-5621 dated January 8, 2016 and April 28, 2016, respectively, and your subsequent authorization of our proposals and *General Conditions for Geotechnical Services*.

#### SITE DESCRIPTION AND PROPOSED DEVELOPMENT

The subject site is located on the north side of West 2<sup>nd</sup> Street in the City of McMinnville, Yamhill County, Oregon as shown on the attached Vicinity Map (Figure 1). The site is roughly rectangular in shape, as shown on the attached Site Plan (Figure 2). Topography generally slopes down to the west, southwest, south, and southeast from the central and northern portions of the site at an average grade of approximately 15 to 20 percent. Steeper slopes exist in the western portion of the site, with topography sloping down to the west at grades of up to 50 percent. Vegetation on the site consists primarily of grasses and sparse brush.

We understand that a landslide occurred on the subject site during grading and retaining wall construction on adjacent lots to the southwest of the site. The slide is approximately 100 feet wide and temporary measures, such as shallow swales to divert surface runoff and a sump drain, have been installed on the subject site. Also, between March 17, 2016 and May 3, 2016

a trench appears to have been excavated along the southern property boundary for the width of the landslide. A drain may have been installed at this location. The sump was installed in the approximate middle of the landslide mass and appears to have been installed to a depth of 10 feet.

It is our understanding that the proposed development consists of a 45 lot subdivision with grading to support new single family residences, approximately 1,900 feet of new public streets, and associated underground utilities. Grading plans have not yet been provided for our review.

#### SITE GEOLOGY

Regionally, the subject site lies within the Willamette Valley/Puget Sound Iowland, a broad structural depression situated between the Coast Range on the west and the Cascade Range on the east. A series of discontinuous faults subdivide the Willamette Valley into a mosaic of fault-bounded, structural blocks (Yeats et al., 1996). Uplifted structural blocks form bedrock highlands, while down-warped structural blocks form sedimentary basins. Valley-fill sediment in the adjacent basin achieves a maximum thickness of 1,500 feet and overlies Miocene Columbia River Basalt at depth (Madin, 1990; Yeats et al., 1996).

Available geologic mapping indicates that the site is underlain by the Eocene age (33.9-55.8 million years ago) Nestucca Formation (Baldwin et al, 1955). The Nestucca Formation contains marina strata, consisting of siltstone and sandstone, as well as volcanic flows and tuffs.

#### REGIONAL SEISMIC SETTING

At least three major fault zones capable of generating damaging earthquakes are thought to exist in the vicinity of the subject site. These include the Portland Hills Fault Zone, the Gales Creek-Newberg-Mt. Angel Structural Zone, and the Cascadia Subduction Zone.

#### Portland Hills Fault Zone

The Portland Hills Fault Zone is a series of NW-trending faults that include the central Portland Hills Fault, the western Oatfield Fault, and the eastern East Bank Fault. These faults occur in a northwest-trending zone that varies in width between 3.5 and 5.0 miles. The combined three faults vertically displace the Columbia River Basalt by 1,130 feet and appear to control thickness changes in late Pleistocene (approx. 780,000 years) sediment (Madin, 1990). The Portland Hills Fault occurs along the Willamette River at the base of the Portland Hills, and is about 30 miles northeast of the site. The Oatfield Fault occurs along the western side of the Portland Hills, and is about 32.4 miles northeast of the site. The Oatfield Fault is considered to be potentially seismogenic (Wong, et al., 2000). Mabey et al., (1996) indicate the Portland Hills Fault Zone has experienced Late Quaternary (last 780,000 years) fault movement; however, movement has not been detected in the last 20,000 years. The accuracy of the fault mapping is stated to be within 500 meters (Wong, et al., 2000). No historical seismicity is correlated with the mapped portion of the Portland Hills Fault Zone, but in 1991 a M3.5 earthquake occurred on a NW-trending shear plane located 1.3 miles east of the fault (Yelin, 1992). Although there is no definitive evidence of recent activity, the Portland Hills Fault Zone is assumed to be potentially active (Geomatrix Consultants, 1995).

#### Gales Creek-Newberg-Mt. Angel Structural Zone

The Gales Creek-Newberg-Mt. Angel Structural Zone is a 50-mile-long zone of discontinuous, NW-trending faults that lies about 12.2 miles northeast of the subject site. These faults are recognized in the subsurface by vertical separation of the Columbia River Basalt and offset seismic reflectors in the overlying basin sediment (Yeats et al., 1996; Werner et al., 1992). A geologic reconnaissance and photogeologic analysis study conducted for the Scoggins Dam site in the Tualatin Basin revealed no evidence of deformed geomorphic surfaces along the structural zone (Unruh et al., 1994). No seismicity has been recorded on the Gales Creek Fault or Newberg Fault (the fault closest to the subject site); however, these faults are considered to be potentially active because they may connect with the seismically active Mount Angel Fault and the rupture plane of the 1993 M5.6 Scotts Mills earthquake (Werner et al. 1992; Geomatrix Consultants, 1995).

#### **Cascadia Subduction Zone**

The Cascadia Subduction Zone is a 680-mile-long zone of active tectonic convergence where oceanic crust of the Juan de Fuca Plate is subducting beneath the North American continent at a rate of 4 cm per year (Goldfinger et al., 1996). A growing body of geologic evidence suggests that prehistoric subduction zone earthquakes have occurred (Atwater, 1992; Carver, 1992; Peterson et al., 1993; Geomatrix Consultants, 1995). This evidence includes: (1) buried tidal marshes recording episodic, sudden subsidence along the coast of northern California, Oregon, and Washington, (2) burial of subsided tidal marshes by tsunami wave deposits, (3) paleoliquefaction features, and (4) geodetic uplift patterns on the Oregon coast. Radiocarbon dates on buried tidal marshes indicate a recurrence interval for major subduction zone earthquakes of 250 to 650 years with the last event occurring 300 years ago (Atwater, 1992; Carver, 1992; Peterson et al., 1993; Geomatrix Consultants, 1995). The inferred seismogenic portion of the plate interface lies roughly along the Oregon coast at depths of between 20 and 40 miles.

#### SUBSURFACE CONDITIONS

Our initial site-specific exploration was conducted on March 17, 2016. As part of our initial exploration, 15 exploratory test pits were excavated with a trackhoe to depths ranging from 2.5 to 12.5 feet. We returned to the site on May 3, 2016 to perform further exploration of the site. As part of our further study of the site, 9 additional exploratory test pits were excavated to depths ranging from 6.5 to 12 feet and one soil boring was drilled to a depth of 21.5 feet.

Approximate locations of our explorations are shown on Figure 2. It should be noted that exploration locations were located in the field by pacing distances from apparent property corners and other site features shown on the plans provided. As such, the locations of the explorations should be considered approximate.

The borehole was drilled using a portable drill rig and solid stem auger methods. At the boring location, SPT (Standard Penetration Test) sampling was performed in general accordance with ASTM D1586 using a 2-inch outside diameter split-spoon sampler and a 140-pound hammer equipped with a rope and cathead mechanism. During the test, a sample is obtained by driving the sampler 18 inches into the soil with the hammer free-falling 30 inches. The number of blows for each 6 inches of penetration is recorded. The Standard Penetration Resistance ("N-value") of the soil is calculated as the number of blows required for the final 12 inches of penetration. If 50 or more blows are recorded within a single 6-inch interval, the test is terminated, and the

blow count is recorded as 50 blows for the number of inches driven. This resistance, or N-value, provides a measure of the relative density of granular soils and the relative consistency of cohesive soils. At the completion of the boring, the hole was backfilled with bentonite.

A GeoPacific geotechnical engineer continuously monitored the field exploration program and logged the test pits and the boring. Soils observed in the explorations were classified in general accordance with the Unified Soil Classification System. Rock hardness was classified in accordance with Table 1, modified from the ODOT Rock Hardness Classification Chart. During exploration, our engineer also noted geotechnical conditions such as soil consistency, moisture and groundwater conditions. Logs of our explorations are attached to this report. The following report sections are based on the exploration program and summarize subsurface conditions encountered at the site.

ODOT Rock Hardness Rating	Field Criteria	Unconfined Compressive Strength	Typical Equipment Needed For Excavation				
Extremely Soft (R0)	Indented by thumbnail	<100 psi	Small excavator				
Very Soft (R1)	Scratched by thumbnail, crumbled by rock hammer	100-1,000 psi	Small excavator				
Soft (R2)	Not scratched by thumbnail, indented by rock hammer	1,000-4,000 psi	Medium excavator (slow digging with small excavator)				
Medium Hard (R3)	Scratched or fractured by rock hammer	4,000-8,000 psi	Medium to large excavator (slow to very slow digging), typically requires chipping with hydraulic hammer or mass excavation)				
Hard (R4)	Scratched or fractured w/ difficulty	8,000-16,000 psi	Slow chipping with hydraulic hammer and/or blasting				
Very Hard (R5)	Not scratched or fractured after many blows, hammer rebounds	>16,000 psi	Blasting				

#### Table 1 - Rock Hardness Classification Chart

**Topsoil Horizon**: Directly underlying the ground surface in all test pits except for TP-9 and TP-11 through TP-14, we observed highly organic SILT (ML-OL) to silty CLAY (CL-OL) with fine roots. The thickness of the topsoil layer ranged from 8 to 14 inches, as summarize on Table 2 below. The topsoil horizon was generally very soft to soft.

**Till Zone:** Underlying the topsoil horizon in test pits TP-1, TP-3 through 8, TP-15, TP-21, , TP-22, TP-23, and TP-24 we observed a layer of disturbed native soil. This layer was generally soft and likely resulted from previous agricultural operations on the site. Therefore, it is referred to as the till zone for the purposes of this report. The till zone generally consisted of low to moderately organic silty CLAY (CL) with some fine roots.

Laboratory testing on representative samples within this layer indicate that it contains 7.5 percent organic material. The total depth of the till zone, measured from the ground surface

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ranges from 18 to 36 inches, where encountered. The total depths of the till zone layer are summarized on Table 2.

Test Pit Designation	Topsoil Thickness (in)	Total Depth of Topsoil and Till Zone (in)
TP-1	8	18
TP-2	12	N/A (erosional deposit)
TP-3	12	36
TP-4	10	18
TP-5	10	18
TP-6	8	22
TP-7	12	24
TP-8	10	24
TP-10	14	N/A
TP-15	10	24
TP-16	12	N/A
TP-17	10	N/A
TP-18	8	N/A
TP-19	10	N/A
TP-20	10	N/A
TP-21	10	24
TP-22	10	20
TP-23	8	16
TP-24	10	24

#### Table 2 - Thicknesses of Topsoil Horizon and Till Zone in Test Pit Explorations

**Erosional Deposits:** Underlying the topsoil layer in test pit TP-2 we observed very soft, highly organic silty CLAY (CL-OL). It is likely that this material was deposited in the low-lying area in the northeast portion of the site by erosion. We attempted to dig a test pit in this material, but had to terminate the test pit at a depth of 5 feet due to extensive caving. Erosional deposits extended beyond the maximum depth of exploration in test pit TP-2 (5 feet).

**Undocumented Fill:** Directly underlying the ground surface in test pits TP-9 and TP-11 through TP-13, and underlying the topsoil layer in test pit TP-10, we observed undocumented fill material. In test pit TP-9 the undocumented fill material generally consisted of loose GRAVEL, COBBLES, and BOULDERS in a silt matrix. The consistency of the undocumented fill material in test pits TP-10 through TP-13 was highly variable, ranging from SILT (ML) to silty GRAVEL (GM) with differing amounts of organic debris and construction debris. The depths of undocumented fill material encountered in test pits TP-9 and TP-11 through TP-14 are summarized on Table 3.

**Buried Topsoil:** Underlying the undocumented fill material in test pits TP-10, TP-11, and TP-12, we observed a layer of buried topsoil. The buried topsoil consisted of soft to medium stiff, low to moderately organic clayey SILT (ML-OL) to silty CLAY (CL-OL) with varying amounts of organic material. In test pits TP-11 and TP-12 the layer of buried topsoil contained partially decomposed roots up to 3 inches in diameter. The total depths of buried topsoil are summarized on Table 3.

Test Pit Designation	Depth of Undocumented Fill (ft)	Total Depth of Undocumented Fill and Buried Topsoil (ft)				
TP-9	10	N/A				
TP-10	5.5	7.5				
TP-11	4	5.5				
TP-12	3	4				
TP-13	1.7	N/A				

#### Table 3 - Depth of Undocumented Fill and Buried Topsoil in Test Pit Explorations

**Landslide Mass:** Test pit TP-6 and boring B-1 were located in the apparent central portion of the landslide. Directly underlying the till zone in test pit TP-6, we observed silty CLAY (CL) with some fragments of siltstone which is labeled as landslide mass for the purposes of this report. The upper portion of this material was generally stiff to very stiff, but graded to medium stiff below 9.5 feet. We observed that the landslide mass soils from 11 to 11.5 feet had a disturbed texture. We also observed rapid groundwater seepage at depths of 11 to 11.5 feet, which appeared to occur at the same plane in all sides of the test pit. Below 11.5 feet, soils became very stiff which may indicate that the landslide mass is 11.5 feet thick at the location of test pit TP-6.

In boring B-1, we encountered similar soil conditions to test pit TP-6, with the landslide mass generally consisting of silty CLAY (CL) with some fragments of siltstone and a slight disturbed texture. The upper 10 feet of the landslide mass was generally medium stiff to stiff with SPT N-values of N=6 to N=8. However, when driving the sampler at a depth of 10 feet, we observed that it only took 1 blow to drive the first six inches and 2 blows to drive the next six inches. The low blow counts observed from 10 to 11 feet bgs indicate the presence of the slide plane and that the slide mass is approximately 11 feet thick at the location of boring B-1.

**Alluvium:** Underlying the buried topsoil horizon in test pits TP-11 and TP-12, we observed alluvial soil deposits. Alluvium soils generally consisted of soft, gravelly CLAY (CL) to gravelly SILT (ML). The gravel was generally subrounded. Alluvium soils extended to a depth of 9.5 feet in test pits TP-11 and TP-12.

**Colluvium**: Underlying the till zone in test pits TP-1, TP-2 through TP-5, TP-7, TP-8, TP-15, TP-21, and TP-22, underlying the undocumented fill material in test pits TP-9 and TP-13, and underlying the alluvium in test pits TP-11 and TP-12, we observed soils derived from ancient colluvial debris flows of the native Nestucca Formation. The colluvial soils generally consisted of silty CLAY (CL) to highly plastic CLAY (CH) with varying amounts of angular, sand to gravel-size fragments of siltstone. The consistency of the colluvium soils ranged from medium stiff to hard. Colluvium soils extended to depths of 8 feet in test pit TP-4, 2 feet in test pit TP-5, 7 feet in test pit TP-7, 6 feet in test pit TP-8, 11 feet in test pit TP-12, 3 feet in test pit TP-13, 4 feet in test pit TP-21, 9.5 feet in test pit TP-22

Colluvium soils extended beyond the maximum depth of exploration in test pit TP-1, TP-3, TP-9, TP-11, and TP-15. On March 3, 2016 when soils were wetter, caving frequently occurred in the sidewalls of our test pits. On May 3, 2016 when soils were dryer we did not observe significant caving.

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Portions of the colluvial soils were observed to display highly plasticity. Highly plastic CLAY (CH) was encountered below a depth of 1.5 feet in test pit TP-1, below a depth of 3 feet in test pit TP-3, from 6 to 8 feet in test pit TP-4, and below a depth of 2.5 to 6 feet in test pit TP-8, from 2 to 4 feet in test pit TP-21, and from 1.5 to 9.5 feet in test pit TP-22.

Laboratory tests indicated that this material has a plasticity index of 70.1 and liquid limit of 104, which indicates a very high plasticity. We subcontracted Northwest Testing, Inc. to perform expansion index testing on this soil. A representative sample taken at a depth of 3 feet in test pit TP-1 exhibited an expansion index of 156, indicating a very high potential for shrinkage and swelling with changes in moisture content. The depths and thicknesses of soil with very high expansion potential are summarized on the following table.

Table 4 – Summary of Depths of Soil with Very High Expansion Potential

Test Pit Designation	Depth of Soil with Very High Expansion Potential (ft)					
TP-1	>1.5					
TP-3	3					
TP-4	6 - 8					
TP-8	2.5 - 6					
TP-21	2 - 4					
TP-22	1.5 – 9.5					

**Nestucca Formation:** Underlying the colluvium soils in test pits TP-4, TP-5, TP-7, TP-8, TP-12, TP-13, TP-21, and TP-22, the ground surface in test pit TP-14, the buried topsoil horizon in test pits TP-10 and TP-16, TP-17, the till zone in test pits TP-23 and TP-24, and the landslide mass in boring B-1 we observed materials belonging the Nestucca Formation. The Nestucca Formation soils generally consisted of siltstone. In test pit TP-4 we observed that the bedding of the siltstone appeared to be relatively level. In boring B-1 we observed a layer of residual soil consisting of highly plastic CLAY (CH), derived from in-place weathering of the Nestucca Formation.

Basalt belonging to or intruding into the Nestucca Formation was encountered in test pits TP-14, TP-16, TP-17, TP-18, TP-20. Practical refusal was obtained on basalt in test pits TP-14, TP-16, TP-17, and TP-18 at depths of 2.5, 6.5, 7, and 7.5 feet, respectively. In test pit TP-20, we were to excavate through the layer of basalt from 1 to 7.5 feet, and into the underlying siltstone. In test pit TP-20 the basalt layer contained a 2-foot diameter chunk of soft (R2) siltstone, centered at a depth of approximately 2.5 feet.

Residual soil derived from in-place weathering of basalt was encountered in test pits TP-18 and TP-19. The residual soil of basalt generally consisted of silty CLAY (CL) with some gravel and cobble-size basalt clasts and extended to a depth of 2.5 feet in test pit TP-18 and to a depth of 8 feet in test pit TP-19.

Practical refusal was obtained on siltstone in test pits TP-5, TP-8, TP-13, TP-19, TP-20, TP-21, TP-23, and TP-24 at depths of 5 to 6.5, 8, 9, 12, 11, 6.5 to 8.5, 7.5, and 8 feet, respectively. The depths of practical refusal are summarized on the following table.

Test Pit Designation	Depth of Refusal (ft)	Material
TP-5	5-6.5	Siltstone
TP-8	8	Siltstone
TP-13	9	Siltstone
TP-14	2.5	Basalt
TP-16	6.5	Basalt
TP-17	7	Basalt
TP-18	7.5	Basalt
TP-19	12	Siltstone
TP-20	11	Siltstone
TP-21	6.5-8.5	Siltstone
TP-23	7.5	Siltstone
TP-24	8	Siltstone

# Table 5 - Depths of Practical Refusal in Test Pit Explorations

# Soil Moisture and Groundwater

On March 17, 2016, we encountered seepage in all test pits except test pits TP-1, TP-8, TP-9, TP-13, and TP-14. In some locations the rate of groundwater seepage was rapid, visually estimated at 10 gallons per minute or more. Groundwater was encountered at a depth of 7 feet in test pit TP-12. On March 17, 2016 we observed that the water level in the sump installed in the central portion of the landslide was approximately 9 feet beneath the ground surface and that a pump installed in the sump was running frequently. We also observed running water on the ground surface along the west and east property boundaries.

On May 3, 2016, we encountered groundwater seepage at a depth of 9.5 feet in test pit TP-22 and at a depth of 8 feet in test pit TP-24. Groundwater seepage encountered in test pits TP-22 and TP-24 was very slow, visually estimated at less than 1 gallon per minute. We did not observe groundwater seepage in boring B-1, but the side of the sampler was wet at a depth of 20 to 21.5 feet and the soil from 10 to 11.5 feet was very moist to wet. Also, on May 3, 2016 we measured groundwater at a depth of 7 feet in the sump installed in the central portion of the landslide and that the pump had been removed from the sump. On May 3, 2016 we did not observe running water on the ground surface along the west and east property boundaries.

Experience has shown that temporary storm related perched groundwater within the near surface soils often occur over fine-grained native deposits such as those beneath the site during the wet season, particularly in clay soils such as were identified in the test pits. It is anticipated that groundwater conditions will vary depending on the season, local subsurface conditions, changes in site utilization, and other factors.

# PORTABLE DYNAMIC CONE PENETROMETER TESTING - INTERIOR STREETS

As part of this study, GeoPacific evaluated the subgrade conditions for the proposed interior public streets. On March 17, 2016 GeoPacific performed field testing of subgrade strength using a portable dynamic cone penetrometer (PDCP) to determine the strength parameters of the soil for support of crushed aggregate surfacing. The PDCP tests were performed at the approximate locations of test pits TP-1, TP-7, and TP-15. Representative California Bearing

Ratio (CBR) values at each test location are summarized on Table 6, for the depth intervals indicated.

Field Test Designation	Material Tested	Depth Interval of Test (feet)	Representative CBR Value
TP-1	Native Clay	1.6-2.4	4
TP-7	Native Clay	1.5-2.4	3.5
TP-15	Native Clay	1.4-2.5	3.5

Table 6 - PDCP Field Test Results and Representative CBR Values

The test results indicate moderate subgrade soil conditions for support of traffic loading. A lowend CBR value of 3.5 was used for subgrade soils in our analyses for the proposed interior public streets, discussed in a subsequent report section.

# PRELIMINARY CONCLUSIONS AND RECOMMENDATIONS

Based on the results of our geotechnical investigation, there are several significant geotechnical issues for project completion. Although we consider the proposed development to be geotechnically feasible, we anticipate that the overall feasibility of the proposed development will depend on the cost of construction. The most significant geotechnical issues currently known to us are listed below.

- 1) Existing slopes in the central and northeastern portions of the site are marginally stable-As evidenced by the recent landslide which occurred on the site by grading on the adjacent site, the existing slopes are marginally stable and may be negatively affected by grading activities on the site. No additional fill material should be placed on existing slopes without remedial measures. In order to improve the stability of existing slopes in the central and northeastern portions of the site, we recommend that the colluvial soils along the downslope portions of the site be removed down to competent native soil and replaced with an engineered fill slope buttress. The fill slope buttress should incorporate a keyway, drainage measures, and cement-treated engineered fill material.
- 2) Presence of a recently active landslide We recommend that the existing landslide mass be completely removed down to competent native soils. This work should only be attempted in a dry weather season. The slide plane was encountered at a depth of 11.5 feet in test pit TP-6 and at a depth of 10 to 11 feet in boring B-1. An engineered fill slope buttress may be constructed at the location of the existing landslide, with a keyway, drainage measures, and cement-treated engineered fill material.
- 3) Significant depths of undocumented fill material, buried topsoil, erosional deposits, and soft alluvium Undocumented fill material, buried topsoil, erosional deposits, and soft alluvium should be completely removed and the excavations backfilled with engineered fill.
- 4) Presence of expansive soils Where highly expansive soils are present within 5 feet of foundation subgrade elevation, the highly expansive soils should be over-excavated to a depth of 5 feet below foundation subgrade or below the highly expansive soils, whichever is shallower. After highly expansive soils have been over-excavated, the lots

should be backfilled to finished grade with compacted structural fill consisting of soils with low expansion potential.

- 5) Deep till zone Due to the organic content of the till zone (7.5 percent), it is must be blended with other materials in order to be used as engineered fill.
- 6) Groundwater seepage and perched groundwater at relatively shallow depths On March 17, 2016 groundwater seepage was encountered at relatively shallow depths in test pits TP-2 through TP-7, TP-10 through TP-12, and TP-15. Groundwater was encountered at a depth of 7 feet in test pit TP-12. On May 3, 2016 groundwater seepage was encountered in test pits TP-22 and TP-24.
- Caving issues for trench excavations On March 17, 2016 in colluvium soils the sides of the test pits frequently caved in, indicating that special attention will need to be paid to the stability of trench sidewalls during installation of utilities.
- 8) Hard rock at relatively shallow depths in portions of the site Practical refusal was obtained in several test pits at the depths summarized on Table 5.

The following report sections provide recommendations for site development and construction in accordance with the current applicable codes and local standards of practice. These recommendations are considered preliminary because grading plans have not yet been finalized. The report can be finalized after grading plans are reviewed by GeoPacific. GeoPacific should be consulted to review the proposed grading plans and to provide specific recommendations for the proposed plans prior to construction.

# General Slope Stability - Fill Buttress on Downslope Side of the Site

Based on the results of our geotechnical investigation, the downslope sections of existing slopes in the central and eastern portions of the site are underlain by colluvium. This material is considered marginally stable. No fill material should be placed on existing slopes in the central and northeastern portions of the site without remedial measures.

In order to improve the stability of existing slopes in the central and northeastern portions of the site, we recommend that the colluvial soils along the downslope portions of the site be removed down to competent native soil and replaced with an engineered fill slope buttress. The fill slope buttress should incorporate a keyway, drainage measures, and cement-treated engineered fill material. A typical detail for the engineered fill slope buttress is shown on Figure 3. For preliminary planning purposes, we anticipate that the fill slope buttress will need to be constructed across lots 26 through 34, as shown on the attached Site Plan (Figure 2). The extent of the fill buttress will depend on proposed site grading and may need to extend across Lots 21 through 24 as well.

We recommend that surface runoff be collected and water discharged to a suitable location in a controlled manner. In no case should uncontrolled stormwater runoff be allowed to flow over slopes.

# Remediation of Recently Active Landslide

We understand that a landslide occurred on the subject site during grading and retaining wall construction on adjacent lots to the south of the site. The slide is approximately 100 feet wide

and temporary measures, such as shallow swales to divert surface runoff and a sump, have been installed on the subject site. Between March 17, 2016 and May 3, 2016 it appears that a trench was excavated by others along the southern property boundary for the width of the landslide. A drain may have been installed in this trench. The sump was installed in the approximate middle of the landslide mass and appears to have been installed to a depth of 10 feet. However, on May 3, 2016 the pump had been removed from the sump and water was measured at a depth of 7 feet beneath the ground surface.

Based on the results of our geotechnical investigation, the slide plane of the existing landslide appears to have been encountered at a depth of 11.5 feet in test pit TP-6 and at a depth of 10 to 11 feet in boring B-1.

We recommend that the landslide mass be completely removed down to competent native soils. This work should only be attempted in a the dry weather season. An engineered fill slope buttress, as described in the previous report section, may be constructed at the location of the existing landslide, with a keyway, drainage measures, and cement treated fill material. A preliminary cross section of the engineered fill slope buttress is shown on Figure 3.

#### Site Preparation

Areas of proposed buildings, streets, and areas to receive fill should be cleared of vegetation and any organic and inorganic debris. Inorganic debris should be removed from the site. Organic materials from clearing should either be removed from the site or placed as landscape fill in areas not planned for structures.

Organic-rich topsoil should then be stripped from construction areas of the site or where engineered fill is to be placed. The estimated average necessary depth of removal in undisturbed areas for moderately to highly organic soils is 11 inches. The topsoil layer ranges in thickness from 8 to 14 inches, as summarized in Table 2. Deeper stripping to remove large tree roots or other organics may be necessary in localized areas. The final depth of soil removal will be determined on the basis of a site inspection after the stripping/excavation has been performed. Stripped topsoil should be stockpiled only in designated areas and stripping operations should be observed and documented by the geotechnical engineer or his representative.

The till zone soils contain too much organic material to be suitable for foundation subgrade or to be reused as engineered fill. As summarized on Table 2, the till zone soils extended to depths of 18 to 36 inches, with an average depth of approximately 23 inches. This material must be blended with other soils to reach an organic content of 5 percent or less in order to be reused as engineered fill. Therefore, till zone soils should either be completely removed from the site, placed as landscape fill in areas not planned for structures, or blended to an appropriate organic content and reused as engineered fill.

Any remaining undocumented fill material, buried topsoil, soft alluvium, erosional deposits, and subsurface structures (tile drains, basements, driveway and landscaping fill, old utility lines, septic leach fields, etc.) should be removed and the excavations backfilled with engineered fill. Depths of undocumented fill material and buried topsoil are summarized on Table 3. Soft alluvium soils were encountered in test pits TP-11 and TP-12. To a depth of 9.5 feet. Erosional deposits extended beyond a depth of 5 feet in test pit TP-2.

Highly plastic, highly expansive clay was encountered in test pits TP-1, TP-3, TP-4, TP-8, TP-12, and TP-22. Expansive soils may also be present in other areas of the site, outside of our explorations. Expansion index testing of clay material from test pit TP-1 indicates the highly plastic clay on the site has a very high potential for expansion and shrinkage. The depths of highly expansive clay are summarized on Table 4.

Where highly expansive soils are present within 5 feet of foundation subgrade elevation, the highly expansive soils should be over-excavated to a depth of 5 feet below foundation subgrade or below the highly expansive soils, whichever is shallower. The highly plastic clay material should also be removed 5 feet horizontally beyond the building envelopes. Other areas of potentially expansive clay may exist on the site outside of our explorations. The proposed on site public streets are comprised of flexible pavements that are not significantly impacted by expansive soils, therefore no soil removal is recommended within the streets.

Other alternatives may be considered for addressing the presence of expansive soils on the site, depending on the final grading plan. Alternatives may include placing at least 5 feet of engineered fill over the layer of expansive soil or treating the potentially expansive soil with cement or chemicals such as CondorSF and recompacting it. Additional measures may include installation of footing perimeter drains, elimination of deep-rooted plants and irrigation systems adjacent to structures, and placement of additional reinforcing steel in footings and floor slabs.

Once stripping/excavation of a particular area is approved, the area must be ripped or tilled to a depth of 12 inches, moisture conditioned, root-picked, and compacted in-place prior to the placement of engineered fill or crushed aggregate base for pavement. Exposed subgrade soils should be evaluated by the geotechnical engineer. For large areas, this evaluation is normally performed by proof-rolling the exposed subgrade with a fully loaded scraper or dump truck. For smaller areas where access is restricted, the subgrade should be evaluated by probing the soil with a steel probe. Soft/loose soils identified during subgrade preparation should be compacted to a firm and unyielding condition, over-excavated and replaced with engineered fill. The depth of overexcavation, if required, should be evaluated by the geotechnical engineer at the time of construction.

# Engineered Fill

All grading for the proposed development should be performed as engineered grading in accordance with the applicable building code at time of construction with the exceptions and additions noted herein. Proper test frequency and earthwork documentation usually requires daily observation and testing during stripping, rough grading, and placement of engineered fill. Imported fill material must be approved by the geotechnical engineer prior to being imported to the site. Oversize material greater than 6 inches in size should not be used within 3 feet of foundation footings, and material greater than 12 inches in diameter should not be used in engineered fill.

Engineered fill should be compacted in horizontal lifts not exceeding 8 inches using standard compaction equipment. We recommend that engineered fill be compacted to at least 95% of the maximum dry density determined by Standard Proctor AASHTO T-99 or equivalent. Field density testing should conform to ASTM D2922 and D3017, or D1556. All engineered fill should be observed and tested by the project geotechnical engineer or his representative. Typically, one density test is performed for at least every 2 vertical feet of fill placed or every 500 yd<sup>3</sup>, whichever requires more testing. Because testing is performed on an on-call basis, we

recommend that the earthwork contractor be held contractually responsible for test scheduling and frequency.

Site earthwork will be impacted by soil moisture and shallow groundwater conditions. Earthwork in wet weather would likely require extensive use of cement, lime, or chemical treatment, or other special measures, at considerable additional cost compared to earthwork performed under dry-weather conditions.

## **Excavating Conditions and Utility Trenches**

Subsurface test pit exploration indicates that medium hard basalt and siltstone belonging to the Nestucca Formation exists at relatively shallow depths in portions of the site. Practical refusal was obtained with the small trackhoe used in our geotechnical investigation in many of the test pits. The depths of practical refusal are summarized on Table 5.

We anticipate that native silts and clays can be excavated using conventional heavy equipment such as dozers and trackhoes. Excavating into rock may require blasting or specialized equipment such as rock chippers or trackhoes fitted with rock teeth.

Maintenance of safe working conditions, including temporary excavation stability, is the responsibility of the contractor. Actual slope inclinations at the time of construction should be determined based on safety requirements and actual soil and groundwater conditions. All temporary cuts in excess of 4 feet in height should be sloped in accordance with U.S. Occupational Safety and Heath Administration (OSHA) regulations (29 CFR Part 1926), or be shored. The existing soils classify as Type B Soil and temporary excavation side slope inclinations as steep as 1H:1V may be assumed for planning purposes. This cut slope inclination is applicable to excavation stability, is the responsibility of the contractor. Actual slope inclinations at the time of construction should be determined based on safety requirements and actual soil and groundwater conditions.

Saturated soils and groundwater may be encountered in utility trenches, particularly during the wet season. We anticipate that dewatering systems consisting of ditches, sumps and pumps would be adequate for control of perched groundwater. Regardless of the dewatering system used, it should be installed and operated such that in-place soils are prevented from being removed along with the groundwater.

Vibrations created by traffic and construction equipment may cause some caving and raveling of excavation walls. In such an event, lateral support for the excavation walls should be provided by the contractor to prevent loss of ground support and possible distress to existing or previously constructed structural improvements.

PVC pipe should be installed in accordance with the procedures specified in ASTM D2321. We recommend that trench backfill be compacted to at least 95% of the maximum dry density obtained by Standard Proctor ASTM D698 or equivalent. Initial backfill lift thickness for a <sup>3</sup>/<sub>4</sub>"-0 crushed aggregate base may need to be as great as 4 feet to reduce the risk of flattening underlying flexible pipe. Subsequent lift thickness should not exceed 1 foot. If imported granular fill material is used, then the lifts for large vibrating plate-compaction equipment (e.g. hoe compactor attachments) may be up to 2 feet, provided that proper compaction is being achieved and each lift is tested. Use of large vibrating compaction equipment should be

carefully monitored near existing structures and improvements due to the potential for vibrationinduced damage.

Adequate density testing should be performed during construction to verify that the recommended relative compaction is achieved. Typically, one density test is taken for every 4 vertical feet of backfill on each 200-lineal-foot section of trench.

#### **Erosion Control Considerations**

During our field exploration program, we did not observe soil types that would be considered highly susceptible to erosion. In our opinion, the primary concern regarding erosion potential will occur during construction, in areas that have been stripped of vegetation. Erosion at the site during construction can be minimized by implementing the project erosion control plan, which should include judicious use of straw bales and silt fences. If used, these erosion control devices should be in place and remain in place throughout site preparation and construction.

Erosion and sedimentation of exposed soils can also be minimized by quickly re-vegetating exposed areas of soil, and by staging construction such that large areas of the project site are not denuded and exposed at the same time. Areas of exposed soil requiring immediate and/or temporary protection against exposure should be covered with either mulch or erosion control netting/blankets. Areas of exposed soil requiring permanent stabilization should be seeded with an approved grass seed mixture, or hydroseeded with an approved seed-mulch-fertilizer mixture.

#### Wet Weather Earthwork

Soils underlying the site are likely to be moisture sensitive and may be difficult to handle or traverse with construction equipment during periods of wet weather. Earthwork is typically most economical when performed under dry weather conditions. Earthwork performed during the wet-weather season will probably require expensive measures such as cement treatment or imported granular material to compact fill to the recommended engineering specifications. If earthwork is to be performed or fill is to be placed in wet weather or under wet conditions when soil moisture content is difficult to control, the following recommendations should be incorporated into the contract specifications.

- Earthwork should be performed in small areas to minimize exposure to wet weather. Excavation or the removal of unsuitable soils should be followed promptly by the placement and compaction of clean engineered fill. The size and type of construction equipment used may have to be limited to prevent soil disturbance. Under some circumstances, it may be necessary to excavate soils with a backhoe to minimize subgrade disturbance caused by equipment traffic;
- The ground surface within the construction area should be graded to promote run-off of surface water and to prevent the ponding of water;
- Material used as engineered fill should consist of clean, granular soil containing less than 5 percent fines. The fines should be non-plastic. Alternatively, cement treatment of on-site soils may be performed to facilitate wet weather placement;
- > The ground surface within the construction area should be sealed by a smooth drum vibratory roller, or equivalent, and under no circumstances should be left uncompacted and

exposed to moisture. Soils which become too wet for compaction should be removed and replaced with clean granular materials;

- Excavation and placement of fill should be observed by the geotechnical engineer to verify that all unsuitable materials are removed and suitable compaction and site drainage is achieved; and
- > Straw waddles and/or geotextile silt fences should be strategically located to control erosion.

If cement or lime treatment is used to facilitate wet weather construction, GeoPacific should be contacted to provide additional recommendations and field monitoring.

# New Pavement Sections for Proposed Interior Light-Duty Public Roads

We understand that approximately 1,900 feet of new light-duty public roads are to be constructed on the site. The proposed new streets within the subdivision will be surfaced with asphalt pavement. We assume the proposed new streets will be subjected to an initial two-way ADT (average daily traffic count) of 250 vehicles per day. Further, we assumed 2 percent of the vehicles will be heavy trucks (FHWA Class 5 or greater). For design purposes, we used an estimated resilient modulus of 5,250 pci for existing subgrade soils. This correlates to a CBR value of about 3.5, which is consistent with our PDCP test results.

Table 7 presents the recommended section thicknesses for the proposed public streets that are to be completed as part of the project, under dry weather construction conditions. In our opinion, this pavement section is suitable to support the anticipated levels of traffic. See attached pavement section calculations for details.

Material Layer	Section Thickness (in)	Compaction Standard
Asphaltic Concrete (AC)	3	91%/ 92% of Rice Density AASHTO T-209
Crushed Aggregate Base 3⁄4"-0 (leveling course)	2	95% of Modified Proctor AASHTO T-180
Crushed Aggregate Base 1½"-0	8	95% of Modified Proctor AASHTO T-180
Subgrade	12	95% of Standard Proctor AASHTO T-99

Table 7 - Recommended Minimum Dry-Weather Pavement Section

The subgrade should be ripped or tilled to a depth of 12 inches (as permitted by existing utilities), moisture conditioned, root-picked, and compacted in-place prior to the placement of crushed aggregate base for pavement. Any pockets of organic debris or loose fill encountered during ripping or tilling should be removed and replaced with engineered fill (see *Site Preparation* Section). In order to verify subgrade strength, we recommend proof-rolling directly on subgrade with a loaded dump truck during dry weather and on top of base course in wet weather. Soft areas that pump, rut, or weave should be stabilized prior to paving.

If pavement areas are to be constructed during wet weather, the subgrade and construction plan should be reviewed by the project geotechnical engineer at the time of construction so that condition specific recommendations can be provided. The moisture sensitive subgrade soils

make the site a difficult wet weather construction project. General recommendations for wet weather pavement sections are provided below.

During placement of pavement section materials, density testing should be performed to verify compliance with project specifications. Generally, one subgrade, one base course, and one asphalt compaction test is performed for every 100 to 200 linear feet of paving.

#### Wet Weather Construction Pavement Section

This section presents our recommendations for wet weather pavement section and construction, which are for on-site and off-site light duty public streets, and for off-site improvements to SW Taylors Ferry Road to be constructed as part of the project. These wet weather pavement section recommendations are intended for use in situations where it is not feasible to compact the subgrade soils to project requirements, due to wet subgrade soil conditions, and/or construction during wet weather.

Based on our site review, we recommend a wet weather section with a minimum subgrade deepening of 6 inches to accommodate a working subbase of additional 1½"-0 crushed rock. Geotextile fabric, Mirafi 500x or equivalent, should be placed on subgrade soils prior to placement of base rock.

In some instances it may be preferable to use Special Treated Base (STB) in combination with overexcavation and increasing the thickness of the rock section. GeoPacific should be consulted for additional recommendations regarding use of STB in wet weather pavement sections if it is desired to pursue this alternative. Cement treatment of the subgrade may also be considered instead of overexcavation. For planning purposes, we anticipate that treatment of the on site soils would involve mixing cement powder to approximately 6 percent cement content and a mixing depth on the order of 12 inches.

With implementation of the above recommendations, it is our opinion that the resulting pavement section will provide equivalent or greater structural strength than the dry weather pavement section currently planned. However, it should be noted that construction in wet weather is risky and the performance of pavement subgrades depend on a number of factors including the weather conditions, the contractor's methods, and the amount of traffic the road is subjected to. There is a potential that soft spots may develop even with implementation of the weather provisions recommended in this letter. If soft spots in the subgrade are identified during roadway excavation, or develop prior to paving, the soft spots should be overexcavated and backfilled with additional crushed rock.

During subgrade excavation, care should be taken to avoid disturbing the subgrade soils. Removals should be performed using an excavator with a smooth-bladed bucket. Truck traffic should be limited until an adequate working surface has been established. We suggest that the crushed rock be spread using bulldozer equipment rather than dump trucks, to reduce the amount of traffic and potential disturbance of subgrade soils.

Care should be taken to avoid overcompaction of the base course materials, which could create pumping, unstable subgrade soil conditions. Heavy and/or vibratory compaction efforts should be applied with caution. Following placement and compaction of the crushed rock to project specifications (95% of Modified Proctor), a finish proof-roll should be performed before paving.

The above recommendations are subject to field verification. GeoPacific should be on-site during construction to verify subgrade strength and to take density tests on the engineered fill, base rock and asphaltic pavement materials.

### Spread Foundations

The proposed residential structures may be supported on shallow foundations bearing on competent undisturbed, native soils and/or engineered fill, appropriately designed and constructed as recommended in this report. As previously discussed, expansive soils should be over-excavated to a depth of 5 feet below foundation subgrade or below the highly expansive soils, whichever is shallower. After highly expansive soils have been over-excavated, the lots should be backfilled to finished grade with compacted structural fill.

Foundation design, construction, and setback requirements should conform to the applicable building code at the time of construction. For maximization of bearing strength and protection against frost heave, spread footings should be embedded at a minimum depth of 12 inches below exterior grade.

The anticipated allowable soil bearing pressure is 1,500 lbs/ft<sup>2</sup> for footings bearing on competent, native soil and/or engineered fill. A maximum chimney and column load of 30 kips is preliminarily recommended for the site. The recommended maximum allowable bearing pressure may be increased by 1/3 for short-term transient conditions such as wind and seismic loading. For heavier loads, the geotechnical engineer should be consulted. The coefficient of friction between on-site soil and poured-in-place concrete may be taken as 0.42, which includes no factor of safety. The maximum anticipated total and differential footing movements (generally from soil expansion and/or settlement) are 1 inch and ¾ inch over a span of 20 feet, respectively. We anticipate that the majority of the estimated settlement will occur during construction, as loads are applied. Excavations near structural footings should not extend within a 1H:1V plane projected downward from the bottom edge of footings.

Footing excavations should penetrate through topsoil and any loose soil to competent subgrade that is suitable for bearing support. All footing excavations should be trimmed neat, and all loose or softened soil should be removed from the excavation bottom prior to placing reinforcing steel bars. Due to the moisture sensitivity of on-site native soils, foundations constructed during the wet weather season may require overexcavation of footings and backfill with compacted, crushed aggregate.

# **Below-Grade Structural Walls**

Lateral earth pressures against below-grade retaining walls will depend upon the inclination of any adjacent slopes, type of backfill, degree of wall restraint, method of backfill placement, degree of backfill compaction, drainage provisions, and magnitude and location of any adjacent surcharge loads. At-rest soil pressure is exerted on a retaining wall when it is restrained against rotation. In contrast, active soil pressure will be exerted on a wall if its top is allowed to rotate or yield a distance of roughly 0.001 times its height or greater.

If the subject retaining walls will be free to rotate at the top, they should be designed for an active earth pressure equivalent to that generated by a fluid weighing 35 pcf for level backfill against the wall. For restrained walls, an at-reset equivalent fluid pressure of 54 pcf should be used in design, again assuming level backfill against the wall. These values assume that the

recommended drainage provisions are incorporated, hydrostatic pressures are not allowed to develop against the wall, and free draining granular backfill is utilized.

During a seismic event, lateral earth pressures acting on below-grade structural walls will increase by an incremental amount that corresponds to the earthquake loading. Based on the Mononobe-Okabe equation and peak horizontal accelerations appropriate for the site location, seismic loading should be modeled using the active or at-rest earth pressures recommended above, plus an incremental rectangular-shaped seismic load of magnitude 6.5H, where H is the total height of the wall.

We assume relatively level ground surface below the base of the walls. As such, we recommend passive earth pressure of 320 pcf for use in design, assuming wall footings are cast against competent native soils or engineered fill. If the ground surface slopes down and away from the base of any of the walls, a lower passive earth pressure should be used and GeoPacific should be contacted for additional recommendations.

A coefficient of friction of 0.42 may be assumed along the interface between the base of the wall footing and subgrade soils. The recommended coefficient of friction and passive earth pressure values do not include a safety factor, and an appropriate safety factor should be included in design. The upper 12 inches of soil should be neglected in passive pressure computations unless it is protected by pavement or slabs on grade.

The above recommendations for lateral earth pressures assume that the backfill behind the subsurface walls will consist of properly compacted structural fill, and no adjacent surcharge loading. If the walls will be subjected to the influence of surcharge loading within a horizontal distance equal to or less than the height of the wall, the walls should be designed for the additional horizontal pressure. For uniform surcharge pressures, a uniformly distributed lateral pressure of 0.3 times the surcharge pressure should be added. Traffic surcharges may be estimated using an additional vertical load of 250 psf (2 feet of additional fill), in accordance with local practice.

The recommended equivalent fluid densities assume a free-draining condition behind the walls so that hydrostatic pressures do not build-up. This can be accomplished by placing a minimum 12- to 18-inch wide zone of crushed drain rock containing less than 5 percent fines against the walls. A 3-inch minimum diameter perforated, plastic drain pipe should be installed at the base of the walls and connected to a sump to remove water from the crushed drain rock zone. The drain pipe should be wrapped in filter fabric (Mirafi 140N or other as approved by the geotechnical engineer) to minimize clogging. The above drainage measures are intended to remove water from behind the wall to prevent hydrostatic pressures from building up. Additional drainage measures may be specified by the project architect or structural engineer, for damp-proofing or other reasons.

GeoPacific should be contacted during construction to verify subgrade strength in wall keyway excavations, to verify that backslope soils are in accordance with our assumptions, and to take density tests on the wall backfill materials.

#### Footing and Roof Drains

If the proposed structures will have raised floors, and no concrete slab-on-grade floors are used, perimeter footing drains would not be required based on soil conditions encountered at the site and experience with standard local construction practices. Where it is desired to reduce the

potential for moist crawl spaces, footing drains may be installed. If concrete slab-on-grade floors are used, perimeter footing drains should be installed as recommended below.

Where used, perimeter footing drains should consist of 3 or 4-inch diameter, perforated plastic pipe embedded in a minimum of 1 ft<sup>3</sup> per lineal foot of clean, free-draining drain rock. The drain pipe and surrounding drain rock should be wrapped in non-woven geotextile (Mirafi 140N, or approved equivalent) to minimize the potential for clogging and/or ground loss due to piping. Water collected from the footing drains should be directed to the local storm drain system or other suitable outlet. A minimum 0.5 percent fall should be maintained throughout the drain and non-perforated pipe outlet. The footing drains should include clean-outs to allow periodic maintenance and inspection. In our opinion, footing drains may outlet at the curb, or on the back sides of lots where sufficient fall is not available to allow drainage to the street.

Construction should include typical measures for controlling subsurface water beneath the homes, including positive crawlspace drainage to an adequate low-point drain exiting the foundation, visqueen covering the exposed ground in the crawlspace, and crawlspace ventilation (foundation vents). The homebuyers should be informed and educated that some slow flowing water in the crawlspaces is considered normal and not necessarily detrimental to the home given these other design elements incorporated into its construction. Appropriate design professionals should be consulted regarding crawlspace ventilation, building material selection and mold prevention issues, which are outside GeoPacific's area of expertise.

Down spouts and roof drains should collect roof water in a system separate from the footing drains in order to reduce the potential for clogging. Roof drain water should be directed to an appropriate discharge point well away from structural foundations. Grades should be sloped downward and away from buildings to reduce the potential for ponded water near structures.

# Seismic Design

Structures should be designed to resist earthquake loading in accordance with the methodology described in the 2012 International Residential Code (IRC) for One- and Two-Family Dwellings, with applicable Oregon Structural Specialty Code (OSSC) revisions (*current 2014*). We recommend Site Class D be used for design per the OSSC, Table 1613.5.2 and as defined in ASCE 7, Chapter 20, Table 20.3-1. Design values determined for the site using the USGS (United States Geological Survey) 2016 Seismic Design Maps Summary Report are summarized in Table 7.

Parameter	Value			
Location (Lat, Long), decimal	45.2086, -123.2443			
Probabilistic Ground Motion Values,				
2% Probability of Exceedance in 50 yrs	5			
Short Period, S₅	1.022 g			
1.0 Sec Period, S <sub>1</sub>	0.486 g			
Soil Factors for Site Class D:				
Fa	1.091			
Fν	1.514			
Residential Site Value = 2/3 x F <sub>a</sub> x S <sub>s</sub>	0.744 g			
Residential Seismic Design Category	D			

# Table 7 - Recommended Earthquake Ground Motion Parameters (2016 USGS)

Soil liquefaction is a phenomenon wherein saturated soil deposits temporarily lose strength and behave as a liquid in response to earthquake shaking. Soil liquefaction is generally limited to loose, granular soils located below the water table. The on-site soils consist predominantly of medium stiff to hard fine-grained soils and hard rock, and are not considered susceptible to liquefaction.

# UNCERTAINTIES AND LIMITATIONS

We have prepared this report for the owner and their consultants for use in design of this project only. This report should be provided in its entirety to prospective contractors for bidding and estimating purposes; however, the conclusions and interpretations presented in this report should not be construed as a warranty of the subsurface conditions. Experience has shown that soil and groundwater conditions can vary significantly over small distances. Inconsistent conditions can occur between explorations that may not be detected by a geotechnical study. If, during future site operations, subsurface conditions are encountered which vary appreciably from those described herein, GeoPacific should be notified for review of the recommendations of this report, and revision of such if necessary.

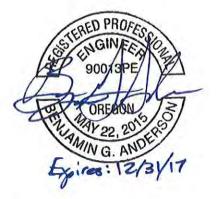
Sufficient geotechnical monitoring, testing and consultation should be provided during construction to confirm that the conditions encountered are consistent with those indicated by explorations. The checklist attached to this report outlines recommended geotechnical observations and testing for the project. Recommendations for design changes will be provided should conditions revealed during construction differ from those anticipated, and to verify that the geotechnical aspects of construction comply with the contract plans and specifications.

Within the limitations of scope, schedule and budget, GeoPacific attempted to execute these services in accordance with generally accepted professional principles and practices in the fields of geotechnical engineering and engineering geology at the time the report was prepared. No warranty, expressed or implied, is made. The scope of our work did not include environmental assessments or evaluations regarding the presence or absence of wetlands or hazardous or toxic substances in the soil, surface water, or groundwater at this site.

We appreciate this opportunity to be of service.

Sincerely,

**GEOPACIFIC ENGINEERING, INC.** 



Benjamin G. Anderson, P.E. Geotechnical Engineer



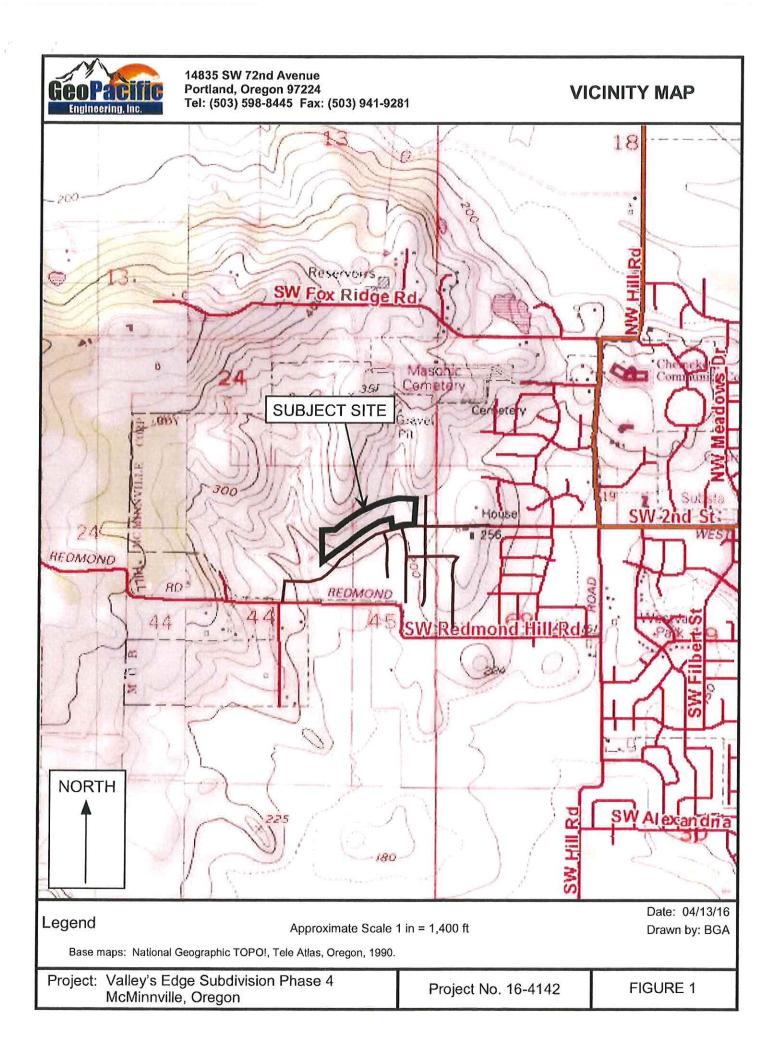
EXPIRES: 06/30/20<u>17</u> James D. Imbrie, G.E., C.E.G. Principal Geotechnical Engineer

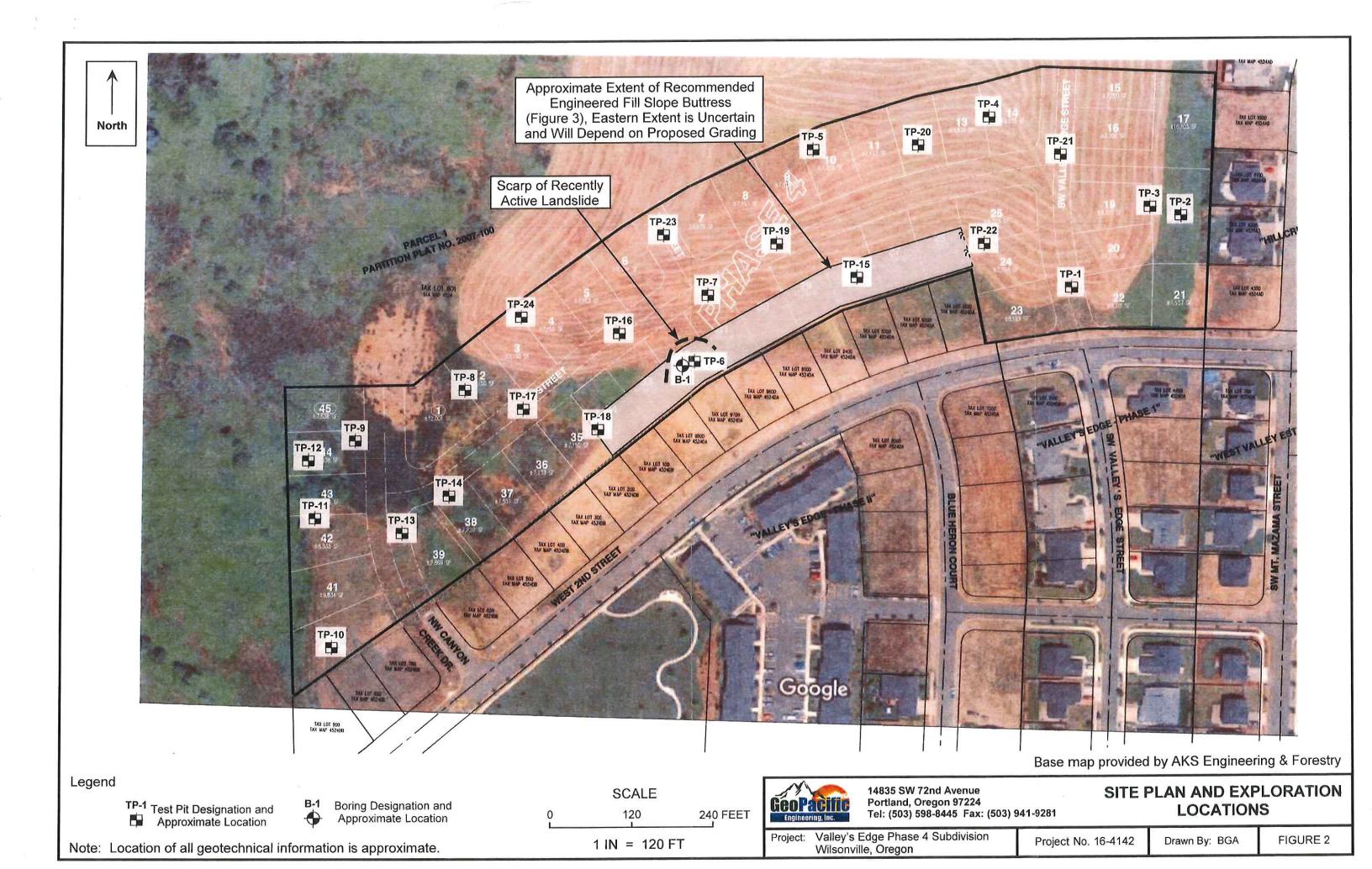
Attachments: References Figure 1 - Vicinity Map Figure 2 - Site Plan and Exploration Locations Figure 3 - Engineered Fill Slope Buttress (Preliminary) Photographic Log (8 Pages) Laboratory Test Results (4 Pages) Test Pit Logs (TP-1 through TP-24) Boring Log (B-1) Pavement Design Calculations (3 Pages)

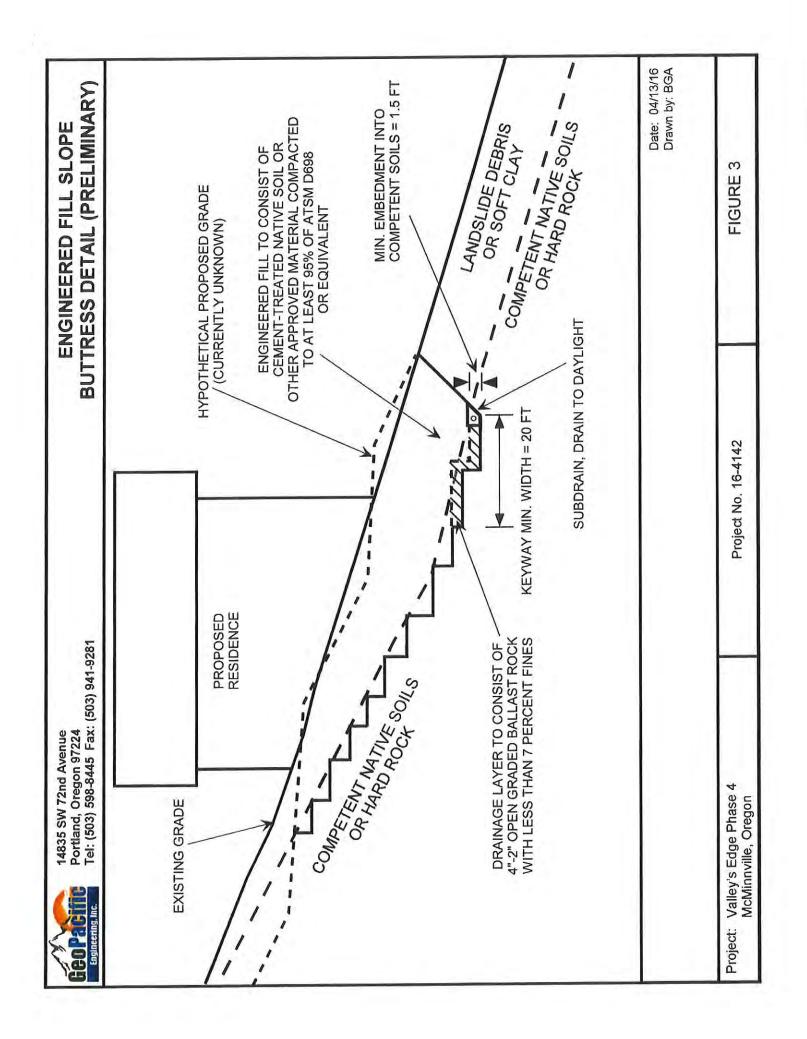
21

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# PHOTOGRAPHIC LOG





Northeast Portion of the Site – View to the North March 17, 2016



# VALLEY'S EDGE PHASE 4 SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



Central Portion of the Site – View to the West March 17, 2016



# VALLEY'S EDGE PHASE 4 SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



Western Portion of the site – View to the South March 17, 2016





Western Portion of the Site – View to the North March 17, 2016





Existing, Recently Active Landslide – View to the East March 17, 2016





Existing, Recently Active Landslide – View to the West March 17, 2016



# VALLEY'S EDGE PHASE 4 SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



Existing, Recently Active Landslide – View to the North March 17, 2016



# VALLEY'S EDGE PHASE 4 SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



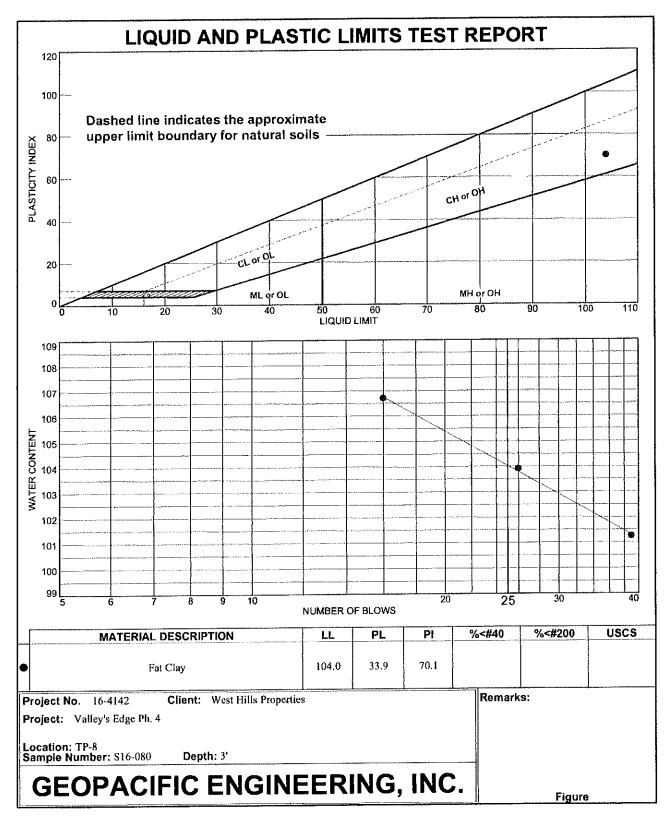
Location of Boring B-1, View to the Southwest May 3, 2016



# LABORATORY TEST RESULTS

3A Tested By: SJC 3/17/2016 Test Date: 3/25	Grain Size Tare # Tare #	Tare+Samp Pre-Sieve							Point 4		0	ion acti
BGA 3/17/2016	Percent Passing								Point 3		0	
Samp By: Samp Date:	Percent Retained								<mark>nalysis Pl</mark> Point 2		0	
16-4142	Weight Passing								Atterberg Analysis Pl Point 1 Point 2		0	1011 11 11 11
Project No.: <u>16-4142</u> TP-8 anics	Cumulative Weight Retained								Point 6		0	100 MON
n Ph. 4 Proje 1' TP-8 Silt with Organics	<u>Data</u> Individual Weight Retained								Point 5		0	
Valley's Edge Subdivision Ph. 4 S16-078 Depth: 1' Silt with urce:	Grain Size Data Sieve Indi Size W Americana	3/4 / 900	1/2 / 570 3/8 / 550	1/4 #4 / 325 #8	#10 / 180 #16	#30 #40 / 75	#50 #100 / 40	#200 / 20 Pan	e Tare # Point 4		0	
Valley's Edg S16-078 be: urce:		l at 440°F 3	22.01 46.5	8.0 7 A5	2		1		Main Sample Tare # Point 3 Point 4		0	IVI/ IUT
Project: Valle Sample ID: <u>S16</u> Material Type: Material Source:	46 512.3 791 730.5 28%	<u></u> ASTM D 2974 at 440°F 1	19.29 45.09	7.3 7.3	"		0	i0//IC#	Point 2		0	
<b>BOPACITO</b> Engineering, Inc.	Tare Number: Tare Wt.: Tare + Wet Soil: Tare + Dry Soil: Percent Moisture:	Organic Content Tare Number:	Tare Wt.: Tare + Pre-Oven Soil:	Percent Organic:	No. 200 Wash Data Tare Number	Tare Wt: Tare+Pre-Wash Samp:	Tare+Post-Wash Samp: #200 From Wash:	Pre-Wash Mass: Percent Pass No. 200	Atterberg Analysis LI Point 1		0	

Tested By: SJC Test Date: 3/25/2016	Grain		Tare Wt.	Tare+Samp	Pre-Sieve Mass <sup>-</sup>													Point 4	T		C	2
BGA Tested By: 3/17/2016 Test Date:		Percent	Fassing							T			-					Point 3 Po			c	>
Samp By: _E Samp Date: _		Percent	Ketained														nalysis PI				C	2
		Weight	rassing														Atterberg Analysis P	Point 1			C	>
Project No.: <u>16-4142</u> TP-8 janics		Cumulative Weight	Relatived															Point 6			C	>
0 0	Data	Individual Weight	Relatived															Point 5			0	>
Valley's Edge Subdivision Ph. 4 S16-079 Depth: 2' De: Silt with urce:	<u>Grain Size Data</u>	Sieve Size	((max wi individually rotained)	1.5"	3/4 / 900	1/2 / 570	3/8 / 550	1/4	622 / 4#	#10/180	#16	#30	#40 / 75	#50	#100 / 40	#200 / 20 Pan	e Tare#	Point 4			0	
Valley's Edg S16-079 pe: urce:				-4 4 AOOF	- at 440 F 3	22	47.14	45.28	7.45	2							Main Sample Tare #	Point 3			0	,
Project: Valle Sample ID: <u>S16-</u> Material Type: Material Source;	7	258.5 479.9 418.0	38%	TOOL OF TOOL OF TOOL	1	19.28	46.05	44.04	C.) DVR	D S					0	0 #DIV/0!		Point 2			0	>
BOPACITIC Engineering, Inc.	Moisture Tare Number:	Tare Wt.: Tare + Wet Soil: Tare + Dry Soil:	Percent Moisture:	Organic Contout			Tare + Pre-Oven Soil:	I are + Post-Oven Soil:		No. 200 Wash Data	Tare Number		Tare+Pre-Wash Samp:	Tare+Post-Wash Samp:	#200 From Wash:	Pre-Wash Mass: Percent Pass No. 200	Atterberg Analysis Ll	Point 1			0	>



Tested By: SJC

the state of the s	l Northwest Geotech, Inc. Pioneer Court, Suite B • Wilsonville, Oregon 97070 503/6	2-1880 FAX: 503/682-2753	
		<b>TECHNICAL REPOI</b>	RT
Report To:	Ms. Beth Rapp, R.G., C.E.G. GeoPacific Engineering, Inc.	Date: 3/20	8/16
	14835 SW 72 <sup>nd</sup> Avenue Portland, Oregon 97224	Lab No.: 16-	-054
Project:	Laboratory Testing – No. 16-4142 Valley's Edge Phase IV	Project No.: 2684	1.1.1
Report of:	Expansion index of soil		

### **Sample Identification**

As requested, NTI completed expansion index testing on a sample delivered to our laboratory on March 21, 2016 by a GeoPacific Engineering, Inc. representative. All testing was performed in general accordance with the methods indicated. Our laboratory's test results are summarized on the following table.

#### Laboratory Test Results

Expansion Index of Soils (ASTM D 4829)						
Test	Test Results					
Initial Moisture Content, (%)	16.7					
Initial Dry Unit Weight, (pcf)	86.5					
Initial Height of Specimen, (inches)	1.00					
Initial Degree of Saturation, (%)	48					
Final Moisture Content, (%)	43.8					
Expansion Index, El	156					

Copies:

Addressee

This report shall not be reproduced except in full, without written approval of Northwest Testing, Inc. BKH SHEET 1 of 1 REVIEWED BY: Bridgett Adame

1/192,168,1,115/Laboratory/Lab Reports/2016 Lab Reports/2684.1.1 GeoPacific/16-054 Expansion Index.docx



## 14835 SW 72nd Avenue Portland, Oregon 97224 Tel: (503) 598-8445 Fax: (503) 941-9281

# **TEST PIT LOG**

Pro			s Edg nville,			Subdivision	Project No. 14-4142	Test Pit No. <b>TP- 1</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
	1.5 1.5 1.5	100 10				throughout, very Soft, moderately odor, very moist Stiff, highly plasti siltstone, disturbe [Expansion index Grades to very st	c CLAY (CH), brown, with sm ed texture, very moist (Colluvi c = 152, indicating very high e iff m stiff to stiff	th some fine roots and organic nall angular fragments of um)
11- 12- 13- 14- 15- 16- 17-						Ν	Test pit terminated a	vater encountered
1,0	ND	5 Ga Buck	iel	Shelby	• Tube Sar	nple Seepage Water Be	aring Zone Water Level at Abandonment	Date Excavated: 03/17/16 Logged By: BGA Surface Elevation:

A
GeoPacific
Engineering, Inc.

## 14835 SW 72nd Avenue Portland, Oregon 97224 Tel: (503) 598-8445 Fax: (503) 941-9281

# **TEST PIT LOG**

Pro	iect: V M	alley IcMir	's Edg inville,	e Pha Oreg	ase 4 jon	Subdivision	Project No. 14-4142	Test Pit No. <b>TP-2</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (lb/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
					050 050 050 050 050	Very soft, highly of throughout, wet (I Grades to without [Global caving 0-4 Grades to mediur	5 feet]	lark brown, with fine roots
						Not	terminated at 5 feet due to gl es: Seepage encountered a illy estimated at greater than Global caving from 0	t the ground surface 10 gallons per minute
1.	ND	5 C Bucket		Shelby	Tube Sa	mple Seepage Water Be	earing Zone Water Level at Abandonment	Date Excavated: 03/17/16 Logged By: BGA Surface Elevation:

Pro			s Edg nville,			Subdivision	Project No. 14-4142	Test Pit No. <b>TP-3</b>						
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	iption						
- 1- 2- - 3- - 4- - 5- - 6- - 7- - 8- -	1.5	100 10			900 900 900 900 900 900	throughout, very Soft, moderate odor, very mois	organic silty CLAY (OL-CL), day moist to wet (Topsoil) ly organic, silty CLAY (CL), wi st (Till Zone) tic CLAY (CH), brown, with sn bed texture, very moist (Colluv	ith some fine roots and organic						
9-  10-  11-  12-  13- 						Ν	Test pit terminated lotes: Seepage encountered Visually estimated at 5 gal Significant caving 0	from 0 to 3 feet bgs lons per minute						

Project: Valley's Edge Phase 4 McMinnville, Oregon						Subdivision	Project No. 14-4142	Test Pit No. <b>TP-4</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone	Material Description		
	2.0 2.0 2.0	100 to 1,000 g	10" soft, highly organic silty CLAY (OL-CL), dark brown, with fine roo throughout, very moist to wet (Topsoil)					
6- - 7- - 8-				Stiff, highly plastic CLAY (CH), brown, very moist to wet (Colluvium) SILTSTONE, very soft to soft (R1-R2), brown, gray, and black, very to wet (Nestucca Formation)				
9- 10- 11- 112- 113- 114- 115- -						Test pit terminated at 8.5 feet Notes: Seepage at 0 to 1.5 feet, visually estimated at 1 to 3 gpm Seepage at 5 feet, visually estimated at 5 gpm Seepage at 7.5 feet, visually estimated at 5 gpm Caving from 0 to 5.5 feet		
16	ND	6			P			Date Excavated: 03/17/16

Proj	ect: V N	/alley /IcMir	r's Edge nnville,	e Pha Oreç	ase 4 Jon	Subdivision F	Project No. 14-4142	Test Pit No. <b>TP-5</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
-						10" soft, highly organ throughout, very mois	ic silty CLAY (OL-CL), da st to wet (Topsoil)	ark brown, with fine roots
1- 2- 3- 4-	2.0 2.0 2.0				0 <sub>A</sub>	6 to 10 inches of sti	I Zone) ff, brown silty CLAY, very	-R1), gray, brown, and black, hig
- 5-	-				000	Grades to soft to mee	dium hard (R2-R3)	
6- - 7-						Test pit termin of te	nated due to practical ref est pit and 6.5 feet on sou	usal at 5 feet on north side uth side of test pit
8-						Notes: Slo	ow groundwater seepage Visually estimated a	encountered at 4.5 feet at 1 gpm
9- - 0-							No caving obse	rved
- 11- -								
2-								
3- - 4-								
5-								
6-								
17-								



Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone		Material Descri	ntion	
Dep	Po Peneti (ton	Samp	Dry C (b	Moi	W Bearir	1	Material Destri	puoli	
- 1 2 3 4 5 6 7 8 9 1 1	а 1.5 3.0 3.0	ŏ		0	a a a a a a a a a a a a a a a a a a a	8" soft, highly organic silty CLAY (OL-CL), dark brown, with fine roots throughout, very moist to wet (Topsoil) Soft, low to moderately organic, silty CLAY (CL), with some fine roots a organic odor, very moist (Till Zone) Stiff to very stiff, silty CLAY (CL), brown, low to moderate plasticity, wit fragments, very moist (Landslide Mass) Increased plasticity below 6 feet Grades to medium stiff Disturbed texture 11 to 11.5 feet			
2-						Grades to gray,	very stiff, and with increased a	amounts of siltstone fragments	
						No	Test pit terminated at ote: Seepage encountered at Visually estimated at Caving 0 to 12 feet on east Caving 10 to 12 feet on wes	11.5 to 12 feet bgs t 10 gpm t side of test pit	
	ND		Sal ckol		°	800	₽ ¥	Date Excavated: 03/17/16 Logged By: BGA Surface Elevation:	



Pro	ject: \	/alley //cMir	's Edg nnville,	e Pha Oreg	gon	Subdivision	Project No. 14-4142	Test Pit No. <b>TP-7</b>		
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone		Material Description			
	1.0	6			а 993	12" soft, highly organic silty CLAY (OL-CL), dark brown, with fine roots throughout, very moist to wet (Topsoil) Soft, low to moderately organic, silty CLAY (CL), with some fine roots a organic odor, very moist (Till Zone) Stiff to very stiff, silty CLAY (CL), brown, low to moderate plasticity, with fragments, very moist (Colluvium) SILTSTONE, extremeley soft (R0), gray, brown, and black, very moist (Nestucca Formation)				
2							Test pit terminated at Note: Seepage encountered Visually estimated a No caving obser	at 6 to 7 feet bgs t 3 gpm		
1,	ND 00 to 000 g Sample	5 G Buc		Shelby	Tube Sar	mple Seepage Water E	Bearing Zone Water Level at Abandonment	Date Excavated: 03/17/16 Logged By: BGA Surface Elevation:		

Ge			Portl	and, C	Drego	Avenue n 97224 I45 Fax: (503) 941	-9281	EST PIT LOG
Proj	iect: \ N	/alley' //cMin	s Edg nville,	e Pha Oreg	ase 4 jon	Subdivision	Project No. 14-4142	Test Pit No. <b>TP-8</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
	0.5 1.0 1.5 3.0 3.0	100 to 1,000 g 100 to 1,000 g			600	throughout, very Soft, low to mod organic odor, ve	organic silty CLAY (OL-CL), day moist to wet (Topsoil) lerately organic, silty CLAY (C ry moist (Till Zone) highly plastic CLAY (CH), bro	L), with some fine roots and
4	0.0					SILTSTONE, ex (Nestucca Form Grades to very s		, and black, very moist
8							est pit terminated at 8 feet due on soft to medium hard (R2- Notes: No seepage or ground No caving obse	R3) SILTSTONE water encountered
1	ND 00 to 000 g Sample	5 G Bucket		Shelby	Tube Sa	imple Seepage Water	Bearing Zone Water Level at Abandonment	Date Excavated: 03/17/16 Logged By: BGA Surface Elevation:

Pro	ject: \ N	/alley //cMir	's Edge nnville,	e Pha Oreç	ase 4 Jon	Subdivision	Project No. 14-4142	Test Pit No.	TP-9
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descr	ption	
						subrounded to sul	COBBLES, and BOULDER bangular, basaltic, damp (U Sy SILT (ML) to silty CLAY (	ndocumented Fill)	
1-		_					Test pit terminated a		



Pocket Penetrometer	(tons/ft²) Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
	0) 100 to 1,000 g			950 B	Stiff, SILT (ML) a gravel, trace amo Medium stiff, clay (Buried Topsoil H	ount of wood debris, disturbed /ey SILT (ML) to silty CLAY ( lorizon)	ccasional rounded and angular d texture (Undocumented Fill) CL), low organic content, moist
-					1	Test pit terminated a Notes: Slow seepage encour Visually estimated a No caving obser	ntered at 10.5 feet It 1 gpm

	N	Aney AcMin	s Euge nville,	Oreg	jon	Subdivision	Project No. 14-4142	Test Pit No. <b>TP-11</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
					880 880	(Undocumented Grades to brown Medium stiff, mo debris including (Buried Topsoil I Medium stiff, silt Grades to soft, v	a and with some debris and ar oderately organic, clayey SILT roots up to 3 inches in diame Horizon) y CLAY (CL), gray, moist (Alluvet, reddish brown and gravel	ngular gravel (ML-OL), with some organic ter, moist
2- 3- 4- 5- 6- - 7-						Notes: See	Test pit terminated epage encountered at 7.5 fee ge encountered at 10 feet, vis No caving obse	t, visually estimated at 5 gpm sually estimated at 10 gpm



Pro	ject: V N	∕alley' ∕IcMin	's Edg inville,	e Pha Oreç	ase 4 jon	Subdivision	Project No. 14-4142	Test Pit No. <b>TP-12</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
	Penetities (ton			Conte	Bearing	Layer of geotextil Soft, moderately including roots up Soft, SILT (ML), r Grades to gravell Grades to wet Stiff, silty CLAY ( wet (Colluvium)	VEL (GM), brown and gray, m le fabric encountered at 3 fee organic, clayey SILT (ML-OL o to 3 inches in diameter, moi reddish brown, wet (Alluvium) y, subrouded gravel	hoist (Undocumented Fill) t bgs ), with some organic debris st (Buried Topsoil Horizon) ) wn with angular siltsone fragments, dark gray, vesicular, wet t 12 feet ered at 7 feet bgs
Ľ	END	5 G Buc		Shelby	() Tube Sa	imple Seepage Water B	earing Zone Water Level at Abandonment	Date Excavated: 03/17/16 Logged By: BGA Surface Elevation:



£	t eter *)	ype	sity	e (%)	one			
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone	Material Description		
				Π		20" soft, gravelly	v SILT (ML), dark brown, mois	t (Undocumented Fill)
2-					_	Stiff to very stiff, silty CLAY (CL), brown, with angular siltstone fragments, mois (Colluvium)		
3— — 4—						SILTSTONE, extremely soft (R0), dark gray and brown, very moist (Nestucca Formation)		
5- -								
6- - 7-						Grades to very s	oft (R1)	
8-								
9- - )-		Ē				Τe	est pit terminated at 9 feet due on soft to medium hard (R2-F	to practical refusal R3) SILTSTONE
I I						N	lotes: No seepage or ground	water encountered
2							No caving obser	ved
1 1								
5-								
3—  7—								
GE	ND	50			°	g <sub>A</sub>		Date Excavated: 03/17/16 Logged By: BGA

Ge		IIIC Inc.	Porti	and, C	Drego	Avenue n 97224 145 Fax: (503) 941-	-9281 <b>T</b>	EST PIT LOG
Pro	ject: V N	/alley //cMir	's Edg nnville,	e Pha Oreg	ase 4 jon	Subdivision	Project No. 14-4142	Test Pit No. <b>TP-14</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone		ption	
1- - 2-						BASALT, extrem and boulders in a Grades to very s	a silt matrix	o, excavating as gravel, cobbles,
3- - 4-						Te	st pit terminated at 2.5 feet du on soft to medium hard (R:	e to practical refusal 2-R3) BASALT
5-						Ν	Notes: No seepage or ground	water encountered
6-						No caving observed		
7-								
8-								
9-								
-								
0-								
1-								
2-								
3-								
4-								
5-								
6-								
7-	_							
EGE	ND	1			•			Date Excavated: 03/17/16
1,0	00 to 000 g Sample		Sal Sample	Shelby	Tube Sa	mple Seepage Water E	Bearing Zone Water Level at Abandonment	Logged By: BGA Surface Elevation:



Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone		Material Description		
1- 2-	1.0					throughout, very Soft, moderately odor, very moist	organic silty CLAY (OL-CL), da moist to wet (Topsoil) organic, silty CLAY (CL), with (Till Zone) stiff, silty CLAY (CL), brown, w	h some fine roots and organic	
3_ 4- 5- 5- - 7- - 3- - 3- - 9-					දේදි පද්දි පද්දි පද්දි පද්දි		ncreased plasticity		
		100 to 1,000 g			000 000 000	Grades to hard a	and blue gray		
						Notes: Seepa Seepage	Test pit terminated a ge encountered below 2 feet encountered below 7 feet, vi Significant caving 0 t	bgs, visually estimated at 5 gpm sually estimated at 10 gpm	
A I	ND	5 G Bud			0	00		Date Excavated: 03/17/16 Logged By: BGA Surface Elevation:	

Ge			Portl	and, C	Drego	Avenue n 97224 145 Fax: (503) 941-	-9281	TEST PIT LOG		
Proj	ect: V N	/alley /cMin	's Edg inville,	e Pha Oreg	jon	Subdivision	Project No. 14-4142	Test Pit No. <b>TP-16</b>		
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Description			
- 1 - 2 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - 11 - 12 - 13 - 14 - 15 - 16 - 17 - 17 -		<u>i</u>			ă	12" soft, highly o moist (Topsoil) BASALT, extrem Grades to very s Grades to soft (I	nely soft (R0), dark gray to b	elow 5 feet due to practical refusal R2-R3) BASALT		
1.0	ND	5 C Bucket		Shelby	° Tube Sa	mple Seepage Water E	Bearing Zone Water Level at Abandonmen	Date Excavated: 05/03/16 Logged By: BGA Surface Elevation:		

Geol			land, (	Drego	Avenue n 97224 I45  Fax: (503) 941-	-9281 <b>T</b>	EST PIT LOG
Projec	t: Valle McM	y's Edg innville,	e Pha Oreg	gon	Subdivision	Project No. 14-4142	Test Pit No. <b>TP-17</b>
Depth (ft) Pocket	Penetrometer (tons/ft <sup>2</sup> ) Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
$\begin{array}{c} - \\ - \\ 1 \\ - \\ 2 \\ - \\ 3 \\ - \\ - \\ 3 \\ - \\ - \\ - \\ - \\ -$	Sai				10" soft, highly o throughout, mois BASALT, extrem vesicular Grades to soft (I	est pit terminated at 7 feet due on soft to seepage or ground No caving obser	dark gray to black, damp, ow 5 feet e to practical refusal 2-R3) BASALT water encountered
LEGEND		Gal lucket et Sample	Shelby	° Tube Sa	imple Seepage Water F	Bearing Zone Water Level at Abandonment	Date Excavated: 05/03/16 Logged By: BGA Surface Elevation:



		_	nville,					
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
1						throughout, mois		
1- - 2-	3.5 3.0 >4.5					Very stiff to hard cobble size base	l, silty CLAY (CL), reddish bro alt clasts, moist (Residual Soil	wn, with occasional gravel to of BASALT)
3_						BASALT, extrem vesicular	nely soft to very soft (R0-R1),	dark gray to black, damp,
4- 5-						Grades to very s	soft to soft (R1-R2) with very h	nard digging below 5 feet
6- - 7-						Grades to soft (	R2) with very hard digging bel	low 6 feet
-8  9		1				Te	st pit terminated at 7.5 feet du on soft to medium hard (R	
-0-						1	Notes: No seepage or ground	water encountered
1- - 2-							No caving obse	rved
- 3-								
4-								
5-								
6-								
7-								
EGE	:ND		Gal		•	<u>A</u> QA		Date Excavated: 05/03/16 Logged By: BGA
1	000 g 000 g Sample	L	Sample	Shelby	Tube Sa	mple Seepage Water	Bearing Zone Water Level at Abandonment	Surface Elevation:



הכיווו (וון)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
	3.5 4.0 3.5					throughout, mois	st (Topsoil) LAY (CL), reddish brown, mo	OL), dark brown, with fine roots
						Grades to lighter basalt fragments		avel and cobble size vesicular
						mineral staining,	tremely soft (R0), dark gray a very moist (Nestucca Forma	nd brown, with black and orange
							est pit terminated at 12 feet du on soft to medium hard (R2- Notes: No seepage or ground No caving obse	R3) SILTSTONE
	ND		Gal.		Î	600		Date Excavated: 05/03/16 Logged By: BGA Surface Elevation:



Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
	>4.5 >4.5 >4.5					throughout, mois BASALT, extrem clayey silt 2-foot diameter of Grades to very s	st (Topsoll) nely soft (R0), brown to black, chunk of R2 Siltstone encoun	1), dark gray and brown, with
1 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 -						on d	est pit terminated at 11 feet du lark gray, soft to medium hard Notes: No seepage or ground No caving obse	(R2-R3) SILTSTONE
		5 C Bud	Gal :ket		•	660	N Z	Date Excavated: 05/03/16 Logged By: BGA Surface Elevation:



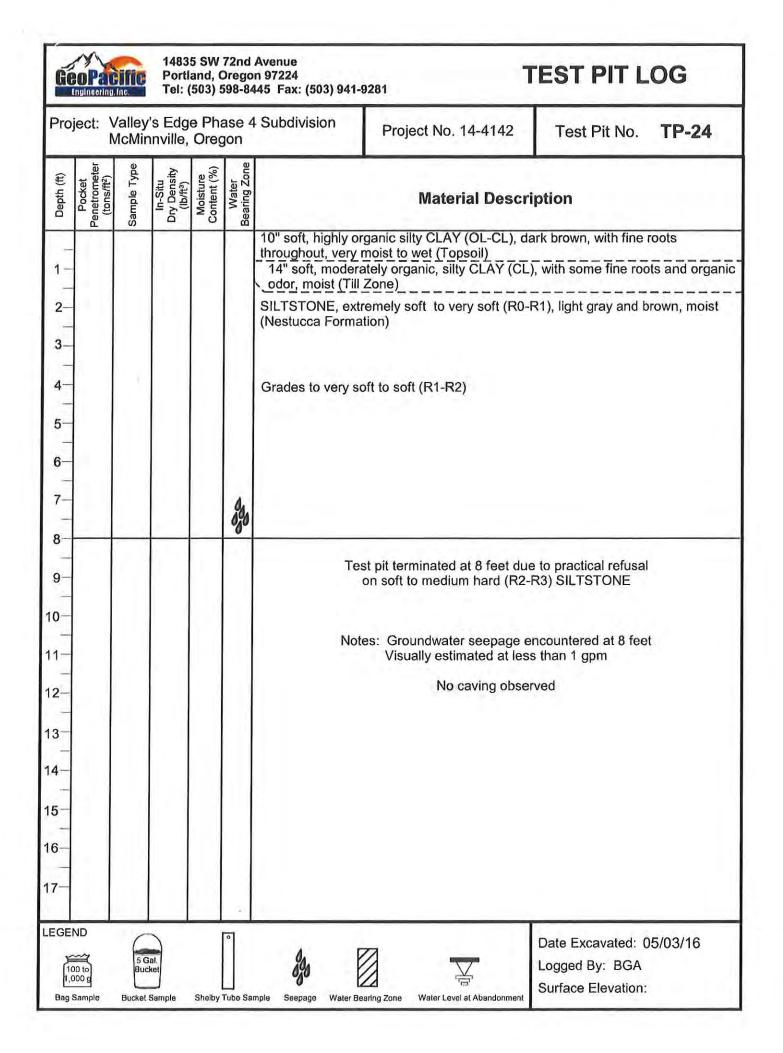
Pro			's Edg nnville,			Subdivision	Project No. 14-4142	Test Pit No. <b>TP-21</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (lb/ft³)	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
							ganic silty CLAY (OL-CL), da moist to wet (Topsoil)	rk brown, with fine roots
1-						Soft, moderately o odor, moist (Till Z	organic, silty CLAY (CL), with	some fine roots and organic
2							c CLAY (CH), gray, with occa	sional gravel-size angular siltstone
4-							remely soft to very soft (R0-R tone, moist (Nestucca Forma	1), reddish brown, gray, and black, tion)
5- - 6-						Grades to very so	oft to soft (R1-R2) with very h	ard digging below 5 feet
7- - 8-		ľ				Tes medium ha	at pit terminated due to praction ard (R2-R3) SILTSONE at 6.5 and at 8.5 feet on SE sid	5 feet on NW side of test pit
9- - 10-						N	lotes: No seepage or groundv	
							No caving obser	ved
12— — 13—								
13 								
- 15-								- 1
 16								
- 17-								
	ND		Gal. cket		•	000		Date Excavated: 05/03/16 Logged By: BGA
L	Sample	Bucke	Sample	Shelby	Tube Sa	imple Seepage Water B	earing Zone Water Level at Abandonment	Surface Elevation:



-			nville,	-				
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone		Material Descr	iption
5						10" soft, highly o throughout, very	rganic silty CLAY (OL-CL), da moist to wet (Topsoil)	ark brown, with fine roots
1 2	2.0 2.5					<u>odor, moist (Till</u> Stiff to very stiff,	<u>  Zone)</u>	), with some fine roots and organic
3- 4-	3.0 3.5					Increased plastic	city below 4.5 feet, very high (	plasticity
5-							, , , , , , , , , , , , , , , , , , ,	na an taon an t
6- - 7-						Grades to with so wet	ome gavel-size angular fragn	nents of siltstone and very moist to
8-								
9- 0- 1-					889 889	SILTSTONE, ex black, moist (Ne	tremely soft to very soft (R0-I stucca Formation)	R1), reddish brown, gray, and
2-							Test pit terminated	at 12 feet
3- - 4-								
5-						Not	tes: Groundwater seepage er Visually estimated at les No caving obse	s than 1 gpm
6- - 7-							No caving obse	
EGE	ND				•			Date Excavated: 05/03/16
	00 to 000 g		Gal			000		Logged By: BGA



Pro			's Edg nnville,			Subdivision	Project No. 14-4142	Test Pit No. <b>TP-23</b>
Depth (ft)	Pocket Penetrometer (tons/ft²)	Sample Type	In-Situ Dry Density (Ib/ft <sup>3</sup> )	Moisture Content (%)	Water Bearing Zone		Material Descri	ption
					Ш	8" soft, highly or throughout, very 8" soft, modera odor, moist (Til SILTSTONE, ex (Nestucca Forma	I Zone) tremely soft_to very soft (R0-f	k brown, with fine roots with some fine roots and organic R1), light gray and brown, moist
8							st pit terminated at 7.5 feet du on soft to medium hard (R2-l lotes: No seepage or ground <sup>,</sup> No caving obser	R3) SILTSTONE water encountered
1,0	ND 00 to 000 c Sample	5 G Buc		Shelbu	o Tube Sai	nple Seepage Water B	Rearing Zone Water Level at Abandonment	Date Excavated: 05/03/16 Logged By: BGA Surface Elevation;



Ge			14835 Portla Tel: (5	nd, Or	egon		<b>BORING LOG</b>
Pro	oject:	Valley McMir				Project No. 16-414	Boring No. B-1
Depth (ft)	Sample Type	N-Value	Well Con- struction	Moisture Content (%)	Water Bearing Zone	Materia	al Description
5		6 8					n, with some coarse sand to gravel-size ts of silstone, with slight disturbed texture,
		8 1 2 4 6 11 37				to wet (Residual Soil of the Nestuco Grades to with weathered rock fabr	ic from in-place weathering 1), gray, brown, and black, highly fractured
20-	A	55				Grades to soft to medium hard (R1- [side of the sampler is wet]	R2) and dark gray
25-						Notes: No significant gr perio Water elevation at 7 feet	rminated at 21.5 feet oundwater encountered in boring in od of three hours bgs in 18-inch diameter sump located 15 feet south of boring B-1
B5 EGEN	vD ≅ĭ				1	■ 10-20-96 ▼	Date Drilled: 05/03/16 Logged By: BGA

DARWin(tm) - Pavement Design

A Proprietary AASHTOWARE(tm) Computer Software Product

Flexible Structural Design Module

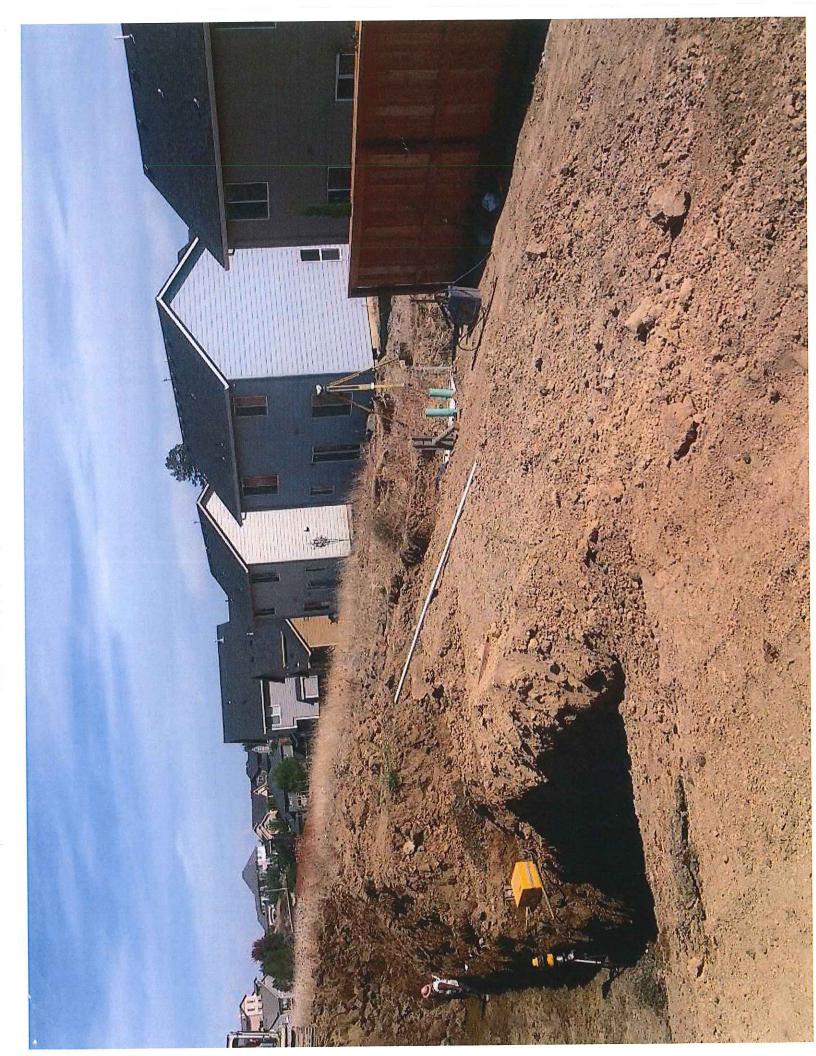
Project Description Valley's Edge Phase 4 Subdivision - Light-Duty Public Streets Flexible Structural Design Module Data 18-kip ESALs Over Initial Performance Period: 53,979 Initial Serviceability: 4.2 Terminal Serviceability: 2.5 Reliability Level (%): 85 Overall Standard Deviation: .44 Roadbed Soil Resilient Modulus (PSI): 5,250 Stage Construction: 1 Calculated Structural Number: 2.35

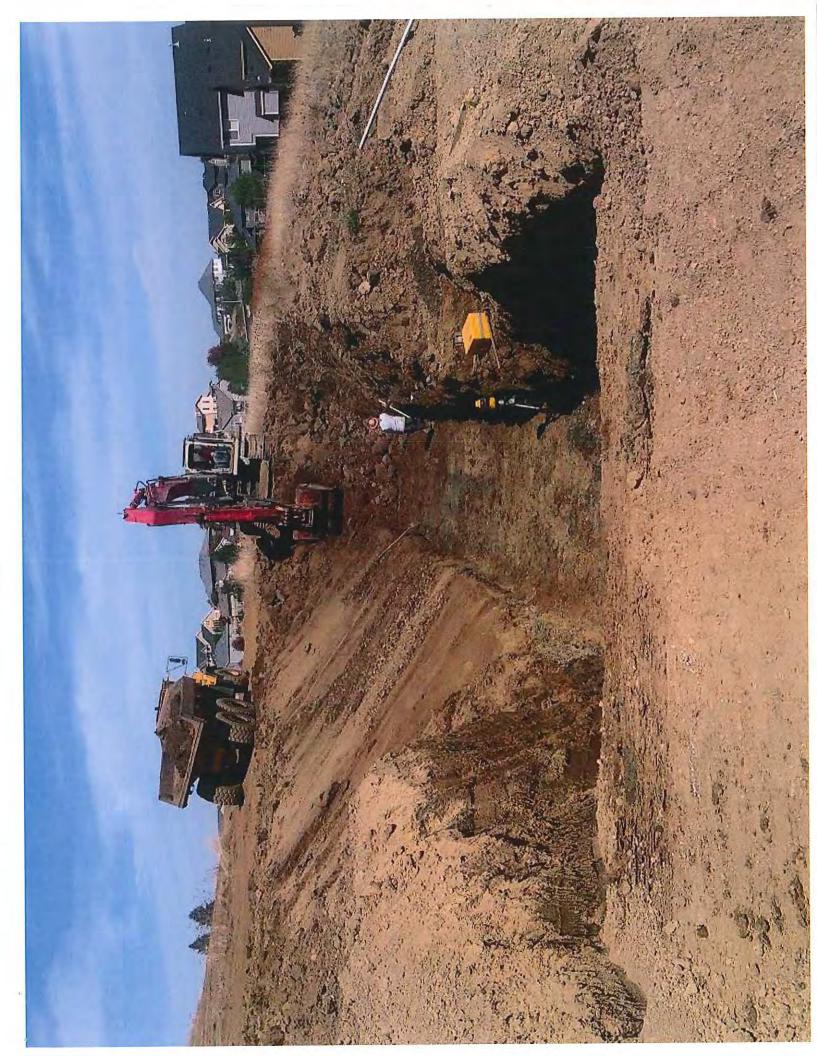
#### Specified Layer Design

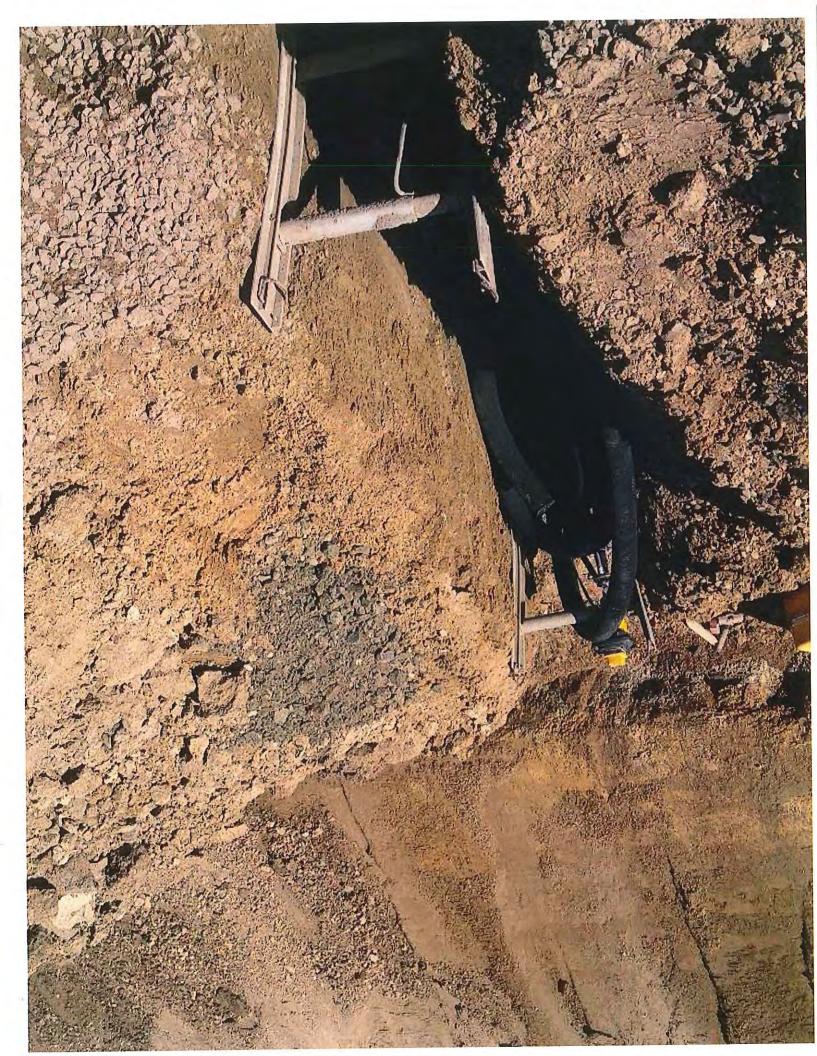
Layer: 1 Material Description; New Asphalt Pavement Structural Coefficient (Ai): .44 Drainage Coefficient (Mi): 1 Layer Thickness (Di) (in): 3.00 Calculated Layer SN: 1.32 Layer: 2 Material Description: 3/4"-0 crushed agg Structural Coefficient (Ai): .12 Drainage Coefficient (Mi): 1 Layer Thickness (Di) (in): 2.00 Calculated Layer SN: .24 Layer: 3 Material Description: 1 1/2"-0 crushed agg Structural Coefficient (Ai): .11 Drainage Coefficient (Mi): 1 Layer Thickness (Di) (in): 8.00 Calculated Layer SN: .88 Total Thickness (in): 13.00 Total Calculated SN: 2.44

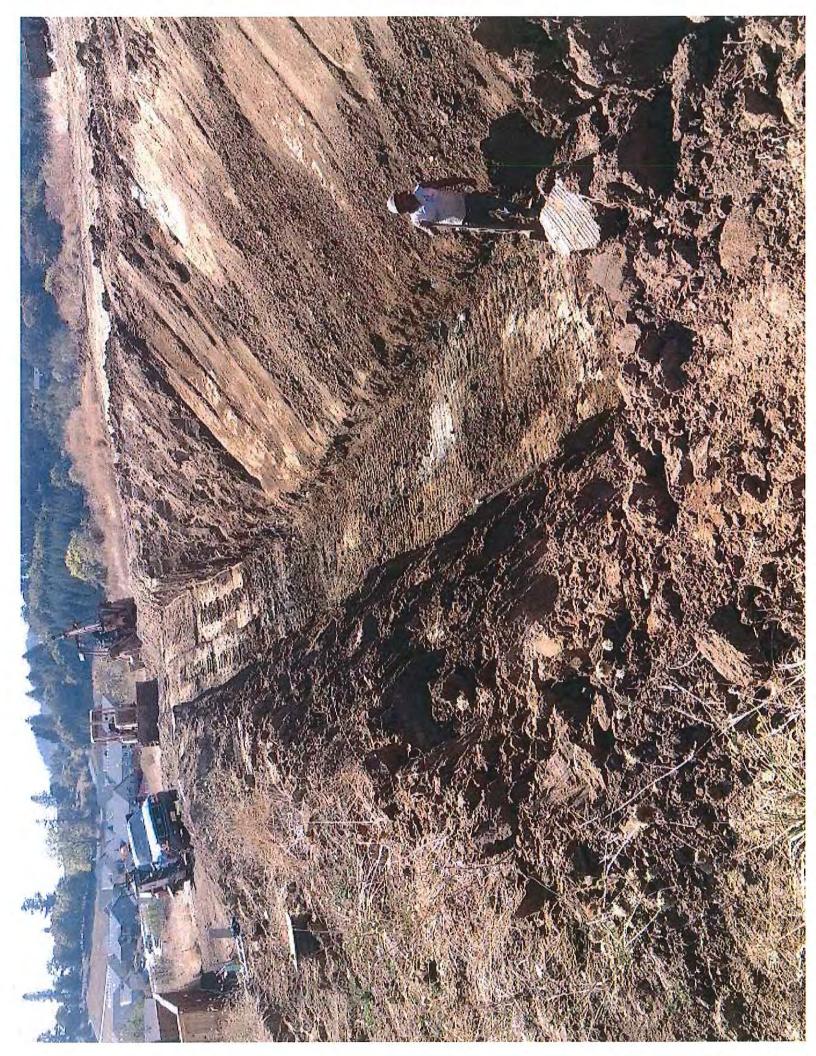
Simple ESAL Calculation Initial Performance Period (years): 20 Initial Two-Way Daily Traffic (ADT): 250 % Heavy Trucks (of ADT) FHWA Class 5 or Greater: 2 Number of Lanes In Design Direction: 1 Percent of All Trucks In Design Lane (%): 100 Percent Trucks In Design Direction (%): 50 Average Initial Truck Factor (ESALs/truck): 2.2 Annual Truck Factor Growth Rate (%): 0 Annual Truck Volume Growth Rate (%): 3 Growth: Compound

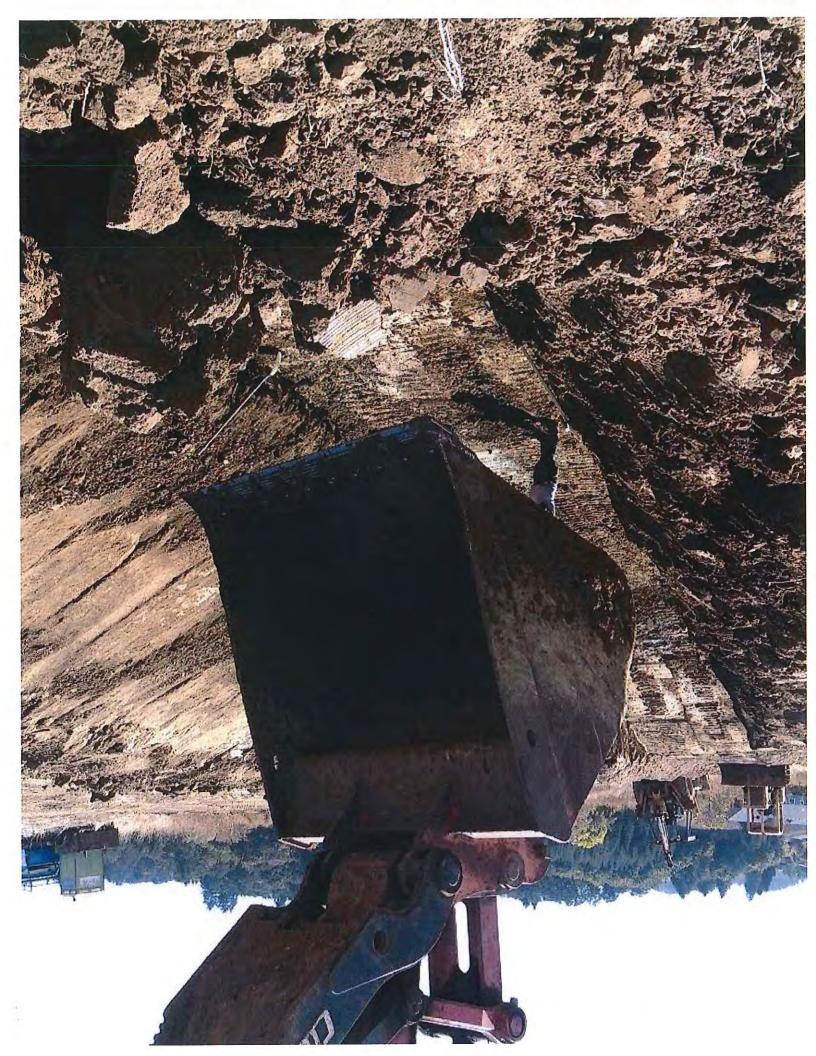
Total Calculated Cumulative Esals: 53,979











# Attachment 5

# PLANNED DEVELOPMENT AMENDMENT (ZC 6-17) PLANNING COMMISSION PUBLIC HEARING (MAY 18, 2017) ITEM D NEIGHBORHOOD SUBMISSION TO PUBLIC RECORD

### **CONCERN:** Water Issues – Drainage & Flow

**Modification Request:** The Planned Development (PD) Modification is designed to "better preserve existing drainage on site". While the original PD layout was designed to locate the easternmost drainage channel in a protective easement at the rear of most lots, the original design did not identify or accommodate on-site channels on the west side of the site. The proposed PD will locate all drainage channels at the rear of most lots so they may be placed within a protective easement.

#### **Neighborhood Response:**

The hillside has shown unstable behavior including: (1) a slide on the south side of the hill which occurred onto a City approved lot with a home on West Second Street that damaged the home's foundation; (2) evidence of east side erosion has been observed during initial construction along Valley's Edge Road; (3) water showing up in holes dug by homeowners along West Second Street when no rain is present is often an indication of artesian water inside the hill; (4) creation of a drainage ditch crossing horizontally the hill to mitigate drainage on the back side of homes on West Second Street; (5) a tendency of water to run out of the hill for several weeks after rains end; and (6) creation of a "stream" circumventing the initial construction along Valley's Edge Road. The public good and safety as outlined in General Provision Purpose of ordinances defined in 17.03.020 must be respected. Shifting hillside causes safety and resale concerns for residents but due to Planning Staff assurances on the design and further checks in the development process, we are not requesting a rejection of the Amendment.

An additional water issue is current homeowners both above and below the 275 foot water support line are currently experiencing water flow rate reductions. Neighborhood is concerned that flow will be severely affected by future development in spite of suggestion to build a "necessary water system improvement".

### **Conditions:**

If accepted by Commission and approved by Council, Neighborhood requests these conditions be included in final draft:

- Request City to reiterate no building approvals above 275 feet until infrastructure is completed, tested, and approved by McMinnville Water and Light.
- Require CC&R promised language on requiring additional drainage be mandatory and require new homeowners to install public and private drainage as appropriate
- Ask Planning Commission to re-justify 10-year storm application standard for drainage analysis rather than more commonly 100-year accepted civil engineering rules. Given our climate is getting wetter and the area of development over the past two winters has experienced record amounts of moisture in the form of both rain and snow.

### PLANNED DEVELOPMENT AMENDMENT (ZC 6-17)

# PLANNING COMMISSION PUBLIC HEARING (MAY 18, 2017) ITEM D

## NEIGHBORHOOD SUBMISSION TO PUBLIC RECORD

### NEIGHBORHOOD CONCERN: Street Reconfiguration Road A Loop

**Modification Request:** To accommodate new ADA requirements of 5% grade at public street intersections, the applicant plans to reduce the number of intersections, reconfigure the street network; revise the arrangement of streets and residential lots accessed by these streets. (Particularly, Hillcrest Phases 9 & 10; Northridge Phase).

As part of Applicant's submittal, Lancaster Engineering preformed an updated Traffic Impact Study confirming that area roadways have capacity to serve traffic generated by the development with the recommended mitigation measures included.

### Neighborhood Response:

Neighborhood is respecting the General Provision Purpose of ordinances as defined in 17.03.020 and wishes compliance with established standards for public safety.

The creation of 'Road A Loop' (Street Reconfiguration) with both entrances and exits entirely feeding onto Horizon Drive will result in several public safety issues. Under the existing Ordinance 4868, 106 of the proposed residences were able to access both W. Second Street and Horizon Drive; but as PD proposes, access is limited under the new configuration.

It is noted that any impediment caused by fire, accident, tree falling, natural acts, etc. would cut off access to all residents and severely limit arrival of emergency response vehicles. While acknowledging that McMinnville emergency departments are at this time comfortable with the risk posted by this long Road A Loop design we still have concerns for public safety.

# **Conditions:**

If accepted by Commission and approved by Council, Neighborhood requests these conditions be included in final draft:

• Ensure a coordinated phasing plan of new road development with traffic/street impacts that makes safe access the priority.

#### PLANNED DEVELOPMENT AMENDMENT (ZC 6-17)

### PLANNING COMMISSION PUBLIC HEARING (MAY 18, 2017)

#### NEIGHBORHOOD SUBMISSION TO PUBLIC RECORD

QUESTIONS TO DEVELOPER - Item ZC 6-17

#### 1) Blasting

Residents request West Hills Properties, LLC either ensure notification is sent to homeowners in advance of dynamiting/blasting events on the hillside during infrastructure construction or that signage be placed throughout the neighborhood 24 hours before any upcoming activity. During work to date, no notice was given on blasting so basically houses shook, pets went nuts, and people started calling the town for answers. What can West Hills Property, LLC do to ensure advanced notifications are provided?

#### 2) Trees

The Town Planning Department has indicated building code requires trees be planted in the median between the curb and sidewalk on all new homes built Residents would like assurances that West Hills Property will maintain similar tree standards of aesthetics as represented by the existing parts of West Hills Development. Will this be done?

# D. <u>Planned Development Amendment (ZC 6-17)</u>

- Request: West Hills Properties, LLC, is requesting approval to amend Planned Development Ordinance No. 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested is approval to amend an approved residential subdivision and phasing plan on approximately 132 acres of land.
- Location: The subject site is located generally north of West Second Street, west of NW Mt. Mazama Street and south of NW Fox Ridge Road and is more specifically described as Tax Lot 801, Section 24, T. 4 S., R. 5 W., W.M.

Applicant: West Hills Properties, LLC

Chair Hall opened the public hearing and read the hearing statement. He asked if there were any objections to the Planning Commission's jurisdiction on this matter. There were none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application.

Commissioner Chroust-Masin said he knew a lot of people in the audience, however that would not affect his decision.

Chair Hall asked if any Commissioner needed to declare any contact prior to the hearing with the applicant, any other party involved, or any other source of information outside of staff regarding the subject of this hearing. There was none.

Chair Hall asked if any Commissioner visited the site. Most of them had.

Chair Hall asked if any Commissioner wished to discuss their visit to the subject site. No one did.

Planning Director Richards provided the staff report. This was a zone change request to amend an existing planned development. The site was north of West 2<sup>nd</sup> Street, west of NW Mt. Mazama Street, and south of NW Fox Ridge Road. The applicant was West Hills Properties, LLC. There was already approval for development on the site, and tonight they were looking at amending the existing decision. It was 164 acres and was approved for development in 2007. The property had been partially developed. Valley's Edge Phase 2 was developed with apartments, a public park, detention pond, and single family homes, and Valley's Edge Phase 3 was developed with single family homes. The subject of the current planned development amendment request was 132 acres of the original 164 acres. When the applicant went to engineer the subdivisions and looked at street grades and intersections and the 5% they were trying to achieve at the intersections, they found it could not be engineered into the existing topography.

Planning Director Richards explained that the applicant tried to keep most of the plan the same, however they had to eliminate some of the street connections, create longer block circumferences, and increase the number of lots by 40. The total lots of the existing plan were 512, and if the proposed amended plan was approved, it would create 552 lots. The current plan was zoned R-2 PD and the maximum density allowed was six units per acre. The proposed plan would be 4.6 units per acre with net density and 3.7 units per acre with gross density. The

minimum lot size was 5,292 square feet and the maximum lot size was 35,000 square feet. The average lot size would be 9,547 square feet. These were larger lot sizes than the average lot size minimum requirement in the R-2 zone. The total number of single family units was 551 units and total multi-family units was 68. The multi-family units had already been built and several of the single family units had already been built as well in the first two phases.

Planning Director Richards explained that some variances had been requested including changing the street grades from 12% to 15% in some sections, changing the block length from 1,802 linear feet to 1,995 linear feet for 31 units, increasing the block circumference for 11 units that would exceed the 1,600 square feet, and a variance for the lot depth to width standard due to the wetlands and topography. For zone changes, the criteria included deciding whether it was a major or minor amendment. There was an increase in housing units by 40 and the internal vehicular circulation network had changed and staff felt it was a major amendment requiring a public hearing process.

Planning Director Richards explained that the criteria for an amendment to an existing planned development included the special physical conditions of the site, whether the resulting development was consistent with the Comprehensive Plan objectives for the area, whether it had adequate access and efficient provision of services to the adjoining areas, whether the plan could be completed in a timely manner, whether the streets were adequate to support the traffic and the development would not overload the streets outside the planned area, whether or not the proposed utility and drainage facilities were adequate, and whether or not noise, air, and water pollutants were mitigated. In terms of being consistent with the Comprehensive Plan, residential land in west McMinnville was limited to an average of six dwelling units per acre except for those within a quarter mile of transit routes where higher density should be encouraged. This application proposed 4.6 units per acre with net density and 3.7 units per acre with gross density and fell under the six units per acre. It qualified as a lower density residential development under R-2 PD and was limited to land shown as developed low density on the buildable lands inventory. It was in an area of only collectors and local streets and an area with geographical constraints.

Commissioner Schanche asked why there was no open space other than the existing park included in this project. Planning Director Richards said the park was part of the planned development and in 2007 the City thought the open space requirement was addressed through the neighborhood park.

Commissioner Schanche said planned developments were not supposed to be used to get out of zoning, and she did not think there was enough open space. She thought it was inconsistent with the Comprehensive Plan objectives because of the open space.

Commissioner Butler agreed, especially when they were adding 40 more units and not any open space.

Planning Director Richards said due to the connectivity issues, the street network system was changed and some connections were removed because of the street grading. They did add some pedestrian connections where the street connectivity had been removed. This was considered a green space.

Commissioner Chroust-Masin asked how large the park was. Planning Director Richards said it was 7 acres.

Zach Pelz, land use planner with AKS Engineering, was representing the applicant. In 2007 this plan was approved. Within the last few years they realized Phase 4 would require significant onsite grading that made it unfeasible to develop as it was approved in 2007. They decided to do a modification to the planned development instead.

Howard Aster, West Hills Development, introduced his development partners who were long time McMinnville residents who raised their families here and loved the community. This land was purchased 45 years ago and was located in the City limits and zoned for residential development. West Hills Properties sold their lots to a variety of small, mostly local home builders and local residents who wanted to choose a builder of their own. Their subdivisions featured a mixture of many talented home designers, contractors, and landscapers. This gave the subdivisions more creativity, uniqueness, and individuality. Most of the people who built in their subdivisions lived in the community. Local builders often bought local materials and hired local subcontractors. There was a demand for entry level housing and it was difficult to find any lots in the City that were affordable. There were older citizens who wished to downsize and build a single story house that was easier to maintain. Their subdivision provided lots that were spacious in size. This request was a revision to their master plan for an improved and safer subdivision.

Barry House was representing himself as a realtor. He had been a realtor in McMinnville for 30 years. He was also one of the principles in this project. The City was terribly short in inventory of available homes and lots. The property had been in the City limits for 45 years.

Commissioner Chroust-Masin asked why the property was not developed until now. Mr. House said the flat, level portion of the property was developed and now they were moving up the hill. They were getting into the rougher land that was harder to develop.

Mr. Pelz discussed the site, which was steep with slopes in excess of 30%. This application was approved in 2007, just before the housing bubble burst and the economy was still recovering. The site was two and a half miles west of where they sat today, at the west end of 2<sup>nd</sup> Street. There was about 132 acres remaining to be developed and it was zoned R-2. If they developed to the maximum 6 units per acre, they could build 800 homes. The application was more than 30% below what was allowed. The original application protected the drainage channel that ran down the center of the site. The streams on the western half of the site were not considered and the lots and the streets were laid out inconsiderate of those drainageways. With the slopes, it was a challenge to design the streets, intersections, and lots on the site in a way that satisfied the City's street grade requirements and ADA grading requirements, as well as creating a practical, livable community. He reviewed the 2007 approval that mandated significant on-site grading. It included life cycle housing and with the range of lot and housing sizes it could serve a demand across a wide range of age and income groups in the City.

Mr. Pelz explained that since 2007, there were new ADA requirements that made sure the grades at intersections did not exceed 5%. The ADA requirements for shallower street grades resulted in steeper segments between those intersections that ultimately required removal of some of the intersections and required longer block lanes and circumferences. The variances requested were all related to this ADA requirement. He explained the 2007 lot layout and the

existing drainageways on the site. The 2007 layout showed the rear of the lots backing up to the drainage channel, but the western half of the site did not identify the drainageways and it would result in filling in those drainage channels and eliminating them altogether. It would be a significant impact to the natural resource. The new plan was for 552 lots. The idea of life cycle housing promoted housing across a wide range of age and income groups to serve a wide range of demand in the City. They also wanted to promote ADA compliant intersections and street grades. He gave an example of one of the eliminated streets. If it was added back in, it would require West 2<sup>nd</sup> Street to be over 14% grade to make up for the flattening of the intersection to 5%. West 2<sup>nd</sup> Street was a collector and they wanted to keep it at 10% or below. The adjustments proposed were only occurring on local streets. The collector street was being kept at or below standard. He showed another example of Road A which would result in a street that was in excess of 30% grade.

Mr. Pelz explained that they had tried to balance the City's objective of promoting connectivity, and in locations where street connections could not be made there were pedestrian connections. There were over 20 acres of protected drainageway and a park. More open space was preserved in the back of the lots that would accommodate habitat and better protection of the drainageways throughout the site. Regarding the criteria, he asked the Commission to keep in mind that they were asking for the Commission's recommendation to approve a modification to an application that was approved in 2007. This was not a new planned development and there was a narrower scope for the decision.

Commissioner Schanche asked about the pedestrian accessways, how did they determine where they should go?

Paul Sellke, project engineer with AKS Engineering, said most of the accessways were located to split up walk lengths and provide connectivity between the longer block lengths that were created through the looped roads. They were centrally located in those areas.

Commissioner Schanche asked what was the typical grade for these walkways and did they all have stairs? What kind of stairs would they be, landscape stairs or concrete with railings? Mr. Sellke replied most would have stairs due to the steepness of the topography. To be accessible to the public, the stairs had to be an all-weather surface and had to be able to last long term.

Commissioner Schanche asked if they were going to put something in so people could wheel their bikes up the stairs? Mr. Sellke said they had discussed including a bike rail. Some of the grades would be 15% to 20%, but some would approach 40%.

Commissioner Schanche asked who would be in charge of maintaining the pedestrian pathways? Mr. Sellke answered it would most likely be done through an HOA.

Commissioner Chroust-Masin said they were worried about ADA intersections, but how did a handicapped person get up the streets when they were so steep?

Commissioner Geary asked how the western drainage slopes were overlooked? Zach replied he presumed what happened was they were overlooked due to the City's Code and that the analysis was required later in the process and not at the preliminary plat stage of the land use application.

Commissioner Chroust-Masin asked about the water supply and steep slopes. Mr. Pelz stated until a new reservoir was built to serve the upper elevations, there was an area that could not develop. That was a condition of the original application in 2007. There were about 250 lots above that line that could not be developed at this time.

Commissioner Schanche was concerned that people would not walk the really long blocks. She would like to see more pedestrian connections. She thought more connections was supported by Policy 77 and Residential Design Policy 81. Mr. Pelz said the policies changed when the topography was the overarching challenge.

Brad Bassitt pointed out this development would bring lots to the City that were much needed. Howard Aster had a long tradition of passing on lots to smaller home builders like he was. He had been able to build homes in the other phases of this project. This development had already been planned and this was only a request for a few changes.

John Dan lived within the development area. Mr. Aster sold a lot to Mr. Dan who then had a builder build his house. He walked down to the park all the time with his children. It was a beautiful park with nice walking paths. He had open fields all around him because development was not finished. There were wild turkeys and deer that walked through his yard. He did buy the lot knowing that development would continue. He thought the proposed changes were consistent with the character of the approved development and the lot sizes were similar. The drainageways were close to his house. It was a forested area until they cut down the trees and that might be why they were not seen before. They showed up when the snow melted, and they were not really visible even when it rained. It was hilly topography. Home values had increased in the last few years, and anyone who wanted an affordable home would have a difficult time. They needed more housing and did not want to take away farmland. They were going to have to build in the hills where there were steeper grades and longer blocks.

Nick Scarla stated this was a planned development already and the discussion should be if the amendments were an enhancement to the plan. He thought they were. There was a need for these lots. He asked the Commission to approve the application.

Rich Decker, McMinnville resident, said currently the work of cutting in the new road included blasting that was occurring in the neighborhood at unknown intervals. It bothered the dogs of the retirees, rattled cupboards, and so on. He asked if the developer could post a 24 hour notice before blasting. Mr. Aster said they had not blasted since October, however more blasting would need to be done. The contractors had tried to contact people, but obviously not everyone. He was open to suggestions.

Mr. Decker wanted to make sure the builders continued the look and feel of the neighborhood and trees. Chair Hall confirmed that was a requirement.

Scott Schieber, McMinnville resident, asked about the green areas contiguous with the drainageways, were they part of the lots and homeowner property? Zach clarified they would be private conservation easements on the private lots to protect the drainageways in perpetuity. People could not build on those areas, but they had to maintain them.

Mr. Schieber asked about the policy on building cul-de-sacs and if any were going to be built. Planning Director Richards explained the City had a policy that discouraged cul-de-sacs, but they were allowed when the conditions were such that they could not create the connectivity.

Susie Bamer, McMinnville resident, lived at the top of the hill on Horizon and she had to have pumps for the water pressure. Her pressure at the meter was 30 pounds and without the pump there was virtually no pressure. She was concerned about her water pressure being affected by the new homes coming in. She would like something in the record that stated the water situation would be resolved and in place before anything was developed on the top of the hill. As all of these houses were being developed, would they draw down the pressure on her home?

City Engineer Bissett stated there was a line that no one could develop past because there was no water available at this time. A reservoir site had been purchased on Fox Ridge. The plan was to pump from the existing reservoirs to that site and then gravity back down the hill.

Ms. Bamer asked for those houses that were on the pumps, could they use the reservoir in the future and have the pumps taken off their homes. Mr. Aster thought she would be able to remove the pump and feed off the new reservoir. A building permit would not be approved for any of the buildings above the line until the infrastructure was in place.

Rich Decker thanked City staff for their help in understanding this process. His main concern was about the water runoff from the hill. There was a detailed stormwater plan with this application. Over the last year with the beginning of construction, the City had a landslide on 2<sup>nd</sup> Street and water bubbled up through the stormdrain covers when it rained. Hill Road flooded, one channel had been dug behind the homes on 2<sup>nd</sup> in order to prevent water from getting in their backyards, there was routed water behind the houses on Mazama, and on the berm that was built for the road every three to five feet there was visible run off between three and six feet deep. There was a problem and they had not sealed off areas with asphalt yet or put houses in. He did not think the water that would come off of this hill was under control. If a house on the hill moved, it would make it so he could not sell his house.

City Engineer Bissett stated that there was a comprehensive stormwater analysis for this development that met the current adopted Stormwater Master Plan. Several of these issues were not related to this development. The drainage along Hill Road would be dealt with through the roadway improvements that the City was currently out to bid for. There was a large detention facility at the bottom of the hill near the park. There would be other stormwater detention in the plan and they were going to keep natural drainage areas open. Geotechnical analysis had been done that determined the landslide was an isolated slide. They had corrected that issue with drainage improvements and had structurally repaired the house that was damaged. The Building Official had to require geotechnical reports for future development as it proceeded. The current standard was that any lot that had fill had to have a geotechnical report done to demonstrate the fill was suitable for construction of a house. There were several check points to make sure the standards were being met and the permit was enforced through DEQ. Any issue with run off currently was being handled through the contractor of the project and the stormwater erosion plans they had that the state.

Mr. Aster said further development would help solve some of the drainage issues as the streets would cut off a lot of the drainage from above.

Mr. Decker raised a concern about Loop A road, if there was a fire and the neighborhood needed to empty, it would be difficult for all 120 houses to get out on one street while the fire trucks were trying to get in.

Fire Marshal McDermott thought the roads were wide enough to allow vehicles to come in and out at the same time. As development occurred, there would be less forest land and trees that could catch fire.

Commissioner Chroust-Masin asked if they foresaw any problems with sewer lines on these roads. Mr. Aster said there should not be a problem with sewer and stormwater lines as the topography worked to their favor in providing capacity for these services. They might have to blast to excavate the depth needed for the sewer lines.

The applicant agreed to waive the seven day period to submit final written arguments in support of the application.

Chair Hall closed the public hearing.

Commissioner Chroust-Masin said since this development had already been approved previously, and this was a modification to meet the new criteria, he did not see any reason for denial.

Commissioner Schanche was still concerned about open space. She realized this was an approved plan that was being modified. She thought it was disingenuous to say the drainageways could be considered open space as they were not meant to be accessible to the public. There was no way for the people in this development to get around other than by car. She suggested a condition that had added pedestrian connections.

Commissioner Butler agreed about the connections. They had added 40 more lots and some of that space could have been used to make the development more walkable and pedestrian friendly.

Commissioner Geary also concurred about the open space, however he did not know if they had leverage to make any changes to the existing planned development.

Mr. Aster said the plan was approved with the park as the required open space. There was no flat land to put a park up on the hill. The lots on the hill would have large backyards with creeks.

Commissioner Schanche read the planned development overlay purpose. She did not think this development fit with that purpose regarding open space.

Planning Director Richards said purpose statements were not criteria. They had to find criteria to request more open space than the neighborhood park.

Contract Attorney Spencer Parsons looked at the language of Policy 75 and the way staff was reading the language, the chapter was dealing with how open space was managed and maintained rather than a requirement for dedication of open space.

Mr. Aster said they were open to more pedestrian connections and suggested working with staff on locations. Mr. House said the park was built ahead of the housing. The park was what the City required for open space, and they had fulfilled that. He asked for a recess to work on this issue.

The Commission took a short break as requested.

Mr. Aster said they would be happy to add a condition of approval for more pedestrian walkways between the blocks and providing some space for a City park wherever the City would recommend.

Commissioner Butler asked what the price of the lots would be. Mr. Aster explained there would be bigger lots with CC&Rs for higher end homes, some would be lots for more middle class homes, and some would be common wall duplexes. They would go with what the market asked for. They tried to price lots at what home builders could afford, and yet be able to cover all their construction costs. They would sell most of the lots to other small, local builders and individuals who wanted to build on their own lots.

Commissioner Chroust-Masin asked when he expected this development to be built out. Mr. Aster said it depended on the market. They would try to build a subdivision per year, which was about 40 to 70 lots. It would be slow and controlled growth.

Chair Hall was in favor of approving the application. He asked who would maintain the pedestrian connections and park space. Mr. Aster said the pedestrian connections would be maintained by the Homeowners Association, however he thought the City should maintain the park. He was open to transfering some land to the City for a park, but he did not think they should be responsible for the park.

Chair Hall said if it was a park up on the hill, it was for the benefit of the home owners in that area. It was not a park that would be used by the rest of the City. Mr. Aster said there were many neighborhood parks that were owned by the City.

Commissioner Schanche said she had requested pedestrian connections consistent with Policy 77, Policy 132, and Residential Design Policy 81. She had not brought up parks.

Commissioner Butler said she was talking about open space, not necessarily a playground.

Planning Director Richards said the City's level of service was that every resident had access to a neighborhood park within a half mile of their residence. The City did not have funding to bring on additional parks for maintenance. Mr. House said the existing park was meant to be the park for the entire property. Mr. Aster said they were happy to work with the City to donate land for a park and to put in more pedestrian walkways.

Planning Director Richards said the developer was willing to provide more pedestrian connectivity that would be maintained through an HOA. Staff had language to include that in the motion.

Commissioner Schanche said the streets where she would like connections were: NW Brookshire to NW Canyon Creek Drive, Canyon Creek to Road A, Road A to the west, Road C to Road D, C Loop to Elizabeth, Road E to 2<sup>nd</sup>, and Road D to the future north.

There was discussion regarding the dedication of open space, since the City would not be able to maintain it. Chair Hall thought because it would benefit that neighborhood, not the rest of the City, it should be maintained by an HOA.

Commissioner Chroust-Masin thought the park would be used by other residents in the City.

Commissioner Butler said because it was in a wooded area and there were creeks in people's backyards, she suggested only requiring the pedestrian connections and not the park.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to recommend to the City council approval of ZC 6-17 subject to the staff recommended conditions of approval with an added condition for additional pedestrian connectivity between NW Brookshire and NW Canyon Creek Drive, Canyon Creek to Road A, Road A to the west, Road C to Road D, C Loop to Elizabeth, Road E to 2<sup>nd</sup> Street, and Road D to the northwest and an added condition requiring the formation of a Homeowners Association for maintenance of the pedestrian walkways. SECONDED by Commissioner Chroust-Masin. The motion CARRIED 5-0.

# 1. Old/New Business

None.

2. Commissioner Comments

None.

3. Staff Comments

None.

# 4. Adjournment

Chair Hall adjourned the meeting at 10:45 p.m.

Heather Richards Secretary TUALATIN · VANCOUVER · SALEM-KEIZER

12965 SW HERMAN RD., SUITE 100 · TUALATIN, OR 97062



# Modification to Site Plan to Include Additional Pedestrian Connections as Approved by the Planning Commission on May 18, 2017

Date:	May 30, 2017
То:	Heather Richards, Planning Director, City of McMinnville
From:	Zach Pelz, AICP, AKS Engineering and Forestry
Project:	ZC 6-17: Hillcrest Planned Development Amendment
Site Location:	Yamhill County Assessor's Map 4S-5-24 Lot 801

On May 18, 2017, the City of McMinnville Planning Commission unanimously recommended approval of the amendment to the Hillcrest Planned Development (ZC 6-17) submitted by West Hills Properties, LLC. The Planning Commission's recommendation imposed one additional condition of approval that would require additional pedestrian connections between the following proposed streets:

- 1. NW Brookshire St and NW Canyon Creek Dr;
- 2. NW Canyon Creek Dr and Road A;
- 3. Road A and Tax Lot 809;
- 4. Road C and Road D;
- 5. C Loop and NW Elizabeth St;
- 6. Road E and 2nd Street;
- 7. Road D and Tax Lot 809.

The Applicant fully supports the Planning Commission's recommendation to improve the walkability and overall connectivity of this topographically challenging site and has made minor modifications to the lot layout to allow additional pedestrian and bicycle access tracts in the above listed locations (see also Exhibit A, attached).

Attached: Exhibit A – Pedestrian Access Locations Revision



AKS DRAWING FILE: 5147 PED ACCESS EXHIBIT.DWG | LAYOUT: E.



CITY OF McMINNVILLE FINANCE DEPARTMENT 230 NE Second Street McMinnville, Oregon 97128 www.mcminnvilleoregon.gov

# MEMORANDUM

DATE:	June 13, 2017
TO:	Jeff Towery, City Manager
FROM:	Marcia Baragary, Finance Director
SUBJECT:	Ordinance No. 5026, an Ordinance amending the McMinnville Municipal Code provisions incorporating a Local Transient Lodging Tax (Ordinances No. 5003, 4994, 4974 and 4970)

### **Discussion:**

At the May 23, 2017, City Council meeting, Visit McMinnville (VM) recommended that the Council consider amending the City's Transient Lodging Tax (TLT) ordinance to apply the TLT to RV parks and campgrounds and to increase the TLT rate from 8 percent to 10 percent.

It is estimated that the proposed changes will generate approximately \$180,000 annually in additional TLT revenue, with 70 percent of the total allocated to Visit McMinnville (approximately \$126,000) and the remaining 30 percent retained by the City (approximately \$54,000).

Visit McMinnville intends to use any additional revenue generated by these changes to execute a strategic plan focusing on group sales. Group sales includes efforts to increase economic development by bringing large events, such as conferences, tradeshow, arts and culture and sporting events to the community during shoulder and off seasons (i.e., November through April). Prior to making this recommendation, Visit McMinnville met with lodging stakeholders to discuss the proposed changes.

Regarding any new funds retained by the City, Council intends to have a strategic discussion about potential uses of the additional tax revenues. Until that time, resources from the proposed changes will be placed in reserves.

As directed by Council, staff has prepared an amended TLT ordinance, increasing the TLT rate to 10 percent and including RV parks and campgrounds in the definition of transient lodging providers subject to the TLT.

If the amended ordinance is approved by Council, City staff will notify lodging providers of the amendments to the ordinance. Notifications will be done in a timely manner to ensure that all providers are given sufficient time to implement any necessary changes to their TLT collection processes.

### Attachment:

Ordinance No. 5026, an Ordinance amending the McMinnville Municipal Code provisions incorporating a Local Transient Lodging Tax (Ordinances No. 5003, 4994, 4974 and 4970).

Exhibit 1, Ordinance No. 5026

# Action:

A motion is needed to approve amendments to the Ordinance.

### ORDINANCE NO. 5026

An Ordinance amending the McMinnville Municipal Code provisions incorporating a Local Transient Lodging Tax (Ordinances No. 5003, 4994, 4974 and 4970)

### **RECITALS:**

On June 11, 2013, the McMinnville City Council passed Ordinance No. 4970, implementing a Local Transient Lodging Tax. Three subsequent amendments to the ordinance were adopted through Ordinance Nos. 4974, 4994, and 5003. Ordinance 4970, as amended, is codified in the McMinnville Municipal Code (MMC) at Chapter 5.10.

On May 23, 2017, the City's Destination Marking Organization, Visit McMinnville, requested that the City consider revising MMC Chapter 5.10, by including RV Parks and campgrounds in the definition of transient lodging providers subject to the Transient Lodging Tax, and by increasing the amount of the tax from 8% to 10%.

The proposed changes would generate additional revenue that would be used to promote tourism within McMinnville and would support the City's general fund services that benefit McMinnville citizens and guests.

Now, therefore, THE COMMON COUNCIL FOR THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

- 1. The language set forth in the attached Exhibit 1, is incorporated into this Ordinance by this reference.
- 2. This Ordinance amends and supersedes Ordinances 4970, 4974, 4994, and 5003.
- 3. The provisions of McMinnville Municipal Code Chapter 5.10 that are not expressly amended by this Ordinance shall remain in effect.
- 4. This ordinance will take effect August 1, 2017.

Passed by the Council this <u>13<sup>th</sup></u> day of June 2017, by the following votes:

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

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

Approved this <u>13<sup>th</sup></u>day of June, 2017.

Effective Date: \_\_\_\_\_

MAYOR

Attest:

Approved as to form:

CITY RECORDER

CITY ATTORNEY

### EXHIBIT 1 ORDINANCE NO. 5026

# Language proposed for deletion is shown [in brackets in struck through]. Language to be added is shown in bold and underlined.

# Chapter 5.10

# LOCAL TRANSIENT LODGING TAXES

<u>5.10.010</u> Definitions. For the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

E. "Lodging" means "Transient Lodging as defined by ORS 320.300, except that "Lodging" shall not include dwelling units at nonprofit facilities[,] <u>or</u> dormitory rooms used for educational purposes[, camping sites, and recreational vehicle sites].

5.10.020 Tax imposed. For the privilege of Occupancy in any Lodging, each Occupant shall pay a Tax in the amount of [eight] ten percent ([8]10%) of the Rent charged by the Transient Lodging Tax Collector. The Tax constitutes a debt owed by the Occupant to the City, which is extinguished only by payment to the Transient Lodging Tax Collector at the time the Rent is paid. The Transient Lodging Tax Collector shall enter the Tax on the Tax Collector's records when the Rent is collected. If the Rent is paid in installments, a proportionate share of the Tax shall be paid by the Occupant to the Tax Collector, the Finance Director may require that the Tax be paid directly to the City. The Tax must be computed on the total retail price, including all charges other than taxes, paid by a person for occupancy of the Transient Lodging.



FINANCE DEPARTMENT 230 NE Second Street McMinnville, Oregon 97128 www.mcminnvilleoregon.gov

June 14, 2017

# NOTICE OF CHANGE TO TRANSIENT LODGING TAX

On June 13, 2017, the City of McMinnville adopted Ordinance No. 5026, which implements changes to the City's Transient Lodging Tax Program.

# Effective August 1, 2017:

- The rate of local tax collected by the transient lodging provider shall be increased from 8% to 10%.
- 2. Camping sites and Recreational Vehicle sites shall be required to collect the City's Transient lodging Tax.

Please find the enclosed revised tax forms. Please use Tax Form 1 for to calculate taxes for July through September. Note that the rate in effect for July is 8% and the rate for August and September is 10%. Please use tax Form 2 for all quarters thereafter. Tax forms are available on the City's website at <a href="https://www.mcminnvilleoregon.gov/finance/page/transient-lodging-tax">www.mcminnvilleoregon.gov/finance/page/transient-lodging-tax</a>.

If you have any questions regarding the collection or remittance of the transient lodging tax, please contact the Finance Department at <u>TLT.Finance@mcminnvilleoregon.gov</u> or at 503-434-7301.

If you have any questions regarding how the City of McMinnville uses the tax monies to support the promotion of tourism within the City, please contact Visit McMinnville at <u>info@visitmcminnville.com</u> or 503-857-0182.

Sincerely,

Marcia Baragary Finance Director, City of McMinnville