



WILLAMETTE VALLEY
WINE FOUNDATION



FHDC
A Home is Just the Beginning

July 6, 2026

City of McMinnville Community Development Department
231 NE Fifth Street
McMinnville, OR 97128

RE: Zone Change, Planned Development Amendment and Conditional Use applications 1950 SW 2nd Street, McMinnville, OR 97128

Dear Members of the City Council, Planning Commission and City Staff:

Willamette Valley Wine Foundation (WVWF) and Farmworker Housing Development Corporation (FHDC) are proposing to amend the Jandina Planned Development for the site at 1950 SW 2nd Street, request a Zone Change from R-2 (Low Density) to R-4 (Medium, High Density), and request a Conditional Use for a childcare center. FHDC is proposing to construct a 68-unit multifamily housing project called SW McMinnville Housing and Childcare Community in four buildings that are 3-stories in height, with parking, landscaping and common outdoor space. WVWF is proposing to utilize the existing building on the site currently occupied by the Salvation Army as a Child Care Center. The subject property is located south of NW 2nd Street and west of SW Filbert Street. It is identified by the Yamhill County Assessor as Tax Lot 14900 of Tax Map 4.4.19DA. The proposed development would be on 3.68 acres (gross).

We are writing to express our gratitude to the City of McMinnville for considering this bundled application package to support addressing the housing and childcare needs in McMinnville. We recognize that housing, and affordable housing is a critical issue in McMinnville. The multifamily housing proposed by our applications would be at 60% of AMI to fill a critical need within the community.

We appreciate the collaboration and thoughtful consideration the city will demonstrate throughout the application review processes. Your willingness to engage in dialogue with us and to make decisions that are in the best interest of all residents shows true leadership and foresight. We are proud to be part of a community that prioritizes thoughtful planning, sustainability, and the needs of its people.

We look forward to continuing our work together to develop this project that will serve as a testament to the city's commitment to growth and opportunity. We are excited to contribute to the long-term success of McMinnville.

Sincerely,

Mike McNally
Boad Member, Foundation Secretary, WVWF

Maria Elena Guerra
Executive Director, FHDC



THE RUX GROUP, LLC

Douglas R. Rux AICP

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Sherwood, OR 97140
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CITY OF MCMINNVILLE
APPLICATION FOR PLANNED DEVELOPMENT AMENDMENT REVIEW

WILLAMETTE VALLEY WINE FOUNDATION
3519 NE 15th Avenue, #506
Portland, OR 97212

In collaboration with:

FARMWORKER HOUSING DEVELOPMENT CORPORATION
1274 Fifth St, Suite 1-A
Woodburn, OR 97071

Location: N.E. ¼ S.E. ¼ Section 9, T.M. 4.4.19DA
T. 4S, R. 4W, W.M.
T.L. 14900
Yamhill County, Oregon

Prepared by: Doug Rux, AICP, The Rux Group, LLC
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Greg Mino, Yuko Mino Architecture
Julia Kuhn, Kittelson and Associates
John van Staveren, Pacific Habitat Services, Inc.
Kyle Latimer, Udell Engineering and Land Surveying, LLC

Prepared for: Mike McNally, Willamette Valley Wine Foundation
3519 NE 15th Avenue, #506
Portland, OR 97212

Maria Elena Guerra, Farmworker Housing Development Corporation
1274 Fifth St, Suite 1-A
Woodburn, OR 97071

July 21, 2026

APPLICANT'S STATEMENT

PROJECT NAME: SW McMinnville Housing and Childcare Community

REQUEST: Approval of an Amendment to the Jandina Planned Development to allow Multi-family apartments and a Child Care Center

APPLICANT'S REPRESENTATIVE: Doug Rux, AICP
The Rux Group, LLC
15532 SW Thrasher Way
Sherwood, OR 97140
971-275-7781
Drux11@yahoo.com

APPLICANT/PROPERTY OWNER: Applicant: Mike McNally, Willamette Valley Wine Foundation
3519 NE 15th Avenue, #506
Portland, OR 97212

In collaboration with:

Maria Elena Guerra, Farmworker Housing Development Corporation
1274 Fifth St, Suite 1-A
Woodburn, OR 97071

Property Owner: Salvation Army
PO Box 8798
Portland, OR 97208

SITE AREA: Tax Lot 14900 = 3.68 acres

LOCATION: 1950 NW 2nd Street
McMinnville, OR 97128

ASSESSOR'S INFORMATION: N.E. ¼ S.E. ¼ Section 9, T.M. 4.4.19DA
T. 4S, R. 4W, W.M.
T.L. 14900
Yamhill County, Oregon

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DOCUMENTS INCORPORATED BY REFERENCE

McMinnville Residential Land Needs Analysis, May 2001

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/1303/4_mac_land_housing_sept01.pdf

City of McMinnville Housing Needs Analysis, November 2023

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/ordinance/24976/ordinance_no.5141.pdf

City of McMinnville Zoning Ordinance

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/community_development/page/1341/zoning_ordinance_master_-_6-18-2026_with_bookmarks.pdf

City of McMinnville Transportation System Plan, May 2010

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/1305/mcminnville_tsp_2010.pdf

City of McMinnville Parks, Recreation and Open Space Plan, June 2024

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/parks_and_recreation/page/25383/mcminnville_prosp_adopted_res_2024-38.pdf

I. APPLICABLE PLANNED DEVELOPMENT AMENDMENT REGULATIONS

A. MCMINNVILLE MUNICIPAL CODE

Title 17: Zoning

Chapter 17.15, R-2 Low Density, 7000 SF Lot Residential Zone

Section 17.15.010 Permitted Uses

Chapter 17.21, R-4 Medium, High-Density, 5000 SF Lot Residential Zone

Section 17.21.010 Permitted Uses

Section 17.21.020 Conditional Uses

Chapter 17.72: Applications and Review Process

Section 17.72.080: Legislative or Quasi-Judicial Hearings

Section 17.72.120: Applications - Public Hearings

Section 17.72.130: Public Hearing Process

Chapter 17.74: Review Criteria

Section 17.74.010: Purpose

Section 17.74.070 Planned Development Amendment - Review Criteria

B. MCMINNVILLE COMPREHENSIVE PLAN

Chapter II: Natural Resources

Chapter III: Cultural, Historical, and Educational Resources

Chapter IV: Economy of McMinnville

Chapter V: Housing and Residential Development

Chapter VI: Transportation System

Chapter VII: Community Facilities

Chapter VIII: Energy

Chapter IX: Urbanization

Chapter X: Citizen Involvement and Plan Amendment

C. OREGON STATEWIDE PLANNING GOALS

Goal 1: Citizen Involvement

Goal 2: Land Use Planning

Goal 3: Agricultural Lands

Goal 4: Forest Lands

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Goal 6: Air, Water and Land Resource Quality

Goal 7: Natural Hazards
Goal 8: Recreational Needs
Goal 9: Economic Development
Goal 10: Housing
Goal 11: Public Facilities and Services
Goal 12: Transportation
Goal 13: Energy Conservation
Goal 14: Urbanization

D. NEW STATE LAWS

ORS 197A.146 Expedited process for certain residential development applications.

II. BACKGROUND:

Salvation Army (Property Owner), Mike McNally – Willamette Valley Wine Foundation (Applicant), and in collaboration with Maria Elena Guerra - Farmworker Housing Development Corporation are proposing to change the zoning for the property at 1950 SW 2nd Street from R-2 (Low Density Residential, 7,000 SF Residential) to R-4 (Medium, High Density, 5000 SF Lot Residential). The site is within the Jandina Planned Development approved by Ordinance No. 3939 (CPA 6-78/ZC 5-78) and as amended by Ordinance No. 4067, and Ordinance No. 4509 (ZC 7-91/CU 6-91). A Vicinity Map is included as Figure 1. The purpose of the zone change is for the future development of a multi-family apartment development consisting of 68 units (46 two-bedroom and 22 three-bedroom units) and utilization of the existing Salvation Army building as a Child Care Center.

An application is included as Exhibit 1.

A Preliminary Title Report is included as Exhibit 2.

A Conceptual Site Plan is included as Figure 2 and Exhibit 3.

Conceptual Building Elevations are included as Exhibit 4.

An ALTA Survey and Topo is included as Exhibit 5.

Photos of the site are included as Figure 3.

Figure 1- Vicinity Map

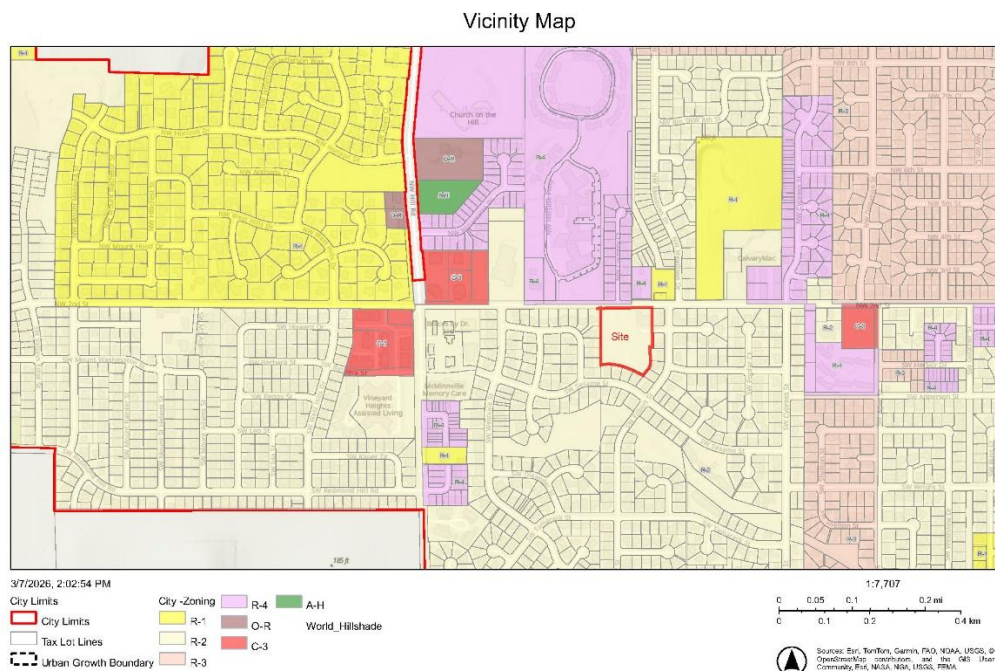


Figure 2 - Conceptual Site Layout



Figure 3 – Site Photos

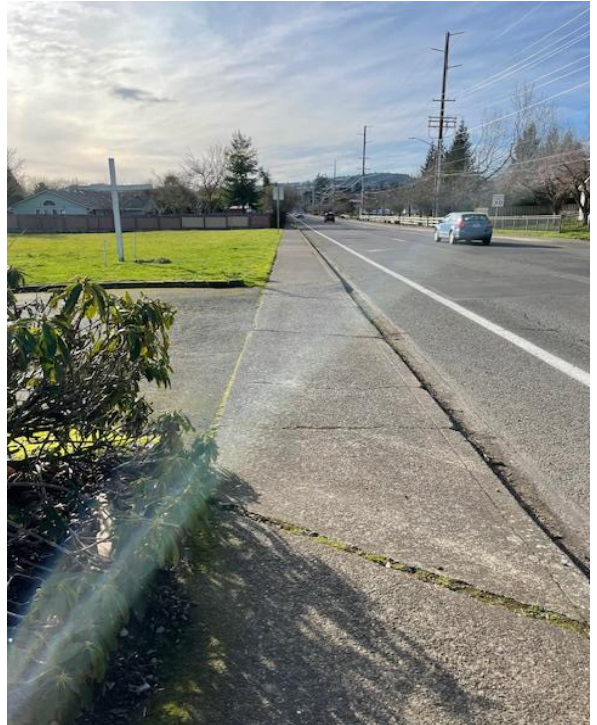
Site Looking south from NW 2nd Street



Site Looking East on NW 2nd Street



Site Looking West on NW 2nd Street



Site Looking South from NW 2nd Street
Storm Ditch/Path Westvale Third Addition Subdivision



Site Looking West from SW Almond Court



Site Looking West



The site is currently zoned R-2 and has a Comprehensive Plan designation of Residential according to the City of McMinnville GIS information.

A Planned Development Amendment and corresponding Zone Change of the subject property, and a Conditional Use request is a multi-step process. Mike McNally of Willamette Valley Wine Foundation and Maria Elena Guerra, Farmworker Housing Development Corporation have provided a cover letter explaining their proposed project.

Mike McNally – Willamette Valley Wine Foundation (WVWF) in collaboration with Maria Elena Guerra - Farmworker Housing Development Corporation have submitted a separate Zone Change application. The second step is submittal of a Planned Development Amendment application (Exhibit 1). The third step is WVWF has submitted a Conditional Use application to reactivate the Child Care Center previously approved by Ordinance 4509 in 1991. The Applicants anticipate the final Planned Development Amendment approval, Zone Change approval, and Conditional Use approval will occur on the same evening before the City Council. The Planned Development Amendment, Zone Change, and Conditional Use are Quasi-judicial actions. This would be followed by the necessary land division for a Partition to create the lot for the multi-family apartments and a separate lot for the Child Care Center, and required building permit and landscape plan approval process for physical development improvements on the site.

The required narrative with findings and documents is included in this Planned Development Amendment application.

Jandina Planned Development (April 1978)

As previously noted, the site is within the Jandina Planned Development approved by Ordinance No. 3939 (CPA 6-78/ZC 5-78) and as amended by Ordinance No. 4067, and Ordinance No. 4509 (ZC 7-91/CU 6-91). The Jandina Planned Development in 1978 was proposed as a R-4 Planned Development. The staff report notes the request is for a Comprehensive Plan Amendment R-4 PD (Multi-family / Planned Development) to allow single -family, duplex, triplexes, fourplexes and apartment complexes was not necessary based on an interpretation from the City Attorney that the basic zoning restriction would be the density factor. It further indicates that the PD could contain up to 468.5 units and remain within the 7,000 sq ft per unit density factor of the R-2 zone (Exhibit 6). The proposed number of dwelling units was 459.

Ultimately the City denied the CPA as it was determined as not necessary and approved the Zone Change as R-2/PD. Ordinance No 3939 approved the Planned Development and the preliminary development plan (Exhibits 7 & 8).

The adopted ordinance had conditions of approval. Two of the conditions that apply to this application are:

Section 1.

[...]

“(b) That plot plans and elevations for the apartment complexes be submitted to and approved by the Planning Commission.”

“(c) That all setbacks for all structures conform to the R-2 Single-family Residential zone requirements.”

[...]

The Preliminary Plan identified 230 single-family dwellings, 52 duplex dwellings, 51 triplex dwellings, 16 fourplex dwellings and 110 apartments (Exhibit 8).

The Applicant is requesting approval of the Conceptual Site Plan (Plot Plan) and Conceptual Building Elevations as required by the condition of approval. The Applicant is aware that there is a separate subsequent city review process for a final site plan and other site improvements as outlined in the McMinnville Zoning Ordinance.

Declaration of Restrictions and Covenants of Jandina Residential Development -October 1979

Jandina Planned Development recorded Restrictions and Covenants for the proposed development (Exhibit 9). A key element was the uses allowed.

Article II Use and Occupancy – Restrictions and Covenants

“2.3 Each Owner of a lot shall use the property solely for residential purposes, as shown on the preliminary plan approved by the City.”

“2.10 Each Owner shall strictly comply with each and every law of the City of McMinnville, County of Yamhill, and the State of Oregon and with each and every rule and regulation of the administrative agencies which are now or hereafter in effect.”

Jandina First Addition Subdivision (October 1979)

The Jandina First Addition recorded subdivision is included as Exhibit 10. The subdivision altered the Preliminary Development Plan on the makeup of the type of units on the proposed lots.

The Jandina First Addition Subdivision identifies the following:

Block 1 – Lots 1 – 7, *Lot 1 triplex, Lot 7 triplex*

Block 2 – Lots 1 - 28, *Lot 6 duplex, Lot 14 fourplex, Lot 20 triplex, Lot 28 duplex*

Block 3 – Lot 1

Block 4 – Lots 1-3 & Lots 4-5, *Lot 5 duplex*

Block 5 – Lots 1 – 5 & 6 – 22 & 23 - 363, *Lot 1 duplex, Lot 6 duplex, Lot 12 triplex, Lot 21 duplex*

Block 6 – Lots 1 – 3 & 4 - 7, *Lot 1 duplex, Lot 7 duplex*

Block 7 – Lots 1 – 17 & 18 - 23, *Lot 14 duplex, Lot 6 thirty-two (32) units apartments, Lot 17 sixteen (16) units apartments, Lot 18 triplex, Lot 23 twenty (20) units apartments*

Block 8 – Lots 1 – 2 & 3 - 9, *Lot 1 triplex, Lot 2 duplex. Lot 3 triplex*

Block 9 – Lots 1 - 16, *Lot 12 duplex, Lot 16 duplex*

Block 10 – Lot 1

The street layout and lot development pattern and residential use mix was modified from the Jandina Planned Development Preliminary Plan approved by Ordinance 3939.

Addendum to Restrictions and Covenants (March 1980)

The Addendum was recorded March 1980 to comply with Ordinance 4067 (Exhibit 11). ORD 4067 (February 1980) is included as Exhibit 12).

Key changes approved by the Ordinance and Addendum to Restrictions and Covenants was the make-up of lots that would allow duplex dwellings or common wall single-family dwellings and triplex dwellings.

“Section 2. That Ordinance 3939 is amended to permit the construction of common-wall, single-family structures on specified lots in the Jandina subdivision, by incorporating the following provisions and changes:

- (a) That the following lots are approved for either duplex dwellings or common-wall, single-family dwellings:

Block 2, Lot 8	Block 7, Lot 14
Block 4, Lot 5	Block 8, Lot 2
Block 5, Lots 1, 6, and 21	Block 9, Lots 12 and 16
Block 6, Lots 1 and 7	

- (b) That the following Lots are approved for either triplex dwelling, duplex dwellings, or two-unit, common-wall, single-family dwellings:

Block 1, Lots 1 and 7	Block 7, Lot 18
Block 2, Lot 20	Block 8, Lots 1 and 3
Block 5, Lots 12 and 18”	

[...]

- “(g) That Section 2.3 of Article II of the Restrictions and Covenants (Deed Restrictions) of Jandina Development be amended to read:

2.3 Each owner of a lot shall use the property solely for residential purposes, as shown on the preliminary plan approved by the City or as enumerated in McMinnville Ordinance No. 4067 which amended the preliminary plan.”

Amendment Jandina Planned Development ZC 7-91/CU 6-91 (October 1991)

The amendment proposed allowing churches, day care centers and community centers for the lot to be purchased by the Salvation Army at the northwest corner of the Jandina Planned Development on approximately 3.68 acres rather than developing it for residential purposes. The Day care center is being relocated from Newby Elementary School to the new site. Thirty-one (31) students were anticipated in the day care facility. Access was requested to NW 2nd Street (Exhibit 13). The site was originally anticipated to accommodate 12 lots for single-family residential in the Jandina Planned Development approved by Ordinance 3939.

Ordinance 4509 (December 1991) approved the request with the following key elements (Exhibit 14):

“Section 2. That Ordinance No. 3939 be amended by adding the following sections:

[...]

Section 4. That the portion of the Jandina Planned Development which is described in Exhibit “B” which is attached hereto and by this reference herein incorporated is, in addition to being subject to any other applicable provisions of this ordinance, specifically subject to the following:

- (a) That the Jandina Planned Development be amended to allow the subject property to access West Second Street, as indicated on the approved site plan.
- (b) That the amended site plan(s) shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer.
- (c) That the applicant submit a copy of the recorded Jandina Subdivision covenant amendment related to restriction of residential uses to the Planning Director prior to issuance of any building permits.”

Amendment of Restrictions and Covenants of Jandina Residential Development (January 1992)

Following the approval of Ordinance 4509 an amendment to the Jandina Restrictions and Covenants (Exhibit 15) was recorded which stated in part:

“In recognition of the authority granted by said signatories, the property described in Exhibit “C” may therefore be used as a church, child care center and youth center.”

Partition (January 1992)

Partition 92-07 (MP 10-91) was approved to create 2 parcels with Parcel 1 for the Salvation Army site and Parcel 2 which later became Jandina Second Addition Subdivision and Jandina Third Addition Subdivision Exhibit 16.

Jandina Second Addition Subdivision (September 1992)

The Jandina Second Addition Subdivision (Exhibit 17) identifies the following:

Block 4 – Lots 1 – 3 & 6 - 9

This approval modified the Jandina Planned Development in Ordinance 3939 from what was to be single-family, duplex and multi-family to single-family.

Jandina Third Addition Subdivision (November 1993)

The Jandina Third Addition Subdivision (Exhibit 18) identifies the following:

Block 7 – Lots 24 - 45

Block 9 – Lots 17 - 54

Block 10 – Lots 6 -10

Block 12 - Lots 2 – 15, *Lots 2, 3, 4, 5, 6, 11, 12, 13, 14, 15 duplexes; Lot 7 sixteen (16) units multi-family, Lot 8 sixteen (16) units multi-family, Lot 9 sixteen (16) units multi-family, Lot 10 sixteen (16) units multi-family,*

Block 14 - Lots 1 -9

Block 15 - Lots 1 – 16, *Lot 1, duplex*

Block 16 – Lots 1 – 63, *Lots 1, 28, 29, 40, 41, 52, 53, 63 duplexes*

The subdivision approval further altered the Jandina Planned Development Preliminary Development Plan on the makeup of the type, mix, and location of units on the proposed lots.

Jandina Third Addition Subdivision - Lot Consolidation (date unknown)

Block 12 - Lots 7 – 10 consolidated, are now a multi-family lot.

Current Development Conditions (March 2026)

Exhibit 19 is an inventory of the existing Jandina Planned Development based on aerial photos, Google Street View and on-site inspections of the make-up of the location and number of dwelling units. There are currently 305 lots with 474 dwelling units. In addition, there are tracts for the public park and public pathways. The current development has modified the street network, expanded the number of single-family units, reduced the number of duplex units, eliminated the triplex units, eliminated the fourplex units, and modified the location of the apartments along with the total number of apartment units.

The total number of units exceeds the maximum density originally approved (486.5) by 5 units (474 units currently) with the subject property for the Planned Development Amendment predominantly undeveloped other than the Salvation Army building.

1978 (459 units)

Single-Family	230
Duplex (26 lots)	52
Triplex (17 lots)	51
Fourplex (4 lots)	16
Apartments	110

2026 (474 units)

Single-Family	278
Duplex (31 lots)	62
Triplex	0
Fourplex	0
Apartments	134

The purpose of the requested Planned Development Amendment is to allow residential development in the R-4 zone consistent with the Restriction and Covenants for residential purposes while retaining the Child Care Center originally approved by Ordinance 4509.

III. FINDINGS

A. MCMINNVILLE MUNICIPAL CODE

17.15.010 Permitted Uses. *In an R-2 Zone, the following uses and their accessory uses are permitted:*

A. Tiny Houses, Site built single detached dwelling and Class A mobile home subject to the following standards:
[...]

Response: The approved Jandina Planned Development in the R-2 zone is a mix of detached single-family dwellings, duplex dwellings, and apartments. There are 278 existing single-family dwellings.

17.21.010 Permitted Uses. *In an R-4 zone, the following uses and their accessory uses are permitted:*

A. Tiny Houses, Single detached dwelling;
[...]

Response: The Jandina Planned Development in the proposed R-4 zone for the subject site plus the existing R-2 zone would be a mix of detached single-family dwellings, duplex dwellings, and apartments. There are 278 existing single-family dwellings.

C. Apartments; Multiple dwelling subject to the following:

- 1. Developments with five or more units.***
- 2. The property on which the use will be located has direct access from a major collector or minor arterial street, or a local collector street within 600' of a collector or arterial street; or***
- 3. The property is located within one-half mile of a planned or existing transit route; or***
- 4. The property is within one-quarter mile from a planned or existing neighborhood or commercial shopping area.***

[...]

Response: The Jandina Planned Development with the R-4 zone for the subject site and the existing development in the R-2 Zone would be a mix of detached single-family dwellings, duplex dwellings, and apartments. There are 134 existing multi-family dwelling units in the R-2 Zone. The proposal would add 68 additional multi-family dwellings in the R-4 Zone on the subject site.

1. There would be more than five new dwelling units. Sixty-eight (68) are proposed.
2. The subject site has direct access to NW 2nd Street approved by Ordinance 4509. NW 2nd Street is a Minor Arterial. The subject site also has access to SW Filbert Street a Neighborhood Collector (Connector) via SW Almond Court a Local Street which is 125 feet from NW 2nd Street.

3. The subject site has direct frontage on a transit street, NW 2nd Street serviced by Route 4.
4. The subject site is approximately 809 feet from commercially zoned land at the intersection of NW 2nd Street and NW/SW Hill Road.

The proposal is required to comply with #1 and one of the three remaining criteria. The proposal complies with #1, #2, #3 and #4.

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:*

[...]

C. Child Care Center, under the following provisions:

- 1. The facility is not a facility defined in Section 17.21.010(J)(1).***
- 2. Operator must have the appropriate licenses required by state regulations.***

[...]

Response: A Child Care Center is a Conditional Use in the proposed R-4 Zone. A separate Conditional Use application has been submitted for review. The facility is not a facility defined in Section 17.21.101(J)(1). The operator will obtain the appropriate licenses required by state regulations. HB 3560 adopted in 2025, now requires that a Child Care Center is a permitted use on land zoned primarily for multiunit residential uses with twelve dwelling units per net residential acre within an urban growth boundary outside of Metro. The requested R-4 zone is primarily for multiunit residential, but the McMinnville regulations have not been updated to comply with HB 3560.

Chapter 17.72 Applications and Review Process

17.72.010 Purpose. *The purpose of this chapter is to describe the various review and appeal processes for land use applications and permits in McMinnville.*

17.72.020 Application Submittal Requirements. *Applications shall be filed on forms provided by the Planning Department and shall be accompanied by the following:*

- A. A scalable site plan of the property for which action is requested. The site plan shall show existing and proposed features, such as access, lot and street lines with dimensions in feet, distances from property lines, existing and proposed buildings and significant features (slope, vegetation, adjacent development, drainage etc.)***
- B. An explanation of intent, nature and proposed use of the development, and any pertinent background information.***
- C. Property description and assessor map parcel numbers(s).***

- D. Legal description of the property when necessary.***
- E. Signed statement indicating that the property affected by the application is in the exclusive ownership or control of the applicant, or that the applicant has the consent of all partners in ownership of the affected property.***
- F. Materials required by other sections of the McMinnville Zoning Ordinance specific to the land use application.***
- G. Other materials deemed necessary by the Planning Director to illustrate compliance with applicable review criteria, or to explain the details of the requested land use action.***

Response:

- A. A Conceptual Site Plan is included as Exhibit 3.
- B. This narrative explains the intent, nature and proposed use of the development and relevant background information.
- C. A property description is included as Exhibit 20 along with an Assessors Map.
- D. A legal description of the area that applies to the Planned Development Amendment is included as Attachment 21.
- E. Exhibit 22 is the signed statement that the Applicant has the consent of the property ownership to submit the Planned Development Amendment application.
- F. Neighborhood Meeting material is included as Exhibit 23.
- G. Planning and Engineering staff requested a Transportation Planning Rule Analysis and Traffic Impact Analysis be prepared (Exhibit 24).

Application submittal requirements are met.

17.72.030 Filing Fees. The City shall charge and collect a filing fee for each such application as established by resolution of the City Council.

- A. The applicant(s) shall submit the required filing fee at the time of application submittal;***
- B. Whether the request is approved or denied, the petitioner shall not be entitled to a refund of the initial fee paid.***

Response:

- A. The Applicant has submitted the required application fee for the Planned Development Amendment.

B. The Applicant acknowledges that the Planned Development Amendment application is not refundable whether approved or denied.

The requirements are met.

17.72.040 Application Review for Completeness. *Upon receipt of a complete application, the Planning Director shall review the application for completeness within 30 (thirty) days of the date that the application is submitted. If, upon review, the application is found to be incomplete, the applicant shall be advised in writing of the information needed to complete the application within 30 (thirty) days of the date of application submittal. The application shall be deemed complete upon receipt of all the missing information or upon written notice from the applicant that some or all the missing information will not be provided. Throughout all land use proceedings, the burden of proof shall rest on the applicant.*

Response: The Applicant acknowledges the 30-day completeness review requirement by the Planning Director and if additional material is required the Applicant has the obligation to submit the missing information.

17.72.050 Application Decision Time Limit. *The City shall take final action on all land use requests that are wholly within the authority and control of the City within 120 days from the date the application is deemed complete. However, by agreement with the applicant, this deadline may be extended for any reasonable length of time. The 120-day period does not apply to an amendment of the comprehensive plan or a land use regulation or adoption of a new land use regulation that was forwarded to the Director of the Department of Land Conservation and Development (DLCD) as required by ORS 197.610.*

Response: The Applicant acknowledges that the City has 120-days from the date the application is deemed complete to take final action on the submitted Planned Development Amendment application.

17.72.060 Limitations on Renewal or Refiling of Application. *Where an application that is subject to a public hearing has been denied, no new application for the same purpose shall be filed within one year of the date of the previous denial unless the City Council or Planning Commission, for good cause, shall grant permission to do so.*

Response: The Applicant understands that a denial of the submitted Planned Development Amendment application prohibits submittal of another Planned Development Amendment application for a period of 1-year unless the City Council or Planning Commission grants permission to do so.

17.72.070 Concurrent Applications. *When a proposal involves more than one application for the same property, the applicant may submit concurrent applications which shall be processed simultaneously. In so doing, the applications shall be subject to the hearing procedure that affords the most opportunity for public hearing and notice.*

Response: There is a separate Zone Change application and Conditional Use application that have been submitted for the subject property that is under review through the separate Zone Change process and Conditional Use process. No other concurrent land use application is being proposed with the Planned Development Amendment application. If approved the Applicant will submit a separate Tentative Partition application and applications for physical site improvements.

17.72.080 Legislative or Quasi-Judicial Hearings. *The applications listed in this Chapter are either legislative or quasi-judicial in nature and are subject to a public hearing before the Planning Commission or City Council.*

A. A requested amendment to the text of the zoning ordinance or comprehensive plan would call for a legislative-type hearing, the purpose of which is to obtain public input primarily on matters of policy. A legislative amendment may be initiated by the City Council, the Planning Commission or by the Citizens' Advisory Committee. Any other citizen may petition the City Council requesting them to initiate a text amendment.

Response: The Applicant is not proposing a zoning ordinance or comprehensive plan text amendment; therefore, the above standards do not apply.

B. An application that is site specific (such as a zone change or annexation request) would call for a quasi-judicial hearing. The decisions made as a result of such hearings must be based upon testimony submitted and supported by Findings of Fact. An amendment that is site specific may be initiated by the City Council, the Planning Commission, the Citizens' Advisory Committee or by application of the property owner.

Response: The Planned Development Amendment application has been submitted by the Applicant with concurrence from the property owner. As required, land use decisions will be issued after public hearings are held before the Planning Commission and review or a public hearing by the City Council.

17.72.090 Application Review Summary Table. *The following table offers an overview of land use applications and corresponding review body. Additional information regarding the notification and approval criteria for specific land use applications can be found by referring to the procedural reference section in the right-hand column of the table. Information regarding the hearing body and the hearing procedure can be found in this chapter. (Ord. 5106 §2, 2021; Ord. 5047 §2, 2018, Ord. 5034 §2, 2017; Ord. 4984 §1, 2014).*
[...]

Applications Public Hearing – Planning Commission	Appeal of Director Decision	17.72.170
	Application (Director's Decision) for which a Public Hearing is Requested	17.72.120
	Area Plan	17.10
	Comprehensive Plan Map or Text Amendment*	17.74.020

	<i>Conditional Use Permit</i>	<i>17.74.030-060</i>
	<i>Legislative Amendments</i>	<i>17.72.120</i>
	<i>Master Plan</i>	<i>17.10</i>
	<i>Planned Development Amendment*</i>	<i>17.74.070</i>
	<i>Subdivision (more than 10 lots)</i>	<i>17.53.070</i>
	<i>Variance</i>	<i>17.74.100-130</i>
	<i>Zone Change*</i>	<i>17.74.020</i>

[...]

**** Following Public Hearing, Planning Commission makes recommendation to City Council***

****** McMinnville Urban Area Management Commission***

Response: The application is a Planned Development Amendment.

17.72.095: Neighborhood Meetings.

A. A neighborhood meeting shall be required for:

1. All applications that require a public hearing as described in Section 17.72.120, except that neighborhood meetings are not required for the following applications:

- a. Comprehensive plan text amendment; or***
- b. Zoning ordinance text amendment; or***
- c. Appeal of a Planning Director's decision; or***
- d. Application with Director's decision for which a public hearing is requested.***

2. Tentative Subdivisions (up to 10 lots)

3. Short Term Rental

Response: A Neighborhood Meeting for the submitted Planned Development Amendment application was held on April 22, 2026. As required, the Applicant has submitted the attached Neighborhood Meeting documentation to demonstrate compliance with City standards (see Exhibit 23).

The requirement is met.

B. Schedule of Meeting.

1. The applicant is required to hold one neighborhood meeting prior to submitting a land use application for a specific site. Additional meetings may be held at the applicant's discretion.

- 2. Land use applications shall be submitted to the City within 180 calendar days of the neighborhood meeting. If an application is not submitted in this time frame, the applicant shall be required to hold a new neighborhood meeting.**

Response:

1. A Neighborhood Meeting was held on April 22, 2026.
2. This application is being submitted on July 21, 2026, which is 90 days after the Neighborhood Meeting and within the 180-day timeframe.

The requirements have been met.

C. Meeting Location and Time.

- 1. Neighborhood meetings shall be held at a location within the city limits of the City of McMinnville.**
- 2. The meeting shall be held at a location that is open to the public and must be ADA accessible.**
- 3. An 8 ½ x 11" sign shall be posted at the entry of the building before the meeting. The sign will announce the meeting, state that the meeting is open to the public and that interested persons are invited to attend.**
- 4. The starting time for the meeting shall be limited to weekday evenings between the hours of 6 pm and 8 pm or Saturdays between the hours of 10 am and 4 pm. Neighborhood meetings shall not be held on national holidays. If no one arrives within 30 minutes after the scheduled starting time for the neighborhood meeting, the applicant may leave.**

Response:

1. The Neighborhood Meeting was held April 22, 2026, at McMinnville Community Center, McMinnville, OR 97128, within the city limits of McMinnville.
2. The Neighborhood Meeting was open to the public and met ADA accessibility requirements.
3. An 8 ½ x 11" sign was posted at the meeting space entrance and stated the meeting is open to the public and that interested persons are invited to attend, and a white board at the building entrance identified the location of the meeting room. Facility staff would not allow a sign to be posted at the building entrance. (Exhibit 23).
4. The Neighborhood Meeting was held on a weekday (Wednesday, April 22, 2026, at 6 pm). This day was not a national holiday.

The requirements have been met.

D. Mailed Notice.

- 1. The applicant shall mail written notice of the neighborhood meeting to surrounding property owners. The notices shall be mailed to property owners within certain distances of the exterior boundary of the subject property. The notification distances shall be the same as the distances used for the property owner notices for the specific land use application that will eventually be applied for, as described in Section 17.72.110 and Section 17.72.120.**
- 2. Notice shall be mailed not fewer than 20 calendar days nor more than 30 calendar days prior to the date of the neighborhood meeting.**
- 3. An official list for the mailed notice may be obtained from the City of McMinnville for an applicable fee and within 5 business days. A mailing list may also be obtained from other sources such as a title company, provided that the list shall be based on the most recent tax assessment rolls of the Yamhill County Department of Assessment and Taxation. A mailing list is valid for use up to 45 calendar days from the date the mailing list was generated.**
- 4. The mailed notice shall:**
 - a. State the date, time and location of the neighborhood meeting and invite people for a conversation on the proposal.**
 - b. Briefly describe the nature of the proposal (i.e., approximate number of lots or units, housing types, approximate building dimensions and heights, and proposed land use request).**
 - c. Include a copy of the tax map or a GIS map that clearly identifies the location of the proposed development.**
 - d. Include a conceptual site plan.**
- 5. The City of McMinnville Planning Department shall be included as a recipient of the mailed notice of the neighborhood meeting.**
- 6. Failure of a property owner to receive mailed notice shall not invalidate the neighborhood meeting proceedings.**

Response:

1. Mailed Notice was provided on April 1, 2026, based on a list provided by the City of

McMinnville Planning Department (Exhibit 22).

2. Mailed notice occurred on March 27th with a date on the letter of April 1, 2026, which was 21 days before the Neighborhood Meeting.
3. The mailing list was obtained from the City of McMinnville Planning Department. The mailing occurred within 45-days of obtaining the list on March 23, 2026.
4. The mailed notice stated the date, time and location of the neighborhood meeting and invite people for a conversation on the proposal; Briefly describe the nature of the proposal; Included a copy of the tax map or a GIS map that clearly identifies the location of the proposed development; and included a conceptual site plan.
5. The McMinnville Planning Department was included in the mailed notice (Exhibit 23).
6. The Applicant believes all parties were notified of the Neighborhood Meeting as required based on the mailing list provided by the City.

The requirements have been met.

E. Posted Notice.

- 1. The applicant shall also provide notice of the meeting by posting one 18 x 24" waterproof sign on each frontage of the subject property not fewer than 20 calendar days nor more than 30 calendar days prior to the date of the neighborhood meeting.***
- 2. The sign(s) shall be posted within 20 feet of the adjacent right-of-way and must be easily viewable and readable from the right-of-way.***
- 3. It is the applicant's responsibility to post the sign, to ensure that the sign remains posted until the meeting, and to remove it following the meeting.***
- 4. If the posted sign is inadvertently removed (i.e., by weather, vandals, etc.), that shall not invalidate the neighborhood meeting proceedings.***

Response:

1. A sign(s) was posted on the subject property on April 2, 2026 (see Exhibit 23).
2. The signs were within 20 feet of the adjacent right-of-way (see Exhibit 23).
3. The Applicant posted the signs on April 2, 2026.
4. The Applicant periodically checked the site to ensure that the signs were not inadvertently removed.

The requirements have been met.

F. Meeting Agenda.

- 1. The overall format of the neighborhood meeting shall be at the discretion of the applicant.***
- 2. At a minimum, the applicant shall include the following components in the neighborhood meeting agenda:***
 - a. An opportunity for attendees to view the conceptual site plan;***
 - b. A description of the major elements of the proposal. Depending on the type and scale of the particular application, the applicant should be prepared to discuss proposed land uses and densities, proposed building size and height, proposed access and parking, and proposed landscaping, buffering, and/or protection of natural resources;***
 - c. An opportunity for attendees to speak at the meeting and ask questions of the applicant. The applicant shall allow attendees to identify any issues that they believe should be addressed.***

Response: The Neighborhood Meeting was a drop in format with an opening presentation and the Applicant and representatives present to answer questions from the community and take community input. A Conceptual Site Plan was provided for viewing and discussion with community members. Hard copies of the Conceptual Site Plan were made available in addition to Comment Sheets. Written comments were received and are included in Exhibit 23.

The requirements have been met.

G. Evidence of Compliance. In order for a land use application that requires a neighborhood meeting to be deemed complete, the following evidence shall be submitted with the land use application:

- 1. A copy of the meeting notice mailed to surrounding property owners;***
- 2. A copy of the mailing list used to send the meeting notices;***
- 3. One photograph for each waterproof sign posted on the subject site, taken from the adjacent right-of-way;***
- 4. One 8 ½ x 11" copy of the materials presented by the applicant at the neighborhood meeting; and***
- 5. Notes of the meeting, which shall include:***

- a. Meeting date;*
- b. Meeting time and location;*
- c. The names and addresses of those attending;*
- d. A summary of oral and written comments received; and*
- e. A summary of any revisions made to the proposal based on comments received at the meeting.*

Response: As required, the attached Neighborhood Meeting documentation meets the above standards (see Exhibit 23).

The requirements have been met.

17.72.120 Applications – Director’s Review with Notification. *The following shall be submitted as stated above in Section 17.72.020 and shall be reviewed by the Planning Director or designee.*

- *Annexation*
- *Appeal of a Planning Director’s Decision*
- *Application with Director’s decision for which a public hearing is requested*
- *Comprehensive Plan Map Amendment*
- *Comprehensive Plan Text Amendment*
- *Conditional Use Permit*
- *Demolition of National Register of Historic Places Structure (Public hearing held by the Historic Landmarks Committee)*
- *Planned Development*
- *Planned Development Amendment*
- *Tentative Subdivision (more than 10 lots)*
- *Urban Growth Boundary Amendment*
- *Variance*
- *Zone Change*
- *Zoning Ordinance Text Amendment*
- *Any application listed in Section 17.72.110 for which a public hearing is requested.*

The above applications are subject to the following submittal, notice, and hearing requirements:

- A.** *Applications must be filed not less than 35 (thirty-five) days prior to the date of the public hearing. Applications other than those involving text amendments or other legislative matters shall be reviewed for completeness as outlined above in Section 17.72.040.*

Response: The Planned Development Amendment application was filed on July 21, 2026. The Applicant anticipates that the first evidentiary public hearing will occur at least 35 days after the application submittal as established by the City.

- B. The Director shall send a copy of the proposal to any agency or City department identified by the Director as having interest in the proposal including those agencies and departments responsible for determining compliance with state and federal requirements. The notified agency may provide written comment regarding the proposal.***

Response: The Applicant acknowledges that the Director has the responsibility to notify any agency or city department of the submitted application.

- C. An application to amend the comprehensive plan map, zoning ordinance text, comprehensive plan text or other application requiring notice to the Department of Land Conservation (DLCD) and Development Commission as a “post acknowledgment plan amendment” shall be submitted to the Planning Department a minimum of 55 (fifty-five) days prior to the date of the public hearing so that notice of the application can be provided to the DLCD.***

Response: The submitted application for a Planned Development Amendment requires notification to DLCD as a Post Acknowledgement Plan Amendment. The Applicant acknowledges that the application’s first evidentiary public hearing will be at least 55 days after submitting the application as established by the City.

- D. Notice of the public hearing shall be published in a newspaper of general circulation in the City, not less than five (5) days nor more than 15 (fifteen) days prior to the date of the public hearing.***

Response: The City will provide the required published notice for the public hearing meeting and the required timeline.

- E. Written notice of a variance request shall be mailed to the applicant and all property owners within 100 feet of the exterior boundary of the subject property, and within 200 feet of the exterior boundary of the subject property for an application for a conditional use permit not fewer than 20 (twenty) nor more than 30 (thirty) days prior to the date of the public hearing.***

Response: The submitted application is not for a variance, and the criterion is not applicable.

- F. Written notice of a request for applications other than those involving text amendments or other legislative matters shall be mailed to the applicant and all property owners within 300 feet of the exterior boundary of the subject property, not fewer than 20 (twenty) nor more than 30 (thirty) days prior to the date of the public hearing.***

Response: Written notice was mailed by the City in accordance with the above criterion.

Written notice of an application to change a zone for all or part of a mobile home park shall be provided for the tenants of a mobile home park at least 20 (twenty) days but not more than 40 (forty) days before the date of the first public hearing on the application. (Ord. 5034 §2, 2017; Ord. 4984 §1, 2014).

Response: The submitted Planned Development Amendment application does not propose a change to the zone for all or a part of a mobile home park and the criterion is not applicable.

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

- A. A staff report shall be submitted to the review body, and shall be made available to the public at least seven (7) days before the date of the public hearing. Any public hearing may be continued to a specific date, time, and location by oral announcement of that specific date, time, and location prior to the hearing being recessed. This announcement is sufficient notice to all applicants, adverse parties, and interested persons, and no further notice is required.***

Response: The Applicant acknowledges that the City will provide a staff report at least seven days prior to scheduled public hearings on the submitted Planned Development Amendment application.

[...]

- C. Quasi-judicial hearings: A quasi-judicial public hearing may be held over on the Planning Commission's own motion or on the request of any participant in the hearing who requests an opportunity to present additional evidence, arguments, or testimony on the application.***
 - 1. Should a participant request an opportunity to present additional evidence, arguments, or testimony, the Planning Commission shall have the discretion to grant the request by either:***
 - a. Continuing the hearing to a specific date, time and location, provided the date is at least seven (7) days after the date of the initial evidentiary hearing or,***
 - b. Holding the record open for the submission of additional written evidence, arguments, or testimony, provided that the record shall be left open for at least seven (7) days after the date of the initial evidentiary hearing.***
 - 2. A request for continuance or a request to keep the record open shall be granted provided that the request occurs before the conclusion of the initial evidentiary hearing and either;***
 - a. There is sufficient time under ORS 197.178, or***
 - b. The applicant requests or agrees to the extension of time.***

3. *Within 45 (forty-five) days following the public hearing on a quasi-judicial matter, and unless a continuance is announced, the Planning Commission shall make specific Findings of Fact. Based on the findings, the Planning Commission shall render a decision which shall either approve or deny the application, or approve the application in a different form.*
4. *Planning Commission decisions on the following applications shall be final unless an appeal is filed.*
 - *Appeal of Planning Director's Decision*
 - *Conditional Use Permit*
 - *Tentative Subdivision (with more than 10 lots)*
 - *Variance*
 - *Any application listed in Section 17.72.110 for which a public hearing is called.*
5. *Following the public hearing for all other quasi-judicial applications listed in Section 17.72.120, the Planning Commission shall make a recommendation to the City Council to approve or deny the application, or that the proposal be adopted or rejected, or that the application or proposal be approved in a different form.*
 - a. *If the decision of the Planning Commission recommends that an application be granted or that the proposal be adopted, or that the application be approved in a different form, the Planning Commission shall transmit to the City Council, a copy of the application, a scale drawing of the site, the minutes of the public hearing, the decision and findings of the Planning Commission, and any other materials deemed necessary for decision by the City Council.*
 - b. *If the decision of the Planning Commission recommends that the application be denied, or the proposal rejected, no further proceedings shall be held by either the Planning Commission or City Council, unless an appeal of the Commission's decision is filed.*
6. *Upon receipt of the decision of the Planning Commission to recommend approval the Council shall:*
 - a. *Based on the material in the record and the findings adopted by 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).***

Response: The Applicant understands the hearing process, continuance requests, leaving the record open, findings of fact, recommendations, and ordinance adoption process outlined in 1 – 6 above.

17.72.140 Mailed Notification. The names and addresses of the property owners from the Yamhill County Assessor's Office most recent property tax assessment roll shall be used for the purposes of giving notice to affected parties. Failure of a person or persons to receive notice shall not impair the validity of the hearing.

Response: The Applicant understands that the mailed notification will be derived from the Yamhill County Assessor's office property tax assessment roll.

17.72.150 Notice of Decision. Within five (5) working days after a decision has been rendered, the Planning Department shall provide written notice of the decision to all parties who participated.

Response: The Applicant recognizes that as decisions are made on the submitted Planned Development Amendment application that the City of McMinnville Planning Department will provide notice of the decision within 5 working days.

17.72.160 Effective Date of Decision. Unless an appeal is filed, a decision made by the Planning Director, or the Planning Commission shall become final fifteen (15) calendar days from the date that the notice of the decision is mailed. Unless an appeal is filed, a decision made by the City Council shall become final 21 (twenty-one) days from the date that the notice of decision is mailed. (Ord. 5106 §2, 2021)

Response: The submitted application will require McMinnville City Council approval following a review or a public hearing and the decision would become final 21 days after the date the notice of decision is mailed and that effective date for ordinances is 30 days after adoption.

[...]

17.72.180 Appeal from Ruling of Planning Commission. An action or ruling of the Planning Commission pursuant to this title may be appealed to the City Council within 15 (fifteen) calendar days of the date the written notice of the decision is mailed. Written notice of the appeal shall be filed with the City Planning Department and shall identify the decision sought to be reviewed, including the date of the decision and a statement of interest from the person seeking review specifying that they were party to the initial proceedings. If the appeal is not taken within the 15 (fifteen) day period, the decision of the Planning Commission shall be final. If the appeal is filed, the City Council shall receive a report and recommendation thereon from the Planning Commission and shall hold a public

hearing on the appeal. Notice of a City Council hearing on an appeal of a decision of the Planning Commission shall take the form of that provided for the initial application before the Planning Commission

Response:

The proposed Zone Change application is being processed concurrent with the Planned Development Amendment and Conditional Use in accordance with MMC 17.72.070. The Applicant will adhere to the required appeal process.

17.72.190 *Appeal from Ruling of City Council. An action or ruling of the City Council may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of the decision is mailed.*

Response: The Applicant acknowledges that they have the right to appeal a City Council decision to LUBA within 21-days after notice of the decision is mailed.

Chapter 17.74: Review Criteria

17.74.010 Purpose. *The purpose of this chapter is to provide the approval criteria for the following applications:*

- ***Comprehensive Plan Map Amendment***
- ***Conditional Use Permit***
- ***Planned Development Amendment***
- ***Variance-Administrative***
- ***Variance***
- ***Zone Change (Planned Development)***

Response: The application is for a Planned Development Amendment.

17.74.020 *Comprehensive Plan Map Amendment and Zone Change - Review Criteria.*

An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

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

Response: A Planned Development is an overlay zone per the McMinnville Zoning Ordinance. As required, the Applicant has addressed applicable goals and policies of the Comprehensive Plan in the narrative provided below in Section B.

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;

Response: The proposed Planned Development Amendment is orderly and timely considering the pattern of development in the area, surrounding land uses and changes in the neighborhood. To the north across NW 2nd Street the land is zoned R-4 (Medium-High Density Residential, 5000 SF Lot Residential Zone) developed with Hillside retirement community, Country Crossings Subdivision, Copper Dental, and R-1 developed with the Northside Walnut City Substation. To the east the land is zoned R-2 (Low Density, 7000 SF Lot Residential Zone) and is the location of Jandina Subdivision within the Jandina Planned Development. To the west the land is zoned R-2 (Low Density, 7000 SF Lot Residential Zone) and is the location of Westvale Third Addition Subdivision. To the south the area is zoned R-2 (Low Density, 7000 SF Lot Residential Zone) and is the location of Jandina Subdivision and Jandina Second Addition Subdivision within the Jandina Planned Development.

The requirement has been met.

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

Response: Utilities and services can efficiently be provided to serve the subject property.

An existing 8" sanitary sewer line is located in NW 2nd Street on the north side of the street as depicted in Exhibit 25. The subject property can be connected to this existing line. There is an 8" sanitary sewer line located in SW Almond Court which could also be connected to. This line is located in part on the subject property but is not within a public easement. The City informed the Applicant on March 30, 2026, that a sanitary sewer analysis was not required.

A public stormwater line is located in NW 2nd Street that is a 24" line on the south side of the street. The stormwater line in NW 2nd Street connects to an open stormwater ditch adjacent to the west property line that is located within an easement as part of the Westvale Third Addition Subdivision. In addition, there is a 15-foot storm easement on the property along the west property line (Exhibits 26 & 27).

Water is provided by a 12" ductile iron (DI) line is located in NW 2nd Street along the south side of the street. A 4" line is located in SW Almond Court that terminates at the property (Exhibit 28).

Fire service is provided by the McMinnville Fire District. Station 1 is at 175 NE First Street and Station 12 is at 210 NW Baker Creek Road.

Parks are provided by the City of McMinnville. West McMinnville Linear Path is located south of the subject site and south of SW Sesame Street. A 5-foot-wide pedestrian path is provided on the Westvale Third Addition Subdivision and Westvale Subdivision that extends from NW 2nd Street to West McMinnville Linear Path just to the west of the subject site. The undeveloped Quarry Park is

located northwest of the subject site and north of NW 2nd Street. Exhibit 29 identifies the location of parks in the vicinity

K-12 education is provided by the McMinnville School District. Newby Elementary School and Duniway Middle School are located at the northwest corner of NW 2nd Street and NW Michelbrook Lane approximately .65 miles) from the subject property. The subject site is within the attendance boundary of the two schools. McMinnville High School would serve the subject property and is located at 615 NE 15th Street approximately 1.4 miles in distance.

Electrical and communication services can be efficiently extended by connecting to existing lines located on the north side of NW 2nd Street.

The requirement has been met.

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.***

Response:

ORS 197A.018 defines "Needed Housing" as:

(1) As used in ORS chapter 197A, and except as provided in subsection (2) of this section:

(a) "Needed housing" means housing by affordability level, as described in ORS 184.453 (4), type, characteristics and location that is necessary to accommodate the city's allocated housing need over the 20-year planning period in effect when the city's housing capacity is determined.

(b) "Needed housing" includes the following housing types:

(A) Detached single-unit dwellings, middle housing types as described in ORS 197A.420 and multiunit housing that is owned or rented;

(B) Government assisted housing;

(C) Mobile home or manufactured dwelling parks as provided in ORS 197A.431 to 197A.438;

(D) Manufactured homes on individual lots planned and zoned for single-unit residential use that are in addition to lots within designated manufactured dwelling subdivisions;

(E) Housing for agricultural workers;

(F) Housing for individuals with a variety of disabilities, related to mobility or communications, that require accessibility features;

(G) Housing for older persons, as defined in ORS 659A.421;

(H) Housing for college or university students, if relevant to the region; and

(I) Single room occupancies as defined in ORS 197A.430.

ORS 197A.348 defines “Needed Housing” as:

“(1) As used in ORS 197A.350 and this section, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

(a) Attached and detached single-unit dwellings, middle housing types as described in ORS 197A.420 and multiunit housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.493;

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions;

(e) Agriculture workforce housing; and

(f) Single room occupancies as defined in ORS 197A.430.

[...]”

The submitted Planned Development Amendment application addresses a needed housing type, multiple family housing within the City of McMinnville. MMC 17.74.020. B. does not apply as noted above. Additionally based on the above criteria, restated “... 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 need for housing is further articulated with City analysis as discussed below.

The City's Land Needs Analysis (May 2001, incorporated by reference) base line forecast indicates that single-family and multi-family needs as 5,384 (Table 5-14) new dwelling units between 2000 and 2020. The demand for multi-family units is 1,209 (Table 5-15) in the period of 2000 – 2020. The Alternative Forecast indicates multi-family at 1,346 units (Table 5-24 & 5-26) in the period 2000 – 2020. The Alternative Forecast land need for R-4 is identified as 55 acres in the period 2000 – 2020. Table 5-29 identifies a land need of 778 units on 55 acres in the period 2000 – 2020. Table 6-2 identifies a dwelling unit need in R-4 of 588 units. Overall, the City at the time had a deficiency of 63.9 gross acres and 55.1 net acres of R-4 zoned land in the period 2000 – 2020.

The City of McMinnville Housing Needs Analysis (November 2023, incorporated by reference), which is under appeal. Figure 81 provides information on the historical density and mix from 2000 – 2018. For Multi-family in the R-4 zone the unit mix is 37% and a net density of 19.1. The analysis further indicates that over the 20-year period based on population growth there will be a need for 4,657 new dwelling units. The recommended mix of units includes 33% to be multi-family. Infill development such as being proposed by the zone change indicates a need for 335 multi-family units and vacant or partially vacant land of 1,202 units (Exhibit 87 & 88). Exhibit 89 indicates a need for 375 multi-family units between 2021 – 2026, 760 multi-family units between 2021 – 2031, 1,537 multi-family units between 2021 – 2041, and 3,626 multi-family units between 2021 – 2067. Finally, the analysis indicates a deficit of 1,101 dwelling units for the period of 2021 – 2041 (Exhibit 101).

Both analyses indicate a deficit of multi-family housing in McMinnville. The proposed zone change will assist in addressing the deficiency. Therefore, the Planned Development Amendment of the subject site is essential when addressing the public need for additional housing.

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.***

Response: The proposed Planned Development Amendment based on feedback from City staff is a Major change.

An increase in the Jandina Planned Development area is not proposed.

An increase in the housing density is proposed. The Jandina Planned Development, based on the City staff report from June 1978 states the maximum number of dwelling units is 468.5. Currently there are 474 dwelling units (Attachment 19) exceeding the stated maximum density. There is

3.68 acres of undeveloped land in the Planned Development for the subject site. To develop this remaining acreage the Applicant has proposed to re-zone the area to R-4 to allow for multi-family (apartment) development and a Child Care Center. The number of units would be 68 at a density of 22.66 du/ac on the 3.03-acre developable site area. The remaining .65 acres of the site would be for the Child Care Center. The density would be similar to existing multi-family development in the Jandina Planned Development.

Jandina Multi-family Development

Project Name	Units	Acres	DU/AC
Glenhaven Apartments	36	1.68	21.43
The Westview Apartments	30	.9061	22.07
Columbus Village	66	2.74	24.09
Homeport	12	.5896	20.35

No reduction in open space is proposed. Ordinance 3939 and the subsequent Jandina First Addition, Jandina Second Addition, and Jandina Third Addition subdivisions dedicated the required open space and park lands.

The proposed Planned Development Amendment addresses the traffic that would be generated (Exhibit 24). Ordinance 4509 approved the subject site for a sanctuary (church), community youth center and day care facility. The ordinance also approved access onto NW 2nd Street to mitigate traffic impacts on residential areas. The proposed application would re-establish the original purpose of the Jandina Planned Development for residential purposes, with the exception of the Child Care Center previously approved which would be retained. To mitigate the impacts of the proposal the Applicant is requesting to retain the access on NW 2nd Street but relocate it to the west to align with NW Country Court to create a safe operating intersection rather than the offset intersection that currently exists. The proposed multi-family and Child Care Center would also have a different parking layout from the Salvation Army proposal approved by Ordinance 4509 and would have a shared driveway off of SW Almond Court and the shared access onto NW 2nd Street.

The applicable criterion related to an increase in density including the number of housing units applies to the application.

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.***

[...]

Response: The proposed Planned Development Amendment and subsequent onsite development will comply with all requirements in the McMinnville Zoning Ordinance such as requirements in MMC 17.11, 17.21, 17.53, 17.54, 17.57, 17.58, 17.60, 17.62, 17.72 and 17.74.

- A. The Jandina Planned Development is above its stated maximum density of 468.5 dwelling units. There are currently 474 dwelling units. There remains 3.68 acres of undeveloped land to develop in the Planned Development. The method to develop the 3.68 acres is to rezone the area to R-4 which allows multi-family apartments. There is an existing structure on the site used by Salvation Army that was previously approved for a day care facility (Child Care Center) but has not provided that service for more than one year. There is an open stormwater ditch adjacent to the west property line. There is an existing approved access onto NW 2nd Street that is proposed to be relocated to the west of its current location to align with NW Country Court. There are no access options for the subject site to the west and south because those areas have been developed with detached single-family dwellings. These are all unique conditions to the site that have prompted the requested Planned Development Amendment.
- B. The resulting development will not be inconsistent with the Comprehensive Plan objectives of the area. A full analysis of conformance with the Comprehensive Plan is included in Section B. McMinnville Comprehensive Plan detailed below.
- C. The development will be designed to provide for adequate access to and efficient provision of services to adjoining parcels. The Jandina First Addition Subdivision immediately east of the subject site includes SW Filbert Street that traverses the development from NW 2nd Street to SW Fellows Street. SW Almond Court stubs to the east side of the subject site. Feedback from the City Engineer during the Pre-application meeting was that SW Almond Court does not need to be extended. SW Almond Court will provide secondary access to the subject site. Ordinance 4509 approved access onto NW 2nd Street. The application proposes to retain the access but relocate it to the west to align with NW Country Court to create safer intersection improvements. Access and circulation to the south for SW Sesame Street is not feasible as the area is developed with single-family dwellings as part of the Jandina Second Addition Subdivision. To the west is the Westvale Third Addition Subdivision developed with single-family dwellings and there are no access opportunities to SW Manzanita Street.

Existing public infrastructure facilities have the capacity to accommodate development in an R-4 zone. Sanitary Sewer is already accessible to the site. An existing 8" sanitary sewer line is located in NW 2nd Street on the north side of the street as depicted in Exhibit 25. The subject site can be connected to this existing line. There is an 8" sanitary sewer line located in SW Almond Court which could also be connected to. This line is located in part on the subject site and is not within a public easement.

A public stormwater line is located in NW 2nd Street that is a 24" line on the south side of the street. The stormwater line in NW 2nd Street connects to an open stormwater ditch adjacent

to the west property line that is located within an easement as part of the Westvale Third Addition Subdivision. In addition, there is a 15-foot storm easement on the property along the west property line. (Exhibits 26 & 27).

Water is provided by a 12" ductile iron (DI) line is located in NW 2nd Street along the south side of the street. A 4" line is located in SW Almond Court that terminates at the property. (Exhibit 28).

- D. The plan can be completed within a reasonable period of time. The 68 multi-family apartments are anticipated to start construction in 2028 and be completed in 2029. The Child Care Center is anticipated to be operational by a third party. As required by Ordinance 3939 the Applicant is requesting approval of the conceptual site plan and the building elevations shown in Exhibits 3 & 4.
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area as noted in the Traffic Impact Analysis (Exhibit 24). NW 2nd Street is classified as a Minor Arterial roadway in the Transportation System Plan (TSP Exhibit 2-3, incorporated by reference). The subject site would have direct frontage and access to this roadway as approved by Ordinance 4509 and would be relocated to the west of the current location to align with NW Country Court to create a safer intersection and turning movements. SW Filbert Street, located east of the site is a Neighborhood Collector (Connector). SW Almond Court which stubs to the subject site is a Local Street (Exhibit 32).
- F. The proposed utility and drainage facilities are adequate for the population densities and type of development proposed as noted under C. 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.

The applicable requirements have been met as addressed above.

B. MCMINNVILLE COMPREHENSIVE PLAN

CHAPTER II: NATURAL RESOURCES

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

LAND

Policies:

- 1.00** *Urbanizable lands outside the city limits, but inside the Urban Growth Boundary, shall be retained, whenever possible, in agricultural use until such time as they are needed for urban development.*

Response: The subject site is currently within the city limits and within the Urban Growth Boundary. The subject property is 3.68 acres (gross) in size and is partially developed with the Salvation Army building, parking lot and outdoor play area. The balance of the site is an undeveloped field of grass.

- 2.00** *The City of McMinnville shall continue to enforce appropriate development controls on lands with identified building constraints, including, but not limited to, excessive slope, limiting soil characteristics, and natural hazards.*

Response: The subject site does not have any designated development constraints or natural hazards in the Comprehensive Plan or zoning regulations. The southwest corner of the site has identified hydric soils that can be mitigated and a wetland (Exhibit 30 and Exhibit 31).

- 3.00** *The City of McMinnville shall review any identified mineral and aggregate resource locations to determine the quality of the material, the likelihood that it will be extracted and the compatibility of the site with surrounding land uses. The City shall seek to resolve any conflicts between aggregate resource locations and surrounding land uses, and shall protect, whenever possible, mineral and aggregate resources from future encroachment by incompatible uses, especially residential uses.*

Response: No designation exists for the subject property for mineral or aggregate resources according to City GIS data and does not apply.

- 4.00** *The City of McMinnville, in cooperation with the Oregon Department of Geologic and Mineral Industries, shall insure that aggregate sites are reclaimed after their usefulness has expired.*

Response: No designation exists for the subject property for mineral or aggregate resources and does not apply.

AIR

Policies:

- 5.00 – 7.00**

Response: Policies 5.00 - 7.00 are not applicable because the proposal does not impact DEQ, and no air quality permit would be required, and no new major emissions would be generated from future residential (multi-family) development and Child Care Center.

WATER

Policies:

- 8.00** *The City of McMinnville shall continue to seek the retention of high water quality standards as defined by federal, state, and local water quality codes, for all the water resources within the planning area.*
- 9.00** *The City of McMinnville shall continue to designate appropriate lands within its corporate limits as "floodplain" to prevent flood induced property damages and to retain and protect natural drainage ways from encroachment by inappropriate uses.*
- 10.00** *The City of McMinnville shall cooperate with the Oregon Department of Environmental Quality, the Mid-Willamette Valley Council of Governments, and other appropriate agencies and interests to maintain water quality and to implement agreed upon programs for management of the water resources within the planning area.*
- 11.00** *The City of McMinnville shall cooperate with McMinnville Water and Light, the Bureau of Land Management, and Yamhill County to insure that the land use development actions allowed in and around the municipal watershed do not lessen the water quality of the municipal water system below acceptable federal, state, and local standards.*

Response:

- 8.00 - The subject property is not a water resource location.
- 9.00 – The site does not have a floodplain designation.
- 10.00 – The site can be served by McMinnville Water & Light for water service.
- 11.00 – The site is outside of the municipal water shed area in the coast range.

NOISE

Policies:

- 12.00** *The City of McMinnville shall insure that the noise compatibility between different land uses is considered in future land use decisions and that noise control measures are required and instituted where necessary.*

Response: The subject site is proposed as R-4 for residential use (multi-family) and a Child Care Center which would be compatible with surrounding residential uses to the north, south, east and west. The development would need to comply with noise regulations in MMC 8.10.260.

CHAPTER III CULTURAL, HISTORICAL, AND EDUCATIONAL RESOURCES

GOAL III 1: 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.

Response: The subject site is not identified as a cultural resource site.

HISTORIC PRESERVATION

GOAL III 2: TO PRESERVE AND PROTECT SITES, STRUCTURES, AREAS, AND OBJECTS OF HISTORICAL, CULTURAL, ARCHITECTURAL, OR ARCHAEOLOGICAL SIGNIFICANCE TO THE CITY OF McMINNVILLE.

Policies:

15.00 – 17.01

Response: Policies 15.00 – 17.01 do not apply because the subject site does not contain historical, cultural, architectural, or archaeological sites, structures or objects of significance. Therefore, this chapter does not apply to the submitted Planned Development Amendment application.

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

Policies:

17.02 – 17.05

Response: Policies 17.02 – 17.05 do not apply because the subject site does not contain historical, cultural, architectural, or archaeological sites, structures or objects of significance. Therefore, this chapter does not apply to the submitted Planned Development Amendment application.

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

Policies:

17.06 – 17.07

Response: Policies 17.06 – 17.07 do not apply because the subject site does not contain historical, cultural, architectural, or archaeological sites, structures or objects of significance. Therefore, this chapter does not apply to the submitted Planned Development Amendment application.

GOAL III 5: DOCUMENT AND PROTECT HISTORIC RESOURCES.

Policies:

17.08 – 17.13

Response: Policies 17.08 – 17.13 do not apply because the subject site does not contain historical, cultural, architectural, or archaeological sites, structures or objects of significance. Therefore, this chapter does not apply to the submitted Planned Development Amendment application.

GOAL III 6: INCREASE HERITAGE TOURISM.

Policies:

17.14 Amplify the heritage tourism program for McMinnville.

Response: Policy 17.14 does not apply because the subject site does not contain historical, cultural, architectural, or archaeological sites, structures or objects of significance. Therefore, this chapter does not apply to the submitted Planned Development Amendment application.

EDUCATION

GOAL III 7: TO PROVIDE FOR THE EDUCATIONAL NEEDS OF McMINNVILLE THROUGH THE PROPER PLANNING, LOCATION, AND ACQUISITION OF SCHOOL SITES AND FACILITIES.

Policies:

18.00 – 20.00

Response: Policies 18.00 – 20.00 do not apply because the application does not propose educational facilities. Existing educational facilities are provided within McMinnville by other providers, agencies or entities. A Child Care Center is proposed to operate in the existing Salvation Army building.

CHAPTER IV ECONOMY OF McMINNVILLE

GOAL IV 1: TO ENCOURAGE THE CONTINUED GROWTH AND DIVERSIFICATION OF McMINNVILLE'S ECONOMY IN ORDER TO ENHANCE THE GENERAL WELL-BEING OF THE COMMUNITY AND PROVIDE EMPLOYMENT OPPORTUNITIES FOR ITS CITIZENS.

Response: The subject property would be developed for apartments on approximately 3.04 acres (gross) of the 3.68 acre site. Approximately .63 acres (gross) of the site would be used for a Child Care Center. Residents and operation functions of the Child Care Center would be obtaining goods and services from existing commercial operations within the city supporting the economy. Residents may also be locally employed by businesses supporting the local economy.

COMMERCIAL DEVELOPMENT

GOAL IV 2: TO ENCOURAGE THE CONTINUED GROWTH OF McMinnville as the commercial center of Yamhill County in order to provide employment opportunities, goods, and services for the city and county residents.

Policies:

21.00 – 21.05

Response: Policies 21.00 – 21.05 do not apply because the proposal is not to designate the subject property for commercial uses. The proposed use is apartments (multi-family) with an ancillary activity of a Child Care Center.

GOAL IV 3: TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALLY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE NEIGHBORHOOD-SERVING AND OTHER COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

General Policies:

22.00 – 24.00

Location Policies:

24.50 – 28.00

Design Policies:

29.00 – 35.00

Response: Policies 22.00 – 35.00 do not apply because the proposal is not to designate the subject property for commercial uses. The proposed use is apartments (multi-family) with an ancillary activity of a Child Care Center.

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

Downtown Development Policies:

36.00 – 46.03

Response: Policies 36.00 – 46.03 do not apply because the proposal is not to designate the subject property for commercial uses. The proposed use is apartments (multi-family) with an ancillary activity of a Child Care Center.

INDUSTRIAL DEVELOPMENT

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

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

General Policies:

47.00 – 57.00

Response: Policies 47.00 – 57.00 do not apply because the proposal is not to designate the subject property for industrial uses. The proposed use is apartments (multi-family) with an ancillary activity of a Child Care Center.

CHAPTER V HOUSING AND RESIDENTIAL DEVELOPMENT

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.*

59.00 *Opportunities for multiple dwelling 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.*

60.00 *Attached single dwellings and common property ownership arrangements (condominiums) shall be allowed in McMinnville to encourage land-intensive, cost-effective, owner-occupied dwellings.*

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.*

Response:

58.00 - The requested R-4 zone would provide the most flexibility for development of the site. The 3.68 acres (gross) would be for 68 apartment units with a mix of two-bedroom (46), and three-bedroom (22) units on approximately 3.04 acres (gross) and a separate area of approximately .63 acres (gross) for the Child Care Center. The density for the apartments would be approximately 22.44 units per acre.

59.00 - The proposed R-4 zone for apartments (multi-family) would encourage lower cost rental housing versus owner occupied housing. The housing would be developed in accordance with adopted development regulations.

60.00 - The application does not propose attached single-family dwellings or common property ownership (condominiums).

61.00 - The City has the responsibility to prepare the annual report on housing development pattern, density and mix. The proposed multi-family housing project would add to the mix of housing types offered in McMinnville.

ORS 197A.018 defines “Needed Housing” as:

(1) As used in ORS chapter 197A, and except as provided in subsection (2) of this section:

(a) “Needed housing” means housing by affordability level, as described in ORS 184.453 (4), type, characteristics and location that is necessary to accommodate the city’s allocated housing need over the 20-year planning period in effect when the city’s housing capacity is determined.

(b) “Needed housing” includes the following housing types:

(A) Detached single-unit dwellings, middle housing types as described in ORS 197A.420 and multiunit housing that is owned or rented;

(B) Government assisted housing;

(C) Mobile home or manufactured dwelling parks as provided in ORS 197A.431 to 197A.438;

(D) Manufactured homes on individual lots planned and zoned for single-unit residential use that are in addition to lots within designated manufactured dwelling subdivisions;

(E) Housing for agricultural workers;

(F) Housing for individuals with a variety of disabilities, related to mobility or communications, that require accessibility features;

(G) Housing for older persons, as defined in ORS 659A.421;

(H) Housing for college or university students, if relevant to the region; and

(I) Single room occupancies as defined in ORS 197A.430.

ORS 197A.348 defines “Needed Housing” as:

“(1) As used in ORS 197A.350 and this section, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need

shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

- (a) Attached and detached single-unit dwellings, middle housing types as described in ORS 197A.420 and multiunit housing for both owner and renter occupancy;
- (b) Government assisted housing;
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.493;
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions;
- (e) Agriculture workforce housing; and
- (f) Single room occupancies as defined in ORS 197A.430.

[...]”

The submitted Planned Development amendment application addresses a needed housing type, multiple family housing within the City of McMinnville. MMC 17.74.020.B. does not apply because the application is for needed housing. Additionally based on the above criteria, restated “... 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 need for housing is further articulated with City analysis as discussed below.

The City’s Land Needs Analysis (May 2001, incorporated by reference) base line forecast indicates that single-family and multi-family needs as 5,384 (Table 5-14) new dwelling units between 2000 and 2020. The demand for multi-family units is 1,209 (Table 5-15) in the period of 2000 – 2020. The Alternative Forecast indicates multi-family at 1,346 units (Table 5-24 & 5-26) in the period 2000 – 2020. The Alternative Forecast land need for R-4 is identified as 55 acres in the period 2000 – 2020. Table 5-29 identifies a land need of 778 units on 55 acres in the period 2000 – 2020. Table 6-2 identifies a dwelling unit need in R-4 of 588 units. Overall, the City at the time had a deficiency of 63.9 gross acres and 55.1 net acres of R-4 zoned land in the period 2000 – 2020.

The City of McMinnville Housing Needs Analysis (November 2023, incorporated by reference), which is under appeal. Figure 81 provide information on the historical density and mix from 200 – 2018. For Multi-family in the R-4 zone the unit mix is 37% and a net density of 19.1. The analysis further indicates that over the 20-year period based on population growth there will be a need for 4,657 new dwelling units. The recommended mix of units includes 33% to be multi-family. Infill development such as being proposed by the zone change indicates a need for 335 multi-family units and vacant or partially vacant land of 1,202 units (Exhibit 87 & 88). Exhibit 89 indicates a

need for 375 multi-family units between 2021 – 2026, 760 multi-family units between 2021 – 2031, 1,537 multi-family units between 2021 – 2041, and 3,626 multi-family units between 2021 – 2067. Finally, the analysis indicates a deficit of 1,101 dwelling units for the period of 2021 – 2041 (Exhibit 101).

Both analyses indicate a deficit of multi-family housing in McMinnville. The proposed zone change will assist in addressing the deficiency. Therefore, the Planned Development Amendment of the subject site is essential when addressing the public need for additional housing.

Housing Rehabilitation Policies:

62.00 The maintenance, rehabilitation, and restoration of existing housing in residentially designated areas shall be encouraged to provide affordable housing.

63.00 The utilization of federal and state loan and grant programs, as well as private sector financing, shall be encouraged to rehabilitate substandard housing.

Response:

62.00 – The proposed Planned Development Amendment does not include rehabilitation, and restoration of existing housing as the development site is currently undeveloped except for the existing Salvation Army building, parking lot and outdoor playground area, and the policy does not apply.

63.00 – The proposed Planned Development Amendment to accommodate apartments (multi-family) is not a rehabilitation project and the policy does not apply.

Low-Cost Housing Policies:

64.00 The City of McMinnville shall work in cooperation with other governmental agencies, including the Mid-Willamette Valley Council of Governments and the Yamhill County Housing Authority, and private groups to determine housing needs, provide better housing opportunities and improve housing conditions for low and moderate income families.

65.00 The City of McMinnville shall coordinate with the Mid-Willamette Valley Council of Governments to develop a “fair share” plan to allocate low-cost housing throughout the tri-county region.

66.00 The City of McMinnville shall continue to allow development of its fair share of the region’s low-cost housing. The share accepted will be based on quantifiable studies which take into account the amount of the low-cost housing already in the community and the overall housing opportunities in the city and region.

67.00 Subsidized low-cost housing shall be dispersed throughout the McMinnville urban area. Dispersal plans shall be coordinated with appropriate agencies.

Response:

64.00 - The Zone Change to the R-4 zone would allow for an apartment (multi-family) housing project by a private development entity (non-profit organization) to address the housing need

within the community for farmworker housing and other low and moderate income households. The housing would be developed and owned and operated by the Farmworker Housing Development Corporation.

65.00 – Not applicable because this is an issue between the City and Mid-Willamette Valley Council of Governments.

66.00 - The Planned Development Amendment is to allow an apartment (multi-family) housing project that would provide 68 units of affordable housing and owned and operated by the Farmworker Housing Development Corporation.

67.00 – The apartment portion of the project would be owned and operated by the Farmworker Housing Development Corporation. The multi-family housing proposal would further disperse low-cost housing in McMinnville.

The applicable policies have been met.

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.

Policies:

Response: Policies 71.06 – 71.08 do not apply because the requested zoning is not R-1 or R-2.

Response: Policies 69.00 – 70.00 do not apply because the proposal does not propose a new regulatory ordinance, and does not propose changes to zoning and subdivision ordinances.

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.

Response:

68.00 - The proposed Planned Development and companion Zone Change to R-4 would allow a compact form of development for residential housing, specifically a multi-unit apartment complex on the approximately 3.04 acres (gross) of the 3.68-acre (gross) site. Urban services are available as identified in this application packet, noted above, with public infrastructure and other services such as parks, public safety and education.

The policy is met.

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.

Response: The subject site is identified as Residential on the Comprehensive Plan Map. The R-4 zone has been requested to accommodate an apartment (multi-family) housing project on 3.04 acres (gross) of the 3.68 acre (gross) site. As stated above all residential zoning classifications shall be allowed in areas designated as residential on the Comprehensive Plan Map. The application complies with the policy.

The policy is met.

71.05 The City of McMinnville shall encourage annexations and rezoning which are consistent with the policies of the Comprehensive Plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types.

Response:

ORS 197A.018 defines “Needed Housing” as:

(1) As used in ORS chapter 197A, and except as provided in subsection (2) of this section:

(a) “Needed housing” means housing by affordability level, as described in ORS 184.453 (4), type, characteristics and location that is necessary to accommodate the city’s allocated housing need over the 20-year planning period in effect when the city’s housing capacity is determined.

(b) “Needed housing” includes the following housing types:

(A) Detached single-unit dwellings, middle housing types as described in ORS 197A.420 and multiunit housing that is owned or rented;

(B) Government assisted housing;

(C) Mobile home or manufactured dwelling parks as provided in ORS 197A.431 to 197A.438;

(D) Manufactured homes on individual lots planned and zoned for single-unit residential use that are in addition to lots within designated manufactured dwelling subdivisions;

(E) Housing for agricultural workers;

(F) Housing for individuals with a variety of disabilities, related to mobility or communications, that require accessibility features;

(G) Housing for older persons, as defined in ORS 659A.421;

(H) Housing for college or university students, if relevant to the region; and

(I) Single room occupancies as defined in ORS 197A.430.

ORS 197A.348 defines “Needed Housing” as:

“(1) As used in ORS 197A.350 and this section, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

- (a) Attached and detached single-unit dwellings, middle housing types as described in ORS 197A.420 and multiunit housing for both owner and renter occupancy;
- (b) Government assisted housing;
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.493;
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions;
- (e) Agriculture workforce housing; and
- (f) Single room occupancies as defined in ORS 197A.430.

[...]”

The submitted Planned Development Amendment application addresses a needed housing type, multiple family housing within the City of McMinnville. MMC 17.74.020. 17.74.020.B. does not apply because the application is for needed housing. Additionally based on the above criteria, restated “... 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 need for housing is further articulated with City analysis as discussed below.

The City’s Land Needs Analysis (May 2001, incorporated by reference) base line forecast indicates that single-family and multi-family needs as 5,384 (Table 5-14) new dwelling units between 2000 and 2020. The demand for multi-family units is 1,209 (Table 5-15) in the period of 2000 – 2020. The Alternative Forecast indicates multi-family at 1,346 units (Table 5-24 & 5-26) in the period 2000 – 2020. The Alternative Forecast land need for R-4 is identified as 55 acres in the period 2000 – 2020. Table 5-29 identifies a land need of 778 units on 55 acres in the period 2000 – 2020. Table 6-2 identifies a dwelling unit need in R-4 of 588 units. Overall, the City at the time had a deficiency of 63.9 gross acres and 55.1 net acres of R-4 zoned land in the period 2000 – 2020.

The City of McMinnville Housing Needs Analysis (November 2023, incorporated by reference), which is under appeal. Figure 81 provide information on the historical density and mix from 200 – 2018. For Multi-family in the R-4 zone the unit mix is 37% and a net density of 19.1. The analysis

further indicates that over the 20-year period based on population growth there will be a need for 4,657 new dwelling units. The recommended mix of units includes 33% to be multi-family. Infill development such as being proposed by the zone change indicates a need for 335 multi-family units and vacant or partially vacant land of 1,202 units (Exhibit 87 & 88). Exhibit 89 indicates a need for 375 multi-family units between 2021 – 2026, 760 multi-family units between 2021 – 2031, 1,537 multi-family units between 2021 – 2041, and 3,626 multi-family units between 2021 – 2067. Finally, the analysis indicates a deficit of 1,101 dwelling units for the period of 2021 – 2041 (Exhibit 101).

Both analyses indicate a deficit of multi-family housing in McMinnville. The proposed Planned Development Amendment will assist in addressing the deficiency. Therefore, the Planned Development Amendment of the subject site is essential when addressing the public need for additional housing.

71.09 Medium and Medium-High Density Residential (R-3 and R-4) - The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 dwelling units per net acre). Medium density residential development uses include small lot single dwelling detached uses, single dwelling attached units, duplexes, triplexes, quadplexes, townhouses, and cottage clusters. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments:

- 1. Areas that are not committed to low density development;***
- 2. Areas that have direct access from collector or arterial streets; or a local collector street within 600' of a collector or arterial street;***
- 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. (Ord. 5098, December 8, 2020; Ord. 4961, January 8, 2013; Ord. 4796, October 14, 2003)***

Response:

1. The subject site is currently zoned R-2 which is a Low-Density zone and is requested to be changed to R-4, a Medium-High Density zone. The Comprehensive Plan Map identifies the property as Residential which allows a range of residential densities. The Applicant is requesting the R-4 zone.
2. NW 2nd Street is classified as a Minor Arterial roadway in the Transportation System Plan (TSP Exhibit 2-3, incorporated by reference). The subject site would have direct frontage and access to this roadway as approved by Ordinance 4509 and would be relocated to the west of the current location to align with NW Country Court to create a safer intersection and turning movements. SW Filbert Street, located east of the site is a Neighborhood Collector (Connector). SW Almond Court which stubs to the subject site is a Local Street (Exhibit 32).

3. The subject site does not have limitations for topography or flooding (no flood plan designation) to accommodate the requested R-4 zone. The southwest corner of the site has hydric soils that have been identified as a wetland. (Exhibit 31).
4. Existing public infrastructure facilities have the capacity to accommodate development in an R-4 zone. Sanitary Sewer is already accessible to the site. An existing 8" sanitary sewer line is located in NW 2nd Street on the north side of the street as depicted in Exhibit 25. The subject site can be connected to this existing line. There is an 8" sanitary sewer line located in SW Almond Court which could also be connected to. This line is located in part on the subject site and is not within a public easement.

A public stormwater line is located in NW 2nd Street that is a 24" line on the south side of the street. The stormwater line in NW 2nd Street connects to an open stormwater ditch adjacent to the west property line that is located within an easement as part of the Westvale Third Addition Subdivision. In addition, there is a 15-foot storm easement on the property along the west property line. (Exhibits 26 & 27).

Water is provided by a 12" ductile iron (DI) line located in NW 2nd Street along the south side of the street. A 4" line is located in SW Almond Court that terminates at the property. (Exhibit 28).

NW 2nd Street is anticipated to require an additional 8 feet of right-of-way dedication. The City will need to determine if the existing curb line and sidewalk are adequate in their current location or if the roadway will need to be widened along the property frontage.

5. NW 2nd Street is a transit route listed as Route 4. Bus stops are located on NW 2nd Street at SW Filbert Street for eastbound and westbound users and at NW 2nd Street and NW Hillside Parkway for westbound users. Additional stops are at NW 2nd and Hill Road for both east and west bound users. All are within ½ mile of the subject property (Exhibit 33).

The policies have been met.

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

Response:

1. The Neighborhood Areas (Exhibit 34) described under the Great Neighborhood Principles (187.10 – 187.50) below identify the different types of development and densities. The area is designated with R-1, R-2, R-3 and R-4 residential zones. The R-3 and R-4 zones are for Medium and High Density development. Adjacent to the Immediate Neighborhood Area the land north of the subject property is zoned R-4. Designating the subject site R-4 would be consistent with the land to the north.
2. Low density residential areas are located to the east, south and west of the subject property. Directly north and across NW 2nd Street the area is zoned R-4 with Hillside retirement community, Walnut City Substation, Country Crossing subdivision and Cooper Dental. The site slopes from north to south. Buffers to low density areas would be achieved by existing fencing, and proposed landscaping. The physical apartment buildings on the site would range from a minimum of approximately 24 feet to the west property line, 45 feet to the east property line and 45 feet to the south property line feet from the existing low density development property lines.
3. NW 2nd Street is designated a Minor Arterial. The Traffic Impact Analysis (Exhibit 24) indicates the traffic volume generated from the multi-family apartments and Child Care Center will not exceed the capacity of the transportation system in the area.

Existing public infrastructure facilities have the capacity to accommodate development in an R-4 zone. Sanitary Sewer is already accessible to the site. An existing 8" sanitary sewer line is located in NW 2nd Street on the north side of the street as depicted in Exhibit 25. The subject site can be connected to this existing line. There is an 8" sanitary sewer line located in SW Almond Court which could also be connected to. This line is located in part on the subject site and is not within a public easement.

A public stormwater line is located in NW 2nd Street that is a 24" line on the south side of the street. The stormwater line in NW 2nd Street connects to an open stormwater ditch adjacent to the west property line that is located within an easement as part of the Westvale Third Addition Subdivision. In addition, there is a 15-foot storm easement on the property along the west property line. (Exhibits 26 & 27).

Water is provided by a 12" ductile iron (DI) line is located in NW 2nd Street along the south side of the street. A 4" line is located in SW Almond Court that terminates at the property. (Exhibit 28).

4. Transit is provided along NW 2nd Street on Route 4. Bus stops are located at the intersections of SW Filbert Street, NW Hillside Parkway and NW Hill Road.
5. Commercial areas are located to the west at the northeast and southwest corners of the intersection of NW 2nd Street and NW Hill Road approximately 810 feet and 1,39 feet respectively. The southeast corner of the intersection has a variety of office and retail activities in a planned development. Downtown McMinnville is approximately 6,505 feet (1.23 miles) to the east.
6. The subject property is located north of the West McMinnville Linear Path (288 feet) with a pedestrian path extension that connects to NW 2nd Street. North of NW 2nd Street is the future

Quarry Park (322 feet) and the BPA path (490 feet). The site is in proximity to open space and future parks.

The proposal meets the applicable factors.

Planned Development Policies:

Policies:

72.00 Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.

73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.

74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.

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.

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.

Response:

72.00 – The subject site is within the Jandina Planned Development and was approved by Ordinance 3939 in July 1978. Social, economic, and environmental savings were determined at that time to benefit the residents of the development and the city. The Planned Development was amended two times since its initial adoption and determined to be of benefit the residents of the development and the city. This proposal is to amend the Planned Development to re-establish residential development to the subject site while retaining the amendment of Ordinance 4509 to allow the Child Care Center.

73.00 – The proposed Zone Change would allow the R-4 designation. The existing Jandina Planned Development was approved and amended to provide a variety of housing types including detached single-family, attached single-family, duplexes, triplexes and apartment (multi-family) dwellings. For the apartment (multi-family) dwellings the Jandina Planned Development currently includes the Glenhaven Apartments (36 units) on SW Sesame Street, The Westview Apartments (20 units) on SW Tamarack Street, Columbus Village (66 units) on SW Fellows Street, and

Homeport (12 units) on SW Cypress Street. The upzoning of the subject site would further diversify the mix of housing to add 68 multi-family units adjacent to a Minor Arterial street, on a transit route and in proximity to parks and open space areas. Additionally, the requested R-4 zone would be proximate to other R-4 designated lands in the vicinity as shown on Exhibit 34.

74.00 – The subject site is the last remaining undeveloped area within the Jandina Planned Development this is not identified for parks or open space areas. The site is predominantly an open field with the exception of the Salvation Army building, parking lot and playground located at the northeast corner of the site.

75.00 – The common open space area within the Planned Development is the West McMinnville Linear Path which has been improved. This open space area benefits the residents of the Jandina Planned Development and surrounding residential development. The linear path is owned by the City of McMinnville.

76.00 - The common open space area within the Planned Development is the West McMinnville Linear Path which has been improved. This open space area benefits the residents of the Jandina Planned Development and surrounding residential development. The linear path is owned by the City of McMinnville. The future Quarry Park located northeast of the subject site and north of NW 2nd Street when developed will provide additional active park space for residents within the Jandina Planned Development area.

77.00 The transportation system in the Jandina Planned Development is existing and was improved with the Jandina First Addition, Jandina Second Addition and Jandina Third Addition subdivision developments. No modification to the existing system is proposed. NW 2nd Street directly fronts the subject property.

78.00 The transportation system in the Jandina Planned Development connects to the broader transportation system to the north, east, south and west as depicted in the Transportation System Plan (2010, incorporated by reference).

The policies have been met.

Residential Design Policies:

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. (Ord. 4796, October 14, 2003)

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.

Response:

79.00 – The 3.04 acre (gross) site would be used for apartment (multi-family) housing on the 3.68 acres (gross) site and the Child Care Center would be on approximately .63 acres (gross). Within the approximately 3.04 acres (gross) to be developed for multi-family there will be 68 apartment units with a mix of two-bedroom and three bed-room units. This equates to 22.44 dwelling units per acre, within the 8 – 30-unit range identified in Policy 71.08.

Sanitary Sewer is immediately available in NW 2nd Street and SW Almond Court. Water is available in NW 2nd Street with a 12" line and a 4" line in SW Almond Court.

The subject site is part of the Jandina Planned Development approved by Ordinance 3939. Four apartment developments exist within the Planned Development, Glenhaven Apartments with 36 units at a density of 21.43 du/ac. The second is The Westview Apartments with 20 units at a density of 22.07 du/ac, third is Columbus Village Apartments with 66 units at a density of 24.09 du/ac and Homeport with 12 units at a density of 20.35 du/ac. Within ¾ mile of the subject site there are other multi-family projects north and south of NW 2nd Street which include Country Pines Townhomes with 63 units at a density of 22.5 du/ac, an un-named project with 30 units with a density of 21.42 du/ac, Villa West Apartments with 48 units at a density of 14.86 du/ac, and Hillside retirement community with a mix of apartments, assisted living, memory care, single-family, duplexes, and quad-plex's on 48.45 acres.

80.00 – There are no distinctive natural features on the site. The site is generally flat sloping from north to south.

81.00 – The Conceptual Site Plan (Exhibit 3) identifies a variety of internal pathways within the proposed project area. The pathways will connect to the sidewalk along NW 2nd Street and the sidewalks along SW Almond Court. A public path is located to the west of the subject site as part of the Westvale Third Addition that connects NW 2nd Street to the West McMinnville Linear Path. The proposed development will evaluate opportunities to connect the internal on-site pathways to the existing public path. The sidewalk on NW 2nd Street connects to Newby Elementary and Duniway Middle School. The sidewalks along SW Almond Court connect to sidewalks throughout the Jandina Planned Development.

82.00 – No new streets are proposed in the Conceptual Site Plan layout. There are anticipated street frontage improvements for NW 2nd Street. Surrounding properties to the west, south and east are already developed with the Jandina First Addition Subdivision, Jandina Second Addition and Westvale Third Addition Subdivision with no street stubs except for SW Almond Court that is stubbed to the subject site on its northeast property boundary.

83.00 – The physical improvements on the site will be required to be reviewed by the City for compliance.

The policies have been met.

Low-Cost Housing Development Policies:

84.00 Multiple dwelling, 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.

Response: The requested R-4 zone will provide apartment (multi-family) dwellings at a subsidized rate. The housing would be for families at 60% or less of AMI.

The policy is met.

Multiple Dwelling Development Policies:

Policies:

Response: Policy 88.00 does not apply because it was deleted.

86.00 Dispersal of new multi-dwelling housing development will be encouraged throughout the City in areas designated for residential and mixed-use development to encourage a variety of housing types throughout the community and to avoid an undue concentration of multi dwelling development in specific areas of the community leading to a segregation of multi dwelling development in McMinnville from residential neighborhoods. Dispersal policies will be consistent with the Great Neighborhood Principles.

In areas where there are the amenities, services, infrastructure and public facilities to support a higher density of multi-dwelling development, and the area is commensurate with a higher concentration of multi-dwelling development without creating an unintended segregation of multi-dwelling development, such as McMinnville's downtown, the area surrounding Linfield University and Neighborhood Activity Centers, a higher concentration of multi-dwelling development will be encouraged. (Ord. 5098, December 8, 2020)

87.00 Residential developments at densities beyond that normally allowed in the multiple-dwelling zone shall be allowed in the core area subject to review by the City. These developments will be encouraged for (but not limited to) the provision of housing for the elderly.

89.00 Zoning standards shall require that all multiple-dwelling housing developments

provide landscaped grounds. (Ord. 4796, October 14, 2003)

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 or within neighborhood activity centers, and within a one-half mile wide corridor centered on existing or planned public transit routes. (Ord. 5098, December 8, 2020; Ord. 4840, January 11, 2006; Ord. 4796, October 14, 2003)

91.00 Multiple dwelling housing developments, including condominiums, 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)

92.00 High-density housing developments shall be encouraged to locate along existing or potential public transit routes.

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)

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)

92.03 Housing developments for the elderly shall, as far as possible, locate near community centers, parks, and shopping areas, or where transportation services can be provided to enable access to these activity areas. (Ord. 4796, October 14, 2003)

Response:

86.00 - Designation of the property as R-4 would disperse housing throughout the city. North of the subject property existing development is zoned R-4 and the Walnut City Substation is zoned R-1. To the east property is zoned R-2 and contains Jandina First Addition Subdivision. To the south the land is zoned R-2 with Jandina Second Addition subdivision. To the west land is zoned R-2 with the Westvale Third Addition subdivision. There are amenities in the immediate area with open space with the West McMinnville Linear Path and the future Quarry Park across NW 2nd Street. Infrastructure is available to be extended to the site or is immediately adjacent to the site. Review of aerial photography for the Larger Neighborhood Area bounded by Wallace Road, Michelebrook Lane, Fleishenaur Lane, Goucher Street, Alexandria Street, and Hill Road shows approximately 7 multi-family housing developments plus senior housing developments. The closest multi-family development to the subject site is approximately 60 feet (in a straight line) located northwest of the subject site at the intersection of NW 2nd Street and NW Hillside Parkway. Other multi-family developments are located on NW 2nd Street, NW Fenton Street, SW Agee Street, SW Sesame Street, SW Cypress Street and SW Fellows Street. The balance of the housing is single-family units. Providing the R-4 zone for apartments would disperse this housing type in the residential area and further the City of McMinnville Great Neighborhood Principles.

87.00 – Future development would be at the allowed density established by the R-4 zone. The subject property is not located in the core area.

89.00 – Future development would provide for landscaped grounds meeting the open space and landscape percentage requirements in MMC Title 17.

90.00 – NW 2nd Street is designated as a Minor Arterial. A commercial area is designated at NW 2nd Street and NW Hill Road. The subject site fronts NW 2nd Street which is designated a transit route, Route 4, and is within the ½ mile wide corridor.

91.00 – Access is proposed to be taken off NW 2nd Street, a Minor Arterial street and SW Almond Court a Local Street.

92.00 – The subject site fronts NW 2nd Street which is designated a transit route, Route 4.

92.01 – The subject property is not located near a railroad line, heavy industrial uses or other nuisance areas.

92.02 – Walking to shopping, schools and parks is feasible for the property. Newby Elementary School and Duniway Middel School are located to the east of the subject site approximately 2,800 feet (.53 miles). The West McMinnville Linear Path is located south of the subject site approximately 282 feet. The undeveloped Quarry Park is located northeast of the subject site. Commercial activity is located to the west of the subject site approximately 871 feet at the intersection of NW 2nd Street and NW/SW Hill Road consisting of office and retail functions. NW 2nd Street is a transit street.

92.03 – The proposed project is not proposed specifically for the elderly and is not applicable.

The policies have been met.

Manufactured Home Development Policies:

Policies:

93.00 – 98.00

Response: Policies 93.00 – 98.00 do not apply because a manufactured home development is not being proposed.

Urban Policies:

99.00 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:

- 1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.***
- 2. Storm sewer and drainage facilities (as required).***
- 3. Streets within the development and providing access to the development, improved to city standards (as required).***

4. *Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*

Response:

1. An existing 8" sanitary sewer line is located in NW 2nd Street on the north side of the street as depicted in Exhibit 25. The subject property can be connected to this existing line. There is an 8" sanitary sewer line located in SW Almond Court which could also be connected to. This line is located in part on the subject property but is not within a public easement. Capacity exists in the wastewater treatment facility for development within the existing Urban Growth Boundary according to city staff.
2. A public stormwater line is located in NW 2nd Street that is a 24" line on the south side of the street. The stormwater line in NW 2nd Street connects to an open stormwater ditch adjacent to the west property line that is located within an easement as part of the Westvale Third Addition Subdivision. In addition, there is a 15-foot storm easement on the property along the west property line. (Exhibits 26 & 27).
3. NW 2nd Street is classified as a Minor Arterial in the Transportation System Plan -Exhibit 2-3, incorporated by reference. SW Filbert Street and SW Almond Street are on the east side of the subject site and provide additional access. SW Filbert Street is classified as a Neighborhood Collector(Connector) and SW Almond Street as a Local Street. The streets provide access to the site and are improved. NW 2nd Street will require approximately 8 feet of right-of-way dedication. The City will need to determine if frontage improvements will be required.
4. Water is provided by a 12" ductile iron (DI) line located in NW 2nd Street along the property frontage. An 8" ductile iron line is located in SW Almond Court terminating at the east property line. (Exhibit 28).

The policies have been met.

Lot Sales Policy:

***Policy:
99.10***

Response: Policy 99.10 is not applicable because lots will not be made available for sale in the proposed development.

CHAPTER VI TRANSPORTATION SYSTEM

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

MASS TRANSPORTATION

Policies:

100.00 – 105.00

Response: Policies 100.00 – 105.00 do not apply because a mass transit facility is not proposed at the subject site.

TRANSPORTATION DISADVANTAGED

Policies:

106.00 – 107.00

Response: Policies 106.00 – 107.00 do not apply because they are City of McMinnville responsibilities to coordinate with providers for transportation disadvantaged individuals.

RAIL

Policies:

108.00 – 112.00

Response: Policies 108.00 – 112.00 do not apply because the proposed request is not related to rail facilities.

AIR

Policies:

113.00 – 116.00

Response: Policies 113.00 – 116.00 do not apply because the proposed request is not related to air transport facilities.

STREETS

Policies:

Response: Policies 123.00 – 125.00 are not applicable because the application does not require coordination with other governmental entities on maintenance of the road network and the site is not along Highway 99W. Kittelson and Associates contacted the Oregon Department of Transportation (ODOT) on analysis of NW 2nd Street and Highway 99W and no analysis was required.

117.00

The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.

Response: The subject property has frontage on NW 2nd Street which provides access to the site. The site also has access from SW Filbert Street via SW Almond Court on its east property line. The McMinnville Transportation System Plan (2010, incorporated by reference) identifies the transportation system to provide access to parcels and complies with the policy.

118.00 ***The City of McMinnville shall encourage development of roads that include the following design factors:***

- 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.***
- 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.***
- 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.***
- 4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths).***
- 5. Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist***

Response: No new public roadways would be proposed by the development under the R-4 zone. Improvements would occur along the subject site's frontage with NW 2nd Street in accordance with the Transportation System Plan (2010, incorporated by reference) and city regulations and complies with the policy.

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

120.00 ***The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.***

121.00 ***The City of McMinnville shall discourage the direct access of small- scale residential developments onto major or minor arterial streets and major collector streets.***

Response:

119.00 – NW 2nd Street is an existing transportation corridor. SW Filbert Street and SW Almond Court are also existing transportation corridors. No new roadways are proposed to be constructed, and the existing transportation system would be utilized.

120.00 – The subject site would have access off NW 2nd Street at one location. A secondary access would be provided off of SW Almond Court to allow for emergency services response and

circulation. This will provide safe access for the development and complies with the policy. Access locations for emergency services have been discussed with the McMinnville Fire Department. Because the project will have less than 100 units McMinnville Fire Department requires only one access location, but the Site Concept proposes two access points.

121.00 – Access to a Minor Arterial is proposed. This access was originally approved by Ordinance 4509. The development proposes to relocate the access location to the west to align with NW Country Court to create a safer access than the current off-set accesses. NW 2nd Street is classified as a Minor Arterial (TSP Exhibit 2-3, incorporated by reference).

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

1. Major, minor arterials.

–Access should be controlled, especially on heavy traffic-generating developments.

–Designs should minimize impacts on existing neighborhoods.

–Sufficient street rights-of-way should be obtained prior to development of adjacent lands.

–On-street parking should be limited wherever necessary.

–Landscaping should be required along public rights-of-way. (Ord.4922, February 23, 2010)

2. Major, minor collectors.

–Designs should minimize impacts on existing neighborhoods.

–Sufficient street rights-of-way should be obtained prior to development of adjacent lands.

–On-street parking should be limited wherever necessary.

–Landscaping should be required along public rights-of-way. (Ord.4922, February 23, 2010)

–As far as is practical, residential collector streets should be no further than 1,800 feet apart in order to facilitate a grid pattern of collector streets in residential areas.

3. Local Streets

–Designs should minimize through-traffic and serve local areas only.

–Street widths should be appropriate for the existing and future needs of the area.

–Off-street parking should be encouraged wherever possible.

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

Response:

122.00 – NW 2nd Street is classified as a Minor Arterial. The roadway exists and minimizes the impact in the broader neighborhood area. Right-of-way dedication is anticipated with street frontage improvements as required by the City to meet the Minor Arterial street cross section requirements and complies with the policy. No on-street parking is allowed on NW 2nd Street on the south side of the street. On-street parking is currently allowed on the north side of the street.

SW Almond Court terminates at the east property line and transitions into an on-site drive aisle. The roadway system within the area is established and is represented in the Transportation System Plan. The Traffic Impact Analysis analyzes the traffic volume generated from the proposed development recommending frontage improvements along NW 2nd Street and installation of a stop sign on-site at the access to NW 2nd Street. The transition of SW Almond Court to the on-site drive aisle will be designed to meet city standards. (Exhibit 24).

PARKING

Policies:

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

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

128.00 The City of McMinnville shall continue to assist in the provision of parking spaces for the downtown area.

Response:

126.00 - As shown on the Conceptual Site Plan parking for the future development would be located on-site and not within the public right-of-way (Exhibit 3).

127.00 – Development of the site in the future will comply with city off-street parking standards.

128.00 – Not applicable because the site is not in the downtown area.

BIKE PATHS

Policies:

130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connects residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities.

- 130.05** *In areas where bikeways are planned, the City may require that new development provide bikeway improvements such as widened streets, bike paths, or the elimination of on-street parking. At the minimum, new development shall be required to make provisions for the future elimination of on-street parking along streets where bikeways are planned so that bike lanes can be striped in the future. Bike lanes and bike paths in new developments shall be constructed to standards recommended in the bikeway plan.*
- 131.00** *The City of McMinnville shall encourage development of bicycle and footpaths in scenic and recreational areas as part of future parks and activities.*
- 132.00** *The City of McMinnville shall encourage development of subdivision designs that include bike and foot paths that interconnect neighborhoods and lead to schools, parks, and other activity areas. (Ord. 4922, February 23, 2010; Ord. 4260, August 2, 1983)*

Response:

130.00 – NW 2nd Street is identified to have bike system improvements. Existing bike lanes are provided in NW 2nd Street (TSP Exhibit 6-3, incorporated by reference). SW Almond Court is a Local Street and does not require bike lanes.

130.05 – NW 2nd Street is identified to have bike lanes and has a existing bike lanes (TSP Exhibit 6-3, incorporated by reference).

131.00 – Not applicable because the property is not identified in a scenic or recreational area. A pedestrian path is provided west of the site on the Westvale Third Addition Subdivision the extends from NW 2nd Street to the West McMinnville Linear Path to the south.

132.00 – Not applicable because a subdivision is not being proposed. The existing Jandina Planned Development has bike and foot paths that interconnect the neighborhood.

SYSTEM PLAN

- 132.23.00** *The McMinnville Transportation System Plan shall be updated as necessary to remain consistent with: (a) the city's land use plan; (b) regional and statewide plans; and (c) the applicable local, State, and federal law. (Ord. 4922, February 23, 2010)*

Response: Not applicable to the application. Updates to the TSP are the responsibility of the City of McMinnville.

COMPLETE STREETS

- 132.24.00** *The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even*

the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way.

Examples of how the Compete Streets policy is implemented:

- 1. Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below).*
- 2. Incorporate features that create a pedestrian friendly environment, such as:*
 - a. Narrower traffic lanes;*
 - b. Median refuges and raised medians;*
 - c. Curb extensions (“bulb-outs”);*
 - d. Count-down and audible pedestrian signals;*
 - e. Wider sidewalks;*
 - f. Bicycle lanes; and*
 - g. Street furniture, street trees, and landscaping*
- 3. Improve pedestrian accommodation and safety at signalized intersections by:*
 - a. Using good geometric design to minimize crossing distances and increase visibility between pedestrians and motorists.*
 - b. Timing signals to minimize pedestrian delay and conflicts.*
 - c. Balancing competing needs of vehicular level of service and pedestrian safety. (Ord. 4922, February 23, 2010)*

Response: Improvements to NW 2nd Street will be provided based on requirements from the City that implement the Complete Street policy as applicable to the identified roadway frontage and complies with the policy.

MULTI-MODAL TRANSPORTATION SYSTEM

132.25.00 *The transportation system for the McMinnville planning area shall consist of an integrated network of facilities and services for a variety of motorized and non-motorized travel modes.*

Response: The McMinnville TSP identifies a multi-modal transportation system. NW 2nd Street accommodates vehicles and pedestrians to implement the Plan. SW Fibert Street and SW Almond Court provide additional transportation connectivity for motorized and non-motorized travel modes and complies with the policy. The Traffic Impact Analysis (Exhibit 24) further details the proposed development’s impact on the transportation system.

CONNECTIVITY AND CIRCULATION

- 132.26.00** *The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping, and industrial areas, and McMinnville's parks and schools.*
- 132.26.05** *New street connections, complete with appropriately planned pedestrian and bicycle features, shall be incorporated in all new developments consistent with the Local Street Connectivity map.*

Response:

132.26.00 – Streets in the immediate vicinity include NW 2nd Street, SW Filbert Street and SW Almond Court. These roadways are part of an overall comprehensive transportation system providing vehicle, pedestrian, transit, and bicycle circulation to activity centers, parks, schools, and neighborhood areas and complies with the policy.

132.26.05 – Not applicable because no new street connections are proposed.

SUPPORTIVE OF GENERAL LAND USE PLAN DESIGNATIONS AND DEVELOPMENT PATTERNS

- 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.*

Response: NW 2nd Street is a Minor Arterial. SW Filbert Street is a Neighborhood Collector (Connector) and SW Almond Court is a Local Street. These roadway designations support the Comprehensive Plan designation for Residential given to the location of the subject property and complies with the policy.

REGIONAL MOBILITY

- 132.28.00** *A balanced system of transportation facilities and services shall be designed for the McMinnville planning area to accommodate the mobility needs of residents, businesses, and industry.*

Response: The McMinnville Transportation System Plan establishes a balanced system of transportation facilities and services. Development of the subject property will improve the abutting transportation system (NW 2nd Street) to City requirements as required and complies with the policy. The Traffic Impact Analysis (Exhibit 24) further details the proposed development's impact on the transportation system.

GROWTH MANAGEMENT

- 132.29.00** *The construction of transportation facilities in the McMinnville planning area shall be timed to coincide with community needs, and shall be implemented so as to minimize impacts on existing development. Prioritization of improvements should consider the City's level of service standards.*

Response: The McMinnville Transportation System Plan establishes a transportation system. Development of the subject property will improve the abutting transportation system as required along the NW 2nd Street property frontage to City requirements and complies with the policy. The Traffic Impact Analysis (Exhibit 24) further details the proposed development's impact on the transportation system and the level of service.

- 132.29.05** *Off-site improvements to streets or the provision of enhanced pedestrian and bicycle facilities in the McMinnville planning area may be required as a condition of approval for land divisions or other development permits.*

Response: The McMinnville Transportation System Plan establishes a transportation system. Development of the subject property will improve the abutting transportation system along the property street frontage to City requirements and complies with the policy.

TRANSPORTATION SYSTEM AND ENERGY EFFICIENCY

- 132.30.00** *The implementation of transportation system and transportation demand management measures, provision of enhanced transit service, and provision of bicycle and pedestrian facilities in the McMinnville planning area shall be embraced by policy as the first choice for accommodating travel demand and relieving congestion in a travel corridor, before street widening projects for additional travel lanes are undertaken.*

Response: Not applicable to the application because the City has the responsibility to address the issues through its Transportation System Plan.

- 132.30.05** *The McMinnville Transportation System Plan shall promote alternative commute methods that decrease demand on the transportation system, options which also enhance energy efficiency such as using transit, telecommuting, carpooling, vanpooling, using flexible work schedules, walking, and bicycling. (Ord. 4922, February 23, 2010)*

Response: Not applicable to the application because the City has the responsibility to address the issues through its Transportation System Plan.

TRANSPORTATION SAFETY

- 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.*

Response: The McMinnville Transportation System Plan establishes a transportation system. Development of the subject property will improve the abutting transportation system as required along the NW 2nd Street property frontage and to the transition from SW Almond Court to the on-site drive aisle to City requirements.

PUBLIC SAFETY

132.32.00 *The safe, rapid movement of fire, medical, and police vehicles shall be an integral part of the design and operation of the McMinnville transportation system.*

Response: The abutting transportation system to the subject property and its connected nature to the balance of the overall transportation system provides for safe, rapid movement of fire, medical, and police vehicles to serve the subject property and complies with the policy.

ACCESSIBILITY FOR PERSONS WITH DISABILITIES

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

Response: The City of McMinnville has an adopted Transportation System Plan that implements the policy.

ECONOMIC DEVELOPMENT

Response: Policies 132.34.00 – 132.34.05 do not apply because the proposal is not for a commercial activity.

LIVABILITY

132.35.00 *Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways.*

Response: The City of McMinnville has an adopted Transportation System Plan that implements the policy.

HEALTH AND WELFARE

132.36.00 *Through implementation of its Complete Streets policy and the TSP by enhancing its pedestrian and bicycle systems, the City of McMinnville will help encourage greater physical activity and improved health and welfare of its residents.*

Response: NW 2nd Street, SW Fibert Street and SW Almond Court supports modes of travel, encouraging greater physical activity for area residents and complies with the policy.

TRANSPORTATION SUSTAINABILITY

- 132.37.00** *Through implementation of the TSP and the Comprehensive Plan, the City of McMinnville will, to the extent possible, seek measures that simultaneously help reduce traffic congestion, pollution, crashes and consumer costs, while increasing mobility options for non-drivers, and encouraging a more efficient land use pattern.*

Response: As indicated in the above narrative, the Applicant's proposal demonstrates adherence to the Transportation System Plan and Comprehensive Plan policies that support multi-modal transportation, safety goals, transportation sustainability, and connectivity to area businesses, residences, parks, open spaces, and recreation amenities and complies with the policy.

AESTHETICS AND STREETSCAPING

- 132.38.00** *Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project. (Ord. 4922, February 23, 2010)*

Response: The City of McMinnville has an adopted Transportation System Plan that implements the Policy.

INTERGOVERNMENTAL COORDINATION AND CONSISTENCY

Response: Policy 132.38.00 does not apply because no change to the Transportation System Plan is proposed.

GROWTH MANAGEMENT

- 132.40.00** *Mobility standards will be used to evaluate the transportation impacts of long-term growth. The City should adopt the intersection mobility standards as noted in Chapter 2 of the Transportation System Plan. (Ord. 4922, February 23, 2010)*

Response: The Traffic Impact Analysis (Exhibit 24) details the proposed developments' impact on the transportation system. The analysis indicates the traffic volume generated does not exceed the mobility standards (volume to capacity) at intersections the City required be evaluated and complies with the policy.

- 132.40.05** *Conditions of Approval—In accordance with the City's TSP and capital improvements plan (CIP), and based on the level of impact generated by a proposed development, conditions of approval applicable to a development application should include:*

- 1. Improvement of on-site transportation facilities,*

2. Improvement of off-site transportation facilities (as conditions of development approval), including those that create safety concerns, or those that increase a facility's operations beyond the City's mobility standards; and

3. Transportation Demand Management strategies. (Ord. 4922, February 23, 2010)

Response: The development will comply with conditions of approval related to transportation improvements based on the impact generated and requirements within the TSP.

132.40.10 Multi-modal Improvements – To manage growth, improvements to transportation facilities may include both motorized and non-motorized facilities improvements, constructed in accordance with the City's minimum design standards. (Ord. 4922, February 23, 2010)

Response: NW 2nd Street currently has sidewalks and bike lanes in addition to travel lanes. It is anticipated that additional right-of-way will be required and the City will determine if additional frontage improvements will be required.

132.40.15 Transportation SDCs – The City should update its transportation systems development charge (SDC) to address growth-related traffic impacts.

Response: The City has the responsibility to administer its SDC program. The development will pay the appropriate Transportation SDC.

CIRCULATION

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.***

Response: The City of McMinnville has an adopted Transportation System Plan that implements the Policy. Improvements to NW 2nd Street, as required, will occur.

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.

Response: No cul-de-sac streets are proposed.

132.41.10 ***Limit Physical Barriers – The City should limit the placement of facilities or physical barriers (such as buildings, utilities, and surface water management facilities) to allow for the future construction of streets that facilitate the establishment of a safe and efficient traffic circulation network. (Ord. 4922, February 23, 2010)***

Response: No new buildings are proposed that would encumber the ability to improve the transportation system and complies with the policy.

132.41.15 ***Establish Truck Routes – To support the efficient and safe movement of goods and freight, the City should establish and identify truck routes to the city's major destinations. Such routes should be located along arterial roadways and should avoid potential impacts on neighborhood streets. (Ord. 4922, February 23, 2010)***

Response: NW 2nd Street, SW Filbert Street and SW Almond Court are not designated truck routes per the Transportation System Plan, Exhibit 8-1 (2010, incorporated by reference).

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)***

Response: The Traffic Impact Analysis (Exhibit 24) details the proposed development's impact on the transportation system. The analysis indicates the existing transportation system includes a multi-modal system of streets, pedestrian and bicycle facilities, and transit and that the proposal does not impair the safe and efficient movement of pedestrians and bicycle traffic.

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)***

Response: There is one existing driveway access on to NW 2nd Street that was approved by Ordinance 4509. The development proposes to relocate the access to the west to align with NW Country Court to create a safer driveway ingress/egress location and complies with the policy. The driveway access will be a shared driveway between the multi-family apartments and Child Care Center. The access to SW Almond Court will also be a shared driveway access.

132.41.30: Promote Street Connectivity – The City shall require street systems in subdivisions and development that promote street connectivity between neighborhoods.

Response: SW Almond Court is stubbed at the east property line of the subject site. In discussion with the City Engineer at the Pre-application meeting it was noted that the street did not need to be extended to connect with NW 2nd Street and complies with the policy.

STREET WIDTH – HUMAN SCALE

132.42.00 ***Generally, a major arterial street should not be widened beyond two through lanes in each direction with auxiliary turn lanes as appropriate.***

Minor arterials and collector streets should not be widened beyond one through lane in each direction with auxiliary left-turn lanes as appropriate. Major arterial streets with more than five lanes and minor arterial and collector streets with more than three lanes are perceived as beyond the scale that is appropriate for McMinnville. (Ord. 4922, February 23, 2010)

Response: NW 2nd Street is a Minor Arterial. SW Filbert Street is a Neighborhood Collector (Connector) and SW Almond Court is a Local Street. NW 2nd Street currently has two travel lanes and bike lanes. SW Filbert Street has two lanes and on-street parking. SW Almond Court has two travel lanes and on-street parking.

NEIGHBORHOOD TRAFFIC MANAGEMENT

Response: Policies 132.43.00 - 132.42.05 do not apply because no new streets are proposed.

132.43.10 ***Limited Neighborhood Cut-Through Traffic – Local residential streets should be designed to prevent or discourage their use as shortcuts for through traffic. Local traffic control measures should be coordinated with the affected neighborhood.***

Response: No new streets are proposed that would allow for cut-through traffic.

ACCESS MANAGEMENT

132.44.00 ***The City should continue to coordinate with ODOT in the administration of jointly adopted plans to manage access and highway improvements as noted in Chapter 2 of the Transportation System Plan. (Ord. 4922, February 23, 2010)***

Response: Policy 132.44.00 does not apply because the subject property is not located on an ODOT facility.

IMPERVIOUS SURFACE AREA

132.45.00 ***Supplement Street Design Standards – McMinnville’s standards should be supplemented to achieve reductions in impermeable surfaces, consistent with safety and operating standards. Innovative design and materials should be utilized to reduce impermeable surfaces.***

Response: The existing impervious surface with any required frontage improvements and right-of-way dedication for NW 2nd Street is appropriate for existing and planned development using the roadway.

ENVIRONMENTAL PRESERVATION

Response: Policies 132.46.00 – 132.46.10 do not apply because the frontage streets are existing.

AESTHETICS

- 132.47.00** *The City should update and maintain its street design standards to increase aesthetics of the street's environment through landscaping and streetscape design. (as adopted by Ord. 4922, February 23, 2010)*

Response: Policy 132.47.00 does not apply because the city has existing street design standards.

SAFETY AND MAINTENANCE

- 132.48.00** *Pavement Maintenance Plan Implementation – The City should develop and implement its pavement maintenance plan to best preserve the existing transportation infrastructure. (Ord. 4922, February 23, 2010)*
- 132.49.00** *Routing System Inspection – The City should promote safety through continued and routine inspection and rehabilitation of existing signage, roadway striping, and street lighting; identifying and rectifying existing deficiencies as they are identified. (Ord. 4922, February 23, 2010)*

Response: Policies 132.47.00 – 132.49.00 do not apply because maintenance and inspections are the responsibility of the City.

SYSTEM INVENTORY

- 132.50.00** *System Inventory – The City shall inventory and map existing pedestrian facilities. Facility inventories and selected inventory updates should be performed every five years to determine the success or failure of meeting the Plan's pedestrian goal, objectives, and policies. The city has already partially met this policy objective having completed the walking inventory of all public streets as part of the TSP. (Ord. 4922, February 23, 2010)*

Response: Response: Policy 132.50.00 does not apply because this is a City responsibility.

SYSTEMS DEVELOPMENT

- 132.51.00** *Formalize New Sidewalk Construction Program – To complete the pedestrian facility network, the City will formalize a New Sidewalk Construction Program that reflects the City's funding resources. This program will give priority to the construction of missing sidewalks in already developed areas of the city that would provide improved access to schools, parks, shopping, and transit services. (Ord. 4922, February 23, 2010)*

Response: Not applicable to the proposed application as the policy is the responsibility of the City.

- 132.51.05** *Ensuring Future Sidewalk Connections – All future development must include sidewalk and walkway construction as required by the McMinnville Zoning Ordinance and City Code and adopted City of McMinnville Design Standards. All road construction or renovation projects shall include sidewalks. The City will support, as resources are available, projects that*

would remove identified barriers to pedestrian travel or safety. (Ord. 4922, February 23, 2010)

Response: An existing sidewalk is located along the property frontage of NW 2nd Street. Existing sidewalks stub to the subject property along SW Almond Court. On-site sidewalks will connect to the public sidewalks and complies with the policy.

132.51.10 *Complete Connections with Crosswalks – All signalized intersections must have marked crosswalks. School crosswalks will be marked where crossing guards are provided. Subject to available funding, and where appropriate, marked crosswalks, along with safety enhancements (medians and curb extensions), shall be provided at unsignalized intersections and uncontrolled traffic locations in order to provide greater mobility in areas frequently traveled by persons with limited mobility. Marked crosswalks may also be installed at other high volume pedestrian locations without medians or curb extensions if a traffic study shows there would be a benefit to those pedestrians. (Ord. 4922, February 23, 2010)*

Response: Not applicable because there are no signalized intersections adjacent to the subject property and the studied intersections and there is no school crosswalks in the area. The closest school crosswalks are to the east of the site on NW 2nd Street at Newby Elementary.

132.51.15 *Connecting Shared-Use Paths – The City will continue to encourage the development of a connecting, shared-use path network, expanding facilities along parks and other rights-of-way. (Ord. 4922, February 23, 2010)*

Response: There is a shared use path adjacent to the west property line for the subject site. The path is located in the Westvale Third Addition subdivision. The path connects to the West McMinnville Linear Path south of the subject property and complies with the policy.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

132.52.00 *Compliance with ADA Standards – The City shall comply with the requirements set forth in the Americans with Disabilities Act regarding the location and design of sidewalks and pedestrian facilities within the City's right-of-way. (Ord. 4922, February 23, 2010)*

Response: ADA compliance would occur with any roadway frontage improvements when the property is developed and the improvement plans reviewed by the City.

SYSTEMS MAINTENANCE

132.53.00 *Maintaining Quality of Facilities – The City will establish standards for the maintenance and safety of pedestrian facilities. These standards should include the removal of hazards and obstacles to pedestrian travel, as well as maintenance of benches and landscaping. (Ord. 4922, February 23, 2010)*

Response: Policy 132.53.00 does not apply because it is a City responsibility.

PEDESTRIAN PROGRAMS

- 132.54.00** *Promoting Walking for Health and Community Livability – The City will encourage efforts that inform and promote the health, economic, and environmental benefits of walking for the individual and McMinnville community. Walking for travel and recreation should be encouraged to achieve a more healthful environment that reduces pollution and noise to foster a more livable community. (Ord. 4922, February 23, 2010)*

Response: Does not apply because the policy applies to City activities. The subject site location will provide walking opportunities to park and commercial areas.

- 132.55.00** *Safe Routes to School – The City shall work, where possible, with the McMinnville School District and neighborhood associations to maintain and improve its programs to evaluate the existing pedestrian access to local schools, estimate the current and potential use of walking as a travel mode, evaluate safety needs, and propose changes to increase the percentage of children and young adults safely using this mode. (Ord. 4922, February 23, 2010)*

Response: Does not apply because the coordination is the responsibility of the City and McMinnville School District. Traffic Impact Analysis (Exhibit 24 addresses school walking routes for the subject site to the Newby and Duniway schools as they are within the 1-mile radius of the schools and notes a safe route is provided along the south side of NW 2nd Street.

BICYCLE SYSTEM PLAN

- 132.56.00** *Provide Bicycle Facilities on Arterials and some Collector Streets – To the extent possible, arterial and some collector streets undergoing overlays or reconstruction will either be re-striped with bicycle lanes or sharrows (bicycle/auto shared-lane) routes as designated on the Bicycle System Plan Map. Every effort will be made to retrofit existing arterials and selective collectors with bicycle lanes, as designated on the Bicycle System Plan Map. (Ord. 4922, February 23, 2010)*

Response: NW 2nd Street is a Minor Arterial with designated bike lanes that are improved. If the City requires street frontage improvements for NW 2nd Street a bike lane will be provided.

- 132.56.05** *Mitigation of On-street Parking Loss From Bicycle Projects – New bicycle facilities require the removal of on-street parking spaces on existing streets, parking facilities should be provided that mitigate this loss, to the extent practicable. (Ord. 4922, February 23, 2010)*

Response: Not applicable because the policy is the responsibility of the City to implement.

- 132.56.10** *Eliminate Barriers to Bicycle Travel – The City will actively pursue a comprehensive system of bicycle facilities through designing and constructing projects, as resources are available, and implementing standards and regulations designed to eliminate barriers to bicycle travel. As a result of this policy, new developments or major transportation*

projects will neither create new, nor maintain existing, barriers to bicycle travel. (Ord. 4922, February 23, 2010)

Response: Not applicable because the policy is the responsibility of the City to implement.

132.56.15 ***Bicycle Routes and Signage – As resources are available, the City will periodically consult with local bicyclists to review existing and proposed bicycle lanes, and identify improvements needed to make these routes function better for bicyclists. These routes shall be identified by signage on the routes and shown on updates of the bicycle route map. (Ord. 4922, February 23, 2010)***

Response: Not applicable because the policy is the responsibility of the City to implement.

132.56.20 ***Complete the Major Bicycle System – A completed system of major bicycle facilities is one of the most important factors in encouraging bicycle travel. The City will work toward annually completing a minimum five percent addition to the bicycle system, as designated on the Bicycle System Plan Map, with priority given to projects that fill critical missing links in the bicycle system or address an identified safety hazard. (Ord. 4922, February 23, 2010)***

Response: NW 2nd Street has designated and improved bike lanes.

132.56.25 ***Establish Minimum Standards for Bicycle Facility Maintenance – The City shall develop minimum standards that will keep bicycle facilities clean of debris, properly striped, and clearly marked and signed. (Ord. 4922, February 23, 2010)***

Response: Not applicable because maintenance of bicycle facilities within the right-of-way is the responsibility of the City.

132.56.30 ***Zoning Ordinance Requirements for Bicycle Parking – The McMinnville Zoning Ordinance (Section 17.60.140) contains bicycle parking supply requirements and standards that require new developments to provide a minimum amount of bicycle parking, based on the needs of the specific zone or land use type. (Ord. 4922, February 23, 2010)***

Response: Bicycle parking will be provided in compliance with the McMinnville Zoning Ordinance at the time of site review to comply with the policy.

132.56.35 ***Bicycle Parking at Transit Facilities – The City will work with the Yamhill County Transit Authority (YCTA) to encourage the installation of public bicycle parking facilities at transit stations and other inter-modal facilities, and encourage the provision of bicycle racks on all public transit vehicles. (Ord. 4922, February 23, 2010)***

Response: Not applicable because there is no transit facility in proximity to the subject property.

132.56.40 *Target and Eliminate Key Behaviors that Lead to Bicycle Accidents – The City will encourage schools, safety organizations, and law enforcement agencies to provide information and instruction on bicycle safety issues that focus on the most important accident problems. (Ord. 4922, February 23, 2010)*

Response: No applicable because the policy applies to The City and other organizations.

132.56.45 *Safe Routes to School – The City will work with the McMinnville School District to: evaluate existing bicycle access to local schools and supporting infrastructure (bicycle racks, lockers, etc.); estimate the current and potential use of bicycling as a travel mode; evaluate safety needs; and propose changes to increase the percentage of children and young adults safely using this mode. (Ord. 4922, February 23, 2010)*

Response: No applicable because the policy applies to the City and the McMinnville School District.

TRANSIT SYSTEM PLAN

Response: Policies 132.57.00 – 132.57.20 do not apply because Yamhill Transit has an operating route along NW 2nd Street with east and westbound stops at NW 2nd Street and SW Filbert Street, NW 2nd Street and NW Hillside Parkway, and NW 2nd Street and NW Hill Road with pedestrian facilities that connects to the bus stops and the Conceptual Site design connects to the sidewalk that connects to the transit stops. The Traffic Impact Analysis (Exhibit 24) further details the bus stop locations.

TRANSPORTATION DEMAND MANAGEMENT PLAN

Response: Policies 132.58.00 – 132.58.20 do not apply because the policies require the City to coordinate with Yamhill County and Yamhill County Transit Agency and is not the responsibility to provide transit.

FREIGHT MOBILITY, AIR, RAIL AND PIPELINE PLANS

Response: Policies 132.59.00 – 132.59.20 do not apply because the site is not related to truck routes, an airport, or railroad.

CAPITAL IMPROVEMENTS

Response: Policies 132.60.00, and 132.60.15 – 132.60.20 do not apply because motor fuel tax, bike funding and federal and state grants are not applicable to the development.

132.60.05 *Systems Development Charge – The City should continue to consider the impacts of future growth on the McMinnville transportation system and determine what level of development charges should be collected by the City to mitigate impacts placed on area-wide transportation facilities by expected future development. (Ord. 4922, February 23, 2010)*

Response: The proposed development will pay the required SDC to mitigate the impacts of the development.

132.60.10 *Development Exactions – The City should require new developments to mitigate their impacts on the transportation system. (Ord. 4922, February 23, 2010)*

Response: The proposed development related to the Planned Development Amendment and Zone Change anticipates dedicating right-of-way along NW 2nd Street and constructing required transportation improvements required by the City and complies with the policy.

PAVEMENT MANAGEMENT

Response: Policies 132.61.00 – 132.61.20 do not apply the policies relate to the identifying and obtaining funding sources for pavement management which is a City responsibility.

McMINNVILLE TSP IMPLEMENTATION

Response: Policies 132.62.10, 132.62.15, 132.62.25 do not apply because the project is not triggering a capital improvement, is not involved in seeking State or Federal funding, and is not updating the Transportation System Plan.

132.62.00 *TSP as Legal Basis – The City of McMinnville shall use the McMinnville TSP as the legal basis and policy foundation for actions by decisionmakers, advisory bodies, staff, and citizens in transportation issues. The goals, objectives, policies, implementation strategies, principles, maps, and recommended projects shall be considered in all decision-making processes that impact or are impacted by the transportation system. (Ord. 4922, February 23, 2010)*

Response: The TSP is being used to determine the functional classification of roadways and what improvements are necessary for the proposed application and future development.

132.62.05 *TSP Policies – The City of McMinnville shall use the McMinnville TSP to:*

1. Describe the classification or function of all streets within the McMinnville planning area. Policies found in the Plan shall be used to develop connective local street circulation patterns.

2. Require new development to provide adequate accessibility, as defined by the McMinnville Zoning Ordinance, for all travel modes within a development and in coordination with existing and other proposed development. Street design standards in the McMinnville Zoning Ordinance are to be used to secure adequate public street and sidewalk facilities.

3. Identify measures and programs to be undertaken to enhance mobility for all travel modes.

4. Form the basis from which identified projects are placed into the State Transportation Improvement Program (STIP).

5. Establish funding and project construction priorities when preparing funding scenarios for measures. (Ord. 4922, February 23, 2010)

Response: NW 2nd Street is classified as a Minor arterial, SW Filbert Street as a Neighborhood Collector (Connector) and SW Almond Court as a Local Street. The streets provide adequate accessibility for the proposed development site. The mobility to the site is established by the existing transportation system. There is no proposal to add a project to the STIP. The application does not propose priorities for preparing funding scenarios for measures.

132.62.20 TSP Use in Review of Land Use Actions – The City of McMinnville shall consider and apply the goals, policies, planning principles, recommended projects, implementation strategies, and maps contained in McMinnville TSP in the review of land use actions and development applications. (Ord. 4922, February 23, 2010)

Response: The TSP is the goals, policies and planning principles for transportation improvements associated with the proposed application and the subsequent development application to construct the 68 units of multi-family and Child Care Center.

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.

PUBLIC ADMINISTRATIVE AND STORAGE FACILITIES

Response: Policies 133.00 – 135.00 do not apply because the proposal is not for city, county, state or federal offices or public storage and workshop facilities.

SANITARY SEWER SYSTEM

Policies:

Response: Policies 137.00 – 139.00 do not apply because long range planning is a City responsibility, the planning for a sewer system is a City responsibility, and extension of the sewer system is not proposed.

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.

- 140.00** *The City of McMinnville shall continue to limit sewer service extensions to the areas within the urban growth boundary, except where service is granted to comply with state or federal laws. Areas outside the city limits, but within the urban growth boundary, shall be granted sewer service hook-ups only under policies adopted by the City.*
- 141.00** *The City of McMinnville shall continue to separate storm and sanitary sewers where they are connected to reduce the inflow of storm sewer waters to the sewage treatment plant. Ongoing maintenance and improvements of the existing system shall also be undertaken to reduce infiltration of rain water into the system.*

Response:

136.00 - Future development of the subject property would connect to the existing sanitary sewer system as required per city regulations.

140.00 - The requested Planned Development Amendment application would allow for connection to the sanitary sewer system to accommodate future development at urban densities.

141.00 - Site development would connect separate systems, one for sanitary sewer and the other to stormwater.

The policies have been met.

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.*

Response:

142.00 - Future development would connect to the existing stormwater system in either NW 2nd Street or to the stormwater ditch located to the west of the subject site (Exhibits 26 & 27).

143.00 – An open stormwater ditch is located on the property immediate to the west of the subject site with a public easement. City staff have indicated the ditch can remain or be piped.

The policies have been met.

WATER SYSTEM

Policies:

Response: Policies 146.00 – 150.00 do not apply because long range planning, coordination, management, environmental impacts, and coordination with other agencies is the responsibility of McMinnville Water & Light.

- 144.00** *The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.*
- 145.00** *The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:*
- 1. Facilities are placed in locations and in such a manner as to insure compatibility with surrounding land uses.*
 - 2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
 - 3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized.*
 - 4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

Response:

144.00 – Water is provided by a 12 ductile iron (DI) line is located in NW 2nd Street along the property frontage. An 8” ductile iron is located in SW Almond Court (Exhibit 28).

145.00 - Water is provided by a 12” ductile iron (DI) line is located in NW 2nd Street along the property frontage. An 8” ductile iron is located in SW Almond Court (Exhibit 28). Connection to this lines is anticipated but extension of the existing lines is not anticipated.

The policies have been met.

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.*

Response:

1. McMinnville Water & Light (MW&L) has indicated in communications they can serve the subject property.
2. Sewerage can be accommodated. An existing 8" sanitary sewer line is located in NW 2nd Street. The subject site can be connected to this existing line. There is a 8" sanitary sewer line located in SW Almond Court which could also be connected to. The water treatment plant has capacity to treat the waste discharge based on comments from the city staff.
3. The City and MW&L have existing staff that can service the public infrastructure.
4. Federal, state and local water and wastewater quality standards will be adhered to.
5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, will be adhered to.

The policies have been met.

POLICE AND FIRE PROTECTION

Policies:

Response: Policy 154.00 does not apply because the McMinnville Fire District is responsible to plan for their facilities.

- 152.00** *The City of McMinnville shall encourage the provision of adequate police and fire facilities and personnel to meet the needs of the community as it expands.*
- 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.*

Response: 152.00 – 153.00 and 155.00 - It is anticipated that City of McMinnville police and fire services have the capacity to serve the proposed subject property.

The policies have been met.

SOLID WASTE

GOAL VII 2: *TO PROVIDE FOR THE ORDERLY AND EFFICIENT MANAGEMENT OF SOLID WASTE IN AN ENVIRONMENTALLY ACCEPTABLE AND ECONOMICALLY FEASIBLE MANNER.*

Policies:

Response: Policies 156.00 – 158.00 do not apply because management of solid waste is a responsibility of the City.

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.*

Policies:

Response: Policies 160.00 – 162.00, 163.05 – 167.00 and 170.00 – 170.06 do not apply because park improvements are a city function, recreational leisure activities are a city function, the school district and city coordination are not a responsibility of the development, the site is not designated as a park, the site is not within a flood plain, and the site is not identified as open space.

- 159.00** *The City of McMinnville's Parks, Recreation, and Open Space Master Plan shall serve to identify future needs of the community, available resources, funding alternatives, and priority projects.*
- 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.*

- 168.00** *Distinctive natural features and areas shall be retained, wherever possible, in future urban developments.*
- 169.00** *Drainage ways in the City shall be preserved, where possible, for natural areas and open spaces and to provide natural storm run-offs.*
- 170.05** *For purposes of projecting future park and open space needs, the standards as contained in the adopted McMinnville Parks, Recreation, and Open Space Master Plan shall be used.*

Response:

159.00 - The subject site is not identified as future park land in the McMinnville Parks and Recreation Master Plan (June 2024, incorporated by reference). The Plan does identify a park pathway along the west boundary of the subject site. A pathway has been constructed and an easement granted as part of the Westvale Third Addition Subdivision. The future Quarry Park is located to the northeast of the subject site. West McMinnville Linear Path is located south of the subject site.

163.00 – The Applicant acknowledges that a Park SDC fee will be required from the development to further the acquisition and/or development of parklands, natural areas, and open spaces.

168.00 – There are no inventoried distinctive material features on the subject property.

169.00 – There is no natural drainage way on the subject property. There is an open stormwater ditch on the abutting Westvale Third Addition Subdivision and on the subject site that is identified as a wetland (Exhibit 31).

170.05 -The McMinnville Parks, Recreation, and Open Space Master Plan does not identify the subject site as future park land. The Plan does identify a park pathway along the west boundary of the subject site. A pathway has been constructed and an easement granted as part of the Westvale Third Addition Subdivision.

The policies have been met.

CHAPTER VIII ENERGY

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

ENERGY SUPPLY DISTRIBUTION

Policies:

Response: Policies 171.00 – 177.00 do not apply because energy supply and distribution are the responsibility of other entities such as MW&L, Northwest Natural and BPA.

ENERGY CONSERVATION

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

Policies:

Response: Policies 179.00 – 180.50 do not apply because it has adopted zoning regulations for design and has provisions for weatherization.

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

Response: The anticipated development would be compact in form and follow required City development standard requirements.

CHAPTER IX URBANIZATION

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

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

URBAN GROWTH BOUNDARY

Policies:

Response: Policies 181.00 – 182.50 do not apply because the application is not to expand the Urban Growth Boundary.

GENERAL DEVELOPMENT PATTERN

Policies:

183.00 ***The City of McMinnville, with the cooperation of Yamhill County, shall establish three categories of lands within the Urban Growth Boundary. Future urbanizable lands are those lands outside the city limits, but inside the Urban Growth Boundary. These lands shall be retained in agricultural resource zones until converted to urbanizable lands by annexation to the City of McMinnville. Urbanizable lands are those lands within the city limits which are not yet developed at urban densities. Conversion of these lands to the urban classification shall involve fulfillment of the goals and policies of this plan, provision of urban services, and application of appropriate implementation ordinances and measures. Urban lands are those lands within the city limits developed at urban densities.***

Response: Per the Comprehensive Plan Map the subject property is designated Residential. The Residential designated land is considered urbanizable and may be developed at urban density. The property currently has a zoning designation of R-2 and is proposed to be changed to R-4.

184.00 *The City of McMinnville shall establish a Comprehensive Plan Map designating allowed land uses within the McMinnville Urban Growth Boundary. Land uses allowed under the specific designations shall be set in Volume I of the McMinnville Comprehensive Plan, Chapter IX.*

Response: Per the Comprehensive Plan Map the subject property is designated Residential.

184.50 *The City shall establish the following Comprehensive Plan Map Designations, which will relate to the zoning map, as follows. The zoning map classifications are identified in the zoning ordinance."*

Residential – This designation covers all the zoning designations from R-1 through R-5, and any additional zones that may be created for residential uses.

[...]

Response: Per the Comprehensive Plan Map the subject property is designated Residential.

LAND USE DEVELOPMENT TOOLS

Response: Policies 185.00 does not apply because an Urban Growth Boundary has already been established.

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

- 1. Three Mile Lane (north and south).*
- 2. Deleted as per Ord. 4796, October 14, 2003.*
- 3. Barber property.*
- 4. West Hills area.*
- 5. Commercial areas at the northern and southern entrances to the city.*
- 6. New industrial areas, such as Riverside North, certain existing industrial areas. (Ord. 5098, December 8, 2020)*

Response: The subject property is in the Jandina Planned Development approved in 1978 by Ordinance 3939. The site is not in one of the listed locations noted above.

187.00 *The City of McMinnville shall adopt additional implementation ordinances and measures to carry out the goals and policies of the McMinnville Comprehensive Plan. These shall include, but not be limited to, the Zoning Ordinance and Map, Annexation Ordinance, and Mobile Home Development Ordinance.*

Response: The City of McMinnville has an adopted Zoning Ordinance and Annexation regulations in the Municipal code.

GREAT NEIGHBORHOOD PRINCIPLES

Policies:

187.10 ***The City of McMinnville shall establish Great Neighborhood Principles to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value, whether that place is a completely new development or a redevelopment or infill project within an existing built area.***

Response: The City of McMinnville established the Great Neighborhood Principles in 2019 to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The principles are supported by the McMinnville Zoning Ordinance (incorporated by reference), and more specifically by the standards in MMC 17.11, 17.21, 17.57, 17.60, 17.61, 17.72 and 17.74 (incorporated by reference). The proposed Zone Change ensures that the site when developed creates a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value by bringing multi-family dwellings into a neighborhood area that is a mix of detached single-family dwellings and multi-family dwellings. The Conceptual Site Plan (Exhibit 3) indicates how the Zone Change would set the stage for a multi-family development that would be livable by its design in accordance with MMC Title 17.

The policy has been met.

187.20 ***The Great Neighborhood Principles shall encompass a wide range of characteristics and elements, but those characteristics and elements will not function independently. The Great Neighborhood Principles shall be applied together as an integrated and assembled approach to neighborhood design and development to create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood, and to create a neighborhood that supports today's technology and infrastructure, and can accommodate future technology and infrastructure.***

Response: The proposed Zone Change responds to 187.10 – 187.50 balancing the five policies together to address neighborhood design to create livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood. Infrastructure can be accessed from NW 2nd Street and SW Almond Court.

The policy has been met.

187.30 ***The Great Neighborhood Principles shall be applied in all areas of the city to ensure equitable access to a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood for all McMinnville citizens.***

Response: The neighborhood as defined for the Zone Change is described in two geographies. The Immediate Neighborhood Area is the Jandina Planned Development area bounded by NW 2nd Street on the north, SW Cypress Street on the east, SW Fellows Street on the south, and the western boundary of the Planned Development. Within this geography lands are zoned R-2. Exhibit 34 shows the boundary of the Immediate Neighborhood Area.

The Larger Neighborhood Area is bounded on the north by NW Wallace Road, to the east by NW Michelbrook Lane and SW Fleishauer Lane, the south includes the south side of Discovery Meadows Skatepark and the city limit line and the east by SW & NW Hill Road. The zoning and development pattern in the larger neighborhood consists of R-1, R-2, R-3, R-4, C-3, A-H, and O-R. As noted above the Immediate Neighborhood Area and Larger Neighborhood Area are part of the broader McMinnville area and the Great Neighborhood Principles apply to ensure equitable access to a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood for all McMinnville citizens and not for the exclusion of certain development types.

The policy has been met.

187.40 ***The Great Neighborhood Principles shall guide long range planning efforts including, but not limited to, master plans, small area plans, and annexation requests. The Great Neighborhood Principles shall also guide applicable current land use and development applications.***

Response: The proposed Zone Change is not a master plan or small area plan. The Zone Change does have a parallel Planned Development Amendment application that is being processed by the City. Following the Zone Change and Planned Development Amendment of the subject site will require a development application responding to the McMinnville Zoning Ordinance (incorporated by reference), and more specifically by the standards in MMC 17.11, 17.21, 17.57, 17.60, 17.61, 17.72 and 17.74. Per the City's Zone Change process one of the identified residential zones can be applied to the subject property. The R-4 zone has been requested, which is the same as the zoning for the residential area to the north across NW 2nd Street as shown on Figure 1.

The policy has been met.

187.50 ***The McMinnville Great Neighborhood Principles are provided below. Each Great Neighborhood Principle is identified by number below (numbers 1 – 13), and is followed by more specific direction on how to achieve each individual principle.***

1. Natural Feature Preservation. Great Neighborhoods are sensitive to the natural conditions and features of the land.

a. Neighborhoods shall be designed to preserve significant natural features including, but not limited to, watercourses, sensitive lands, steep slopes, wetlands, wooded areas, and landmark trees.

Response: The subject site does not have designated watercourses, sensitive lands, steep slopes, wooded areas or landmark trees. A wetland is identified on the west side of the site that is approximately .48 acres (Exhibit 31). A stormwater ditch is located on the adjoining Westvale Third Addition Subdivision immediately west of the site. The Immediate Neighborhood Area is the

Jandina Planned Development approved by Ordinance 3939. An open space in the middle of the Planned Development called West McMinnville Linear Park also includes a stream. The Larger Neighborhood Area includes the undeveloped Quarry Park, BPA Path, Jay Pearson Park, Discovery Meadows Park, and flood plains as natural areas. Natural disaster areas are identified in the Larger Neighborhood Area but do not include the subject site.

The policy has been met.

2. Scenic Views. Great Neighborhoods preserve scenic views in areas that everyone can access.

- a. Public and private open spaces and streets shall be located and oriented to capture and preserve scenic views, including, but not limited to, views of significant natural features, landscapes, vistas, skylines, and other important features.***

Response: Existing development within the Immediate Neighborhood Area has streets that are oriented north/south or east/west. There are no city listed scenic corridors. Based on the orientation of dwellings their views are either to abutting developed property or public streets. Some residential dwellings have views to the West McMinnville Linear Path their backyards. There are no identified significant natural areas adjacent to the subject site. The Larger Neighborhood Area has a similar street system pattern reflective of the areas topography and natural features.

The policy has been met.

3. Parks and Open Spaces. Great Neighborhoods have open and recreational spaces to walk, play, gather, and commune as a neighborhood.

- a. Parks, trails, and open spaces shall be provided at a size and scale that is variable based on the size of the proposed development and the number of dwelling units.***
- b. Central parks and plazas shall be used to create public gathering spaces where appropriate.***
- c. Neighborhood and community parks shall be developed in appropriate locations consistent with the policies in the Parks Master Plan.***

Response: The Immediate Neighborhood Area has the West McMinnville Linear Path bisecting the Jandina Planned Development in an west/east orientation. The subject site is not directly adjacent to a park but does abut a pedestrian path along the west property line in the Westvale Third Addition Subdivision that extends from NW 2nd Street south to the West McMinnville Linear Path.

The Larger Neighborhood Area includes the undeveloped Quarry Park, BPA Path, Jay Pearson Park, Discovery Meadows Park, all within 300 feet to 4,000 feet of the subject site.

The subject site location is outside of the central park area noted in the McMinnville Parks, Recreation and Open Space Plan - 2024 (incorporated by reference) as noted on Map 5-1.

Review of the McMinnville Parks, Recreation and Open Space Plan - 2024 does not identify additional future park land within the Immediate Neighborhood Area or Larger Neighborhood Area described above as noted on Map 5-1.

The policy has been met.

4. Pedestrian Friendly. Great Neighborhoods are pedestrian friendly for people of all ages and abilities.

- a. Neighborhoods shall include a pedestrian network that provides for a safe and enjoyable pedestrian experience, and that encourages walking for a variety of reasons including, but not limited to, health, transportation, recreation, and social interaction.***
- b. Pedestrian connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces, and shall also be provided between streets that are disconnected (such as cul-de-sacs or blocks with lengths greater than 400 feet).***

Response: The proposed Planned Development Amendment incorporates connections to an existing pedestrian network. In the Immediate Neighborhood Area, the existing developments have provided sidewalks.

The Larger Neighborhood Area incorporates pedestrian connections through sidewalks adjacent to development and linear pedestrian paths.

Within the Immediate Neighborhood Area it has pedestrian connectivity and this connectivity extends to the Larger Neighborhood Area. The pedestrian system furthers the system identified in the City of McMinnville Transportation System Plan – 2010 (incorporated by reference).

The policy has been met.

5. Bike Friendly. Great Neighborhoods are bike friendly for people of all ages and abilities.

- a. Neighborhoods shall include a bike network that provides for a safe and enjoyable biking experience, and that encourages an increased use of bikes by people of all abilities for a variety of reasons, including, but not limited to, health, transportation, and recreation.***
- b. Bike connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces.***

Response: The proposed Planned Development Amendment furthers the bicycle system in the Immediate Neighborhood Area and Larger Neighborhood Area. Within the Immediate Neighborhood Area, the bike system occurs on local streets and through the shared use path

system and along NW 2nd Street and SW Cypress Street (City of McMinnville Transportation System Plan – 2010, Exhibit 1-3 incorporated by reference).

In the Larger Neighborhood Area a bike system is identified as shown in the City of McMinnville Transportation System Plan – 2010, Exhibit 1-3 (incorporated by reference). This includes Complete Streets, Bike Lane Restriping, Sharrows and Shared Use Paths.

Bike connections to commercial areas are identified as bike lanes on NW 2nd Street to commercial areas on NW Hill Road and downtown McMinnville (City of McMinnville Transportation System Plan – 2010, Exhibit 1-3 incorporated by reference).

Overall, the Immediate Neighborhood Area and Larger Neighborhood Area have a planned bike friendly system.

The policy has been met.

6. Connected Streets. Great Neighborhoods have interconnected streets that provide safe travel route options, increased connectivity between places and destinations, and easy pedestrian and bike use.

- a. Streets shall be designed to function and connect with the surrounding built environment and the existing and future street network, and shall incorporate human scale elements including, but not limited to, Complete Streets features as defined in the Comprehensive Plan, grid street networks, neighborhood traffic management techniques, traffic calming, and safety enhancements.***
- b. Streets shall be designed to encourage more bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility.***

Response: Within the Immediate Neighborhood Area NW 2nd Street is classified as a Minor Arterial. Within the Jandina Planned Development there is an interconnected street system that was approved by the Jandina First Addition Subdivision, Jandina Second Addition and Jandina Third Addition subdivisions. The system has a north/south and east/west grid along with cul-de-sacs. NW 2nd Street is classified as a Minor Arterial, SW Filbert Street as a Neighborhood Collector, SW Cypress Street as a Major Collector. All other streets within the Immediate Neighborhood Area are classified as Local Streets. (City of McMinnville Transportation System Plan – 2010, Exhibit 2-3 incorporated by reference).

The Larger Neighborhood Area is a combination of Minor Arterials, Minor Collectors, Neighborhood Collectors and Local Streets. (City of McMinnville Transportation System Plan – 2010, Exhibit 2-3 incorporated by reference).

Per the Transportation System Plan – 2010 (incorporated by reference) bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility is identified in the Immediate and Larger Neighborhood Areas.

The policy has been met.

7. Accessibility. Great Neighborhoods are designed to be accessible and allow for ease of use for people of all ages and abilities.

- a. To the best extent possible all features within a neighborhood shall be designed to be accessible and feature elements and principles of Universal Design.**
- b. Design practices should strive for best practices and not minimum practices.**

Response: The proposed Planned Development Amendment integrates the subject site into the overall accessibility of both the Immediate Neighborhood Area and the Larger Neighborhood Area. The areas have a public sidewalk system and paths to be accessible.

The policy has been met.

8. Human Scale Design. Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built environment.

- a. The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.**
- b. Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle oriented uses in less prominent locations.**
- c. Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).**

Response: The proposed Planned Development amendment site is requesting the R-4 zone which would allow multi-family development (3-story walk-up units). Within the Immediate Neighborhood Area, the size, form, and proportionality of development is predominantly 1 and 2-story single-family dwellings with the addition of 36 apartments on SW Sesame Street, 20 apartments on SW Tamarack Street, Columbus Village with 66 apartments on SW Fellows Street, and Homeport on SW Cypress Street with 12 apartments. At the time of their development, they were all 1-story or 2-story walk up units.

The larger Neighborhood area is a combination of residential and commercial development styles with detached and attached single-family dwellings, apartments, retirements facilities, and commercial business operations.

The Conceptual Site Plan for the subject site begins to identify some of the design elements. Buildings (3) are located towards the center of the site with the fourth located at the northwest

corner of the site adjacent to NW 2nd Street, exceeding setback requirements to diminish their visual appearance from surrounding development. The existing Salvation Army building will be retained and continue the use as a Child Care Center. Parking is located towards the exterior and interior of the site.

The setbacks for the Apartments are proposed as follows:

	Existing Site Before ROW dedication (approx. ft)	After ROW Dedication (approx. ft)	Proposed Partition Line after ROW Dedication (approx. ft)
<u>Building A</u>			
North	83	75	42
South	165	165	165
East	164	164	38
West	147	147	147
<u>Building B</u>			
North	203	195	42
South	80	80	45
East	45	45	45
West	262	262	262
<u>Building C</u>			
North	313	305	272
South	45	45	45
East	136	136	136
West	152	152	152
<u>Building D</u>			
North	24	16	16
South	320	320	320
East	268	268	28
West	24	24	24
<u>Futsal Court</u>			
North	331	323	323
South	22	22	22
East	283	283	283
West	23	23	23

The setbacks for the Child Care Center are proposed as follows:

	Existing Site Before ROW Dedication (approx. ft)	After ROW Dedication (approx. ft)	Proposed Partition Line after ROW Dedication (approx. ft)
North	23.7	15.7	15.7
South	300	300	30
East	16.8	16.8	16.8
West	263	263	23

The conceptual design of the multi-family development is at a human scale with 3-story walk up units, balconies, building articulation, street trees along NW 2nd Street, landscaping and open space within the site, and lighted public areas within the site. The final design would be reviewed by the City for compliance with requirements in MMC Title 17 (incorporated by reference). The overall design concept as it relates to MMC Title 17 requirements is in alignment to create a human scale design to advance the Great Neighborhood Principles.

The policy has been met.

9. Mix of Activities. Great Neighborhoods provide easy and convenient access to many of the destinations, activities, and local services that residents use on a daily basis.

- a. Neighborhood destinations including, but not limited to, neighborhood serving commercial uses, schools, parks, and other community services, shall be provided in locations that are easily accessible to surrounding residential uses.***
- b. Neighborhood-serving commercial uses are integrated into the built environment at a scale that is appropriate with the surrounding area.***
- c. Neighborhoods are designed such that owning a vehicle can be optional.***

Response: The Planned Development Amendment application as it relates to the Immediate Neighborhood Area is predominantly residential development with single-family, duplex, triplex and multi-family units. There is no commercial designated land within the Immediate Neighborhood Area.

The larger Neighborhood area is a combination of residential and commercial development styles with detached and attached single-family dwellings, apartments, retirements facilities, and commercial business operations.

Transit is provided on NW 2nd Street that connects to the downtown McMinnville commercial core.

The proposed Zone Change would provide the opportunity to have residential development that is within walking distance to an elementary school, neighborhood park and commercial services, reducing the need for a vehicle for shorter daily needs. The proposal would be in alignment with

and builds on other R-4 zoned lands, and those that are developed as multi-family in the Larger Neighborhood Area for a mix of activities.

The policy has been met.

10. Urban-Rural Interface. Great Neighborhoods complement adjacent rural areas and transition between urban and rural uses.

- a. Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.***

Response: The subject site is not adjacent to a rural area. Existing development within the Immediate Neighborhood Area abuts urban scale development. The Larger Neighborhood Area has existing transitions to rural areas that are outside the UGB.

The policy has been met.

11. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.

- a. A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.***

Response: The proposed Planned Development Amendment would provide for a multi-family housing development at 60% of AMI. The Immediate Neighborhood Area is a mix of residential development within the R-2 zone. Based on the development type there is a mix of housing forms and types for different income levels. The McMinnville Parks, Recreation and Open Space Plan – 2024 has data that shows income levels (Figure 4-2) indicating within the Immediate Neighborhood Area incomes range from \$63,300 - \$81,000. Within the Larger Neighborhood Area, the incomes levels range from \$36,000 to \$109,000.

The policy has been met.

12. Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.

- a. Neighborhoods shall have several different housing types.***
- b. Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.***

Response: The Immediate Neighborhood is a mix of detached single-family, duplexes, and multi-family dwellings. The Larger Neighborhood Area is a mix of detached single-family dwellings and multi-family dwellings at varying densities. Designation of the subject site as R-4 for a multi-family dwelling project within the Immediate Neighborhood Area will integrate additional apartments into the Jandina Planned Development. The Planned Development Amendment would build upon

the multi-family development type that exists within the Immediate and Larger Neighborhood Areas creating a mix of different housing types.

Within the Immediate Neighborhood Area, the housing types that are similar provide a variety of building form and design. Within the Larger Neighborhood Area, the housing types that are similar provide a variety of building form and design.

The policy has been met.

13.Unique and Integrated Design Elements. Great Neighborhoods have unique features, designs, and focal points to create neighborhood character and identity. Neighborhoods shall be encouraged to have:

- a. Environmentally friendly construction techniques, green infrastructure systems, and energy efficiency incorporated into the built environment.***
- b. Opportunities for public art provided in private and public spaces.***
- c. Neighborhood elements and features including, but not limited to, signs, benches, park shelters, street lights, bike racks, banners, landscaping, paved surfaces, and fences, with a consistent and integrated design that are unique to and define the neighborhood.***

Response: The property subject to the requested Planned Development Amendment will be constructed to current land use and building code requirements that address energy efficiency.

The proposed development does not have art integrated into the design.

The proposed Planned Development Amendment and development of a multi-family project would provide bike racks, landscaping, off-street paved parking, streetlights, fencing and other required design elements in conformance with the MMC Title 17 requirements. The site improvements would enhance the Immediate Neighborhood Area and Larger Neighborhood Area elements and features.

The policy has been met.

UGB EXPANSION AREA PLANNING PROCESS

Response: Policies 187.60.00 - 187.610 do not apply because the proposed application is not to expand the Urban Growth Boundary.

FRAMEWORK PLANS

Response: Policies 187.70.00 – 187.70.30 do not apply because the proposed application is not to expand the Urban Growth Boundary

AREA PLANNING

Response: Policies 187.80.00 – 187.80.30 do not apply because the proposed application is not to expand the Urban Growth Boundary.

MASTER PLANNING

Response: Policies 187.90.00 – 187.90.40 do not apply because the proposed application is not to expand the Urban Growth Boundary.

NEIGHBORHOOD ACTIVITY CENTERS

Goal: ***NEIGHBORHOOD ACTIVITY CENTERS PROVIDE SHOPPING, SERVICES, RECREATION, HIGH-DENSITY HOUSING, OFFICE AND INSTITUTIONAL FACILITIES NEEDED TO SUPPORT A SURROUNDING NEIGHBORHOOD OR URBAN AREA.***

Policies:

Response: Policies 187.95.00 – 187.95.02 do not apply because the development concept is not for a neighborhood activity center.

Neighborhood Activity Center Locational Criteria Policies:

Response: Policies 187.95.03 – 187.95.04 do not apply because the development concept is not for a neighborhood activity center.

Neighborhood Activity Center Site Area and Development Size and Intensity

Response: Policies 187.95.05 – 187.95.07 do not apply because the development concept is not for a neighborhood activity center.

CHAPTER X CITIZEN INVOLVEMENT AND PLAN AMENDMENT

GOAL X 1: ***TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.***

GOAL X 2: ***TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.***

GOAL X 3: ***TO PERIODICALLY REVIEW AND AMEND THE McMINNVILLE COMPREHENSIVE PLAN TO REFLECT CHANGES IN COMMUNITY CIRCUMSTANCES, IN CITIZEN DESIRES, AND IN THE STATEWIDE GOALS.***

Policies:

Response: Policies 189.00 – 196.00 do not apply because the application is not proposing to amend the Comprehensive Plan and the City is responsible for appointments to the Citizen Involvement Committee.

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.***

Response: A Neighborhood Meeting was conducted on April 22, 2026, to allow for public input. Additional public input opportunities are provided through Planning Commission and City Council public hearings.

The policy has been met.

**CHAPTER XI
NATURAL FEATURES**

GOAL XI 1: *PROTECT LIFE AND PROPERTY FROM INVENTORIED NATURAL HAZARDS, INCLUDING FLOODING, GEOLOGICAL, AND WILDFIRE HAZARDS.*

NATURAL HAZARDS

Multi Hazards

Policies:

Response: Policies 197.00 – 197.120 do not apply because the subject site is not listed as a Managed Development Overlay and is not regulated by MMC 17.49.

Geological Hazards

Geological hazards appear on the McMinnville Natural Hazards Inventory and include:

- 1. Slopes of 25% or more;***
- 2. Moderate, high and severe risk earthquake (liquefaction and shaking) risk areas; and***
- 3. Moderate and high-risk landslide hazard areas.***

Policies:

Response: Policies 198.10 – 198.70 do not apply because the subject site is not listed as a Managed Development Overlay and is not regulated by MMC 17.49.

Flood Hazards

Policies

Response: Policies 199.00 – 199.70 do not apply because the subject site is not listed as a Managed Development Overlay and is not regulated by MMC 17.49.

Wildfire Hazards

Policies

Response: Policies 200.00 – 200.60 do not apply because the subject site is not listed as a Managed Development Overlay and is not regulated by MMC 17.49.

C. OREGON STATEWIDE PLANNING GOALS

Goal 1: Citizen Involvement

Summary: Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

Response: The requested land use action is to change the Planned Development and Zoning designation for the site from R-2 to R-4. As required, citizens will have the opportunity to comment on the proposed Planned Development Amendment at public hearings before the Planning Commission and City Council.

Goal 2: Land Use Planning

Summary: Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Response: As discussed throughout this Applicant's Narrative, the subject site is included in McMinnville's UGB and is designated Residential in the Comprehensive Plan. The subject site was selected for inclusion in the city limits is based on a number of locational factors including its access to the local street system, the ability to provide orderly and economic provision of public facilities and services, and compatibility with adjacent residential uses.

As discussed above, the proposed Planned Development Amendment will help meet the City's identified housing needs. The proposed zone change to R-4 is consistent with existing R-4 designations to the north of the site. As required, the Applicant's Narrative addresses how the proposed Zone Change meets applicable goals and policies of the City of McMinnville Comprehensive Plan. This proposal does not require an exception to any Statewide Planning Goals.

Goal 3: Agricultural Lands

Summary: Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

Response: The subject site is currently located within the City of McMinnville Urban Growth Boundary. The parcel is currently under City of McMinnville jurisdiction and is zoned R-2. The subject property is not being used for agricultural activities. The Goal is not applicable.

Goal 4: Forest Lands

Summary: *This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."*

Response: The subject property is not designated forest lands and does not have an active forest operation. The Goal is not applicable.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

Summary: *Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.*

Response: The subject site does not contain any designated open spaces, scenic, or historic areas. There is a wetland on the site (Exhibit 31) that has been delineated and submitted to the Oregon Department of State Lands.

Goal 6: Air, Water and Land Resources Quality

Summary: *This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.*

Response: If the proposed zoning designation is approved, specific site development plans will be submitted for building permit review. The permitting process will ensure compliance with local, state, and federal air, water, and land resource quality standards.

Goal 7: Areas Subject To Natural Disasters and Hazards

Summary: *Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.*

Response: No natural hazard areas have been identified on the subject property that would be required to respond to applicable regulations.

Goal 8: Recreation Needs

Summary: *This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.*

Response: The McMinnville Parks and Recreation Plan – 2024 does not identify park facilities on the subject site. Recreation needs can be met by the undeveloped Quarry Park, BPA Path, Jay Pearson Park, Discovery Meadows Park.

Goal 9: Economic Development

Summary: *Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.*

Response: The 3.68 acre (gross) subject site is currently designated Residential on the City's Comprehensive Plan Map. Currently the subject property is located within the UGB and within the city limits of McMinnville. Since this proposal does not involve existing commercial or industrial lands, the proposed Planned Development Amendment is consistent with Goal 9.

Goal 10: Housing

Summary: *This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.*

Response: The City's Land Needs Analysis (May 2001) base line forecast indicates that single-family and multi-family needs as 5,384 (Table 5-14) new dwelling units between 2000 and 2020. The demand for multi-family units is 1,209 (Table 5-15) in the period of 2000 – 2020. The Alternative Forecast indicates multi-family at 1,346 units (Table 5-24 & 5-26) in the period 2000 – 2020. The Alternative Forecast land need for R-4 is identified as 55 acres in the period 2000 – 2020. Table 5-29 identifies a land need of 778 units on 55 acres in the period 2000 – 2020. Table 6-2 identifies a dwelling unit need in R-4 of 588 units. Overall, the City at the time had a deficiency of 63.9 gross acres and 55.1 net acres of R-4 zoned land in the period 2000 – 2020.

The City of McMinnville Housing Needs Analysis (November 2023), which is under appeal. Figure 81 provide information on the historical density and mix from 200 – 2018. For Multi-family in the R-4 zone the unit mix is 37% and a net density of 19.1. The analysis further indicates that over the 20 year period based on population growth there will be a need for 4,657 new dwelling units. The recommended mix of units includes 33% to be multi-family. Infill development such as being proposed by the zone change indicates a need for 335 multi-family units and vacant or partially vacant land of 1,202 units (Exhibit 87 & 88). Exhibit 89 indicates a need for 375 multi-family units between 2021 – 2026, 760 multi-family units between 2021 – 2031, 1,537 multi-family units between 2021 – 2041, and 3,626 multi-family units between 2021 – 2067. Finally, the analysis indicates a deficit of 1,101 dwelling units for the period of 2021 – 2041 (Exhibit 101).

Both analyses indicate a deficit of multi-family housing in McMinnville. The proposed Planned Development Amendment will assist in addressing the deficiency. Therefore, the Planned Development Amendment of the subject site is essential when addressing the public need for additional housing.

Goal 11: Public Facilities and Services

Summary: *Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.*

Response: The needed public utilities are located in the vicinity of the site and can be extended or connected to when the subject property is developed. An existing 8" sanitary sewer line is located in NW 2nd Street (Exhibit 25).

Future development would connect to the existing stormwater system in either NW 2nd Street or to the stormwater ditch located to the west of the subject site (Exhibits 26 & 27).

Water is provided by a 12" ductile iron (DI) line is located in NW 2nd Street along the property frontage. An 8" ductile iron is located in SW Filbert Street (Exhibit 28).

Electrical and communication services can be provided by connecting to existing lines. The subject site will also have access to City fire and police services. Therefore, the proposed map amendment complies with Goal 11.

Goal 12: Transportation

Summary: The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

Response: The transportation system is existing along the subject property frontage of NW 2nd Street and SW Almond Court.

As part of a Zone Change (in this case a Planned Development Amendment which is considered a zone change) OAR 660-012-0060 requires that for a zone change an evaluation must occur if the change would significantly affect an existing or planned transportation facility. Exhibit 23, Transportation Impact Analysis (TIA), includes the Transportation Planning Rule (TPR) Analysis. The reasonable worst case development scenario is the subject site going from R-2 (Low Density) to the proposed R-4 (Medium-High Density) zone designation. The analysis indicates that Peak Daily Trips between R-2 and R-4 is 53 net new trips, PM Peak Trips would be 4 net new trips and Weekday Trips would be 3 net new trips. This increase is well below the OHP threshold of 400 daily trips for determination of a significant effect. The conclusion in the TIA for the TPR analysis states "No significant effect will result from the zone change as defined in OAR 660-012-0060(1)(a), OAR 660-012-0060(1)(b), and OAR 660-012-0060(1)(c)." It also states "The daily and peak hour trip generation of the proposed site development will require a Transportation Impact Study. We look forward to receiving your feedback on the proposed scope for the study." Exhibit 24.

A Traffic Impact Analysis has been prepared (Exhibit 24) detailing the impacts of the proposed development on the transportation system. Two (2) recommendations have been identified based on the analysis.

1. Post a new STOP (R1-1) sign in accordance with applicable City standards and the Manual on Uniform Traffic Control Devices (MUTCD) leaving the site at NW 2nd Street.
2. Place and maintain vegetation, landscaping, and above-ground objects adjacent to the site access points, along the public street frontage, and throughout the site provide minimum sight distance is in accordance with AASHTO guidance and City requirements.

Overall, the proposal indicates that a safe, convenient and economic transportation system can be provided based on the proposed development approach.

The Goal is met.

Goal 13: Energy

Summary: *Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."*

Response: This proposed Planned Development amendment does not significantly affect Goal 13. A discussion of energy conservation is provided under Goal 14 below.

Goal 14: Urbanization

Summary: *This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is converted to an urban use.*

Land Need

Establishment and change of urban growth boundaries shall be based on the following:

- (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and**

Response: The City's Land Needs Analysis (May 2001) base line forecast indicates that single-family and multi-family needs as 5,384 (Table 5-14) new dwelling units between 2000 and 2020. The demand for multi-family units is 1,209 (Table 5-15) in the period of 2000 – 2020. The Alternative Forecast indicates multi-family at 1,346 units (Table 5-24 & 5-26) in the period 2000 – 2020. The Alternative Forecast land need for R-4 is identified as 55 acres in the period 2000 – 2020. Table 5-29 identifies a land need of 778 units on 55 acres in the period 2000 – 2020. Table 6-2 identifies a dwelling unit need in R-4 of 588 units. Overall, the City at the time had a deficiency of 63.9 gross acres and 55.1 net acres of R-4 zoned land in the period 2000 – 2020.

The City of McMinnville Housing Needs Analysis (November 2023), which is under appeal. Figure 81 provide information on the historical density and mix from 200 – 2018. For Multi-family in the R-4 zone the unit mix is 37% and a net density of 19.1. The analysis further indicates that over the 20 year period based on population growth there will be a need for 4,657 new dwelling units. The recommended mix of units includes 33% to be multi-family. Infill development such as being proposed by the zone change indicates a need for 335 multi-family units and vacant or partially vacant land of 1,202 units (Exhibit 87 & 88). Exhibit 89 indicates a need for 375 multi-family units between 2021 – 2026, 760 multi-family units between 2021 – 2031, 1,537 multi-family units between 2021 – 2041, and 3,626 multi-family units between 2021 – 2067. Finally, the analysis indicates a deficit of 1,101 dwelling units for the period of 2021 – 2041 (Exhibit 101).

Both analyses indicate a deficit of multi-family housing in McMinnville. The proposed Planned Development Amendment will assist in addressing the deficiency. Therefore, the Planned Development Amendment of the subject site is essential when addressing the public need for additional housing.

- (2) *Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2).***

Response: The subject property is designated as Residential on the City of McMinnville Comprehensive Plan Map. As discussed above, there is a documented need to develop additional housing to meet the needs of the projected population. The proposed Planned Development Amendment will help meet this need for additional housing.

Boundary Location

The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197.298 and with consideration of the following factors:

- (1) *Efficient accommodation of identified land needs;***

Response: The Applicant is not proposing changes to the existing urban growth boundary, therefore these factors do not apply.

D. STATE LAWS (ORS)

ORS 197A.146 Expedited process for certain residential development applications.

- (1) This section applies only to a land use decision for residential development based on an application for:**
- (a) A zone change to allow for a denser residential use designation;**
 - (b) A planned unit development; or**
 - (c) A variance from a residential approval standard.**
- (2) This section applies only to an application for land that is, at the time of the application:**
- (a) Inside the urban growth boundary; and**
 - (b) Zoned primarily for residential use or mixed residential use or planned for residential use.**
- (3) This section does not apply to an application:**
- (a) That would reduce the minimum residential density of land.**
 - (b) For a final subdivision or partition plat.**
 - (c) For a residential construction permit under the state building code.**
 - (d) For final engineering plans under ORS 195.860.**
 - (e) Subject to a ministerial or other expedited approval procedure, including a residential use allowed outright.**
- (4) An application under this section:**
- (a) Is not subject to the requirements of ORS 197.797.**
 - (b) Must be reviewed under the procedures described in a local government's land use regulations, except as provided in this section.**
- (5)**
- (a) The local government shall provide written notice of an application under this section to owners of property within 100 feet of the site for which the application is made and to any neighborhood or community organization recognized by the governing body and whose boundaries include the site. The list of owners must be compiled from the most recent property tax assessment roll.**
 - (b) A local government is not required to provide a hearing, as described in ORS 197.610 to 197.625, on an application made under this section if the local government provides a copy of the notice required under this subsection to the Department of Land Conservation and Development in the manner provided by ORS 197.610 and 197.615.**
 - (c) The notice must:**
 - (A) Provide a 14-day period for submission of written comments prior to the decision;**
 - (B) State that issues which may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue;**
 - (C) List, by commonly used citation, the applicable criteria for the decision;**
 - (D) Set forth the street address or other easily understood geographical reference to the subject property;**
 - (E) State the place, date and time that comments are due;**
 - (F) State that copies of all evidence relied upon by the applicant are available for review and that copies can be obtained at cost;**

(G) Include the name and phone number of a local government contact person;

(H) Provide notice of the decision to the applicant and any person who submits comments under subparagraph (A) of this paragraph. The notice of decision must include an explanation of appeal rights; and

(I) Briefly summarize the local process for reaching a final decision on the application.

(d) The local government shall provide an affidavit or other certification describing the notice given under this subsection.

(6) Approval or denial of the application must be based upon and accompanied by a brief statement that explains the criteria and standards considered relevant to the decision, states the facts relied upon in rendering the decision and explains the justification for the decision based on the criteria, standards and facts set forth.

(7) The initial decision on the application must be made without a hearing. A local government may provide for a hearing on appeal of the initial decision. The hearing may be limited to the record developed for the initial decision under subsection (5) of this section or may allow for the introduction of additional testimony or evidence. A hearing on appeal that allows the introduction of additional testimony or evidence must comply with the requirements of ORS 197.797. Written notice of the local government's final decision must be given to all parties who participated in the decision and must include an explanation of a party's right to appeal the decision. [2025 c.330 §3]

Note: 197A.146 becomes operative July 1, 2026. See section 6, chapter 330, Oregon Laws 2025.

Response:

1. The proposed request is for a Planned Development Amendment to The Jandina Planned Development to allow 68 multi-family apartment units and a Child Care Center.
2. The subject site is within the urban growth boundary and zoned primarily for residential use and planned for residential use.
3. The application does not propose to reduce minimum residential density, is not for a subdivision or partition application, is not a residential construction permit, is not final engineering plans, and is not subject to a ministerial or other expedited approval procedure.
4. The is not subject to the requirements of ORS 197.797, the City of McMinnville has not adopted procedures for review under ORS 197A.146.
5. The Applicant is not requesting using ORS 197A.146 thus notice under the provisions is not required.
6. The Applicant is not requesting using ORS 197A.146 thus a brief statement explaining the criteria is not required.
7. The Applicant is not requesting using ORS 197A.146.

IV. SUMMARY AND CONCLUSIONS

Based on the above findings, the Applicant has demonstrated compliance with applicable sections of the City of McMinnville Municipal City Code, McMinnville Comprehensive Plan, and Oregon Statewide Planning Goals. Therefore, the Applicant requests that the Planned Development Amendment be approved.

EXHIBIT 1

PLANNED DEVELOPMENT AMENDMENT APPLICATION

**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128

(503) 434-7311 Office • (503) 474-4955 Fax

www.mcminnvilleoregon.gov

Office Use Only:	
File No.	_____
Date Received	_____
Fee	_____
Receipt No.	_____
Received by	_____

Comprehensive Plan Map Amendment/ Zone Change Application

Applicant Information

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

Willamette Valley Wine Foundation (Mike McNally)

Applicant Name Farmworker Housing Development Corporation Phone (503) 550-2764

Contact Name (Maria Elena Guerra) Phone (503) 838-0644

(If different than above)

Address 3519 NE 15th Avenue, #500 1274 Fifth St, Suite 1-A

City, State, Zip Portland, OR 97212 Woodburn, OR 97071

Contact Email mike@fairsingvinyard.com mariaguerra@fhdc.org

Property Owner Information

Property Owner Name Salvation Army Phone (503) 794-3299

(If different than above) Major Jonathan Harvey

Contact Name Amy Hughes Phone (503) 425-9441

Address PO Box 8798

City, State, Zip Portland, OR 97208

Contact Email jonathan.harvey@usw.salvationarmy.org

amy.hughes@usw.salvationarmy.org

Site Location and Description

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

Property Address 1950 SW 2nd Street

Assessor Map No. R4 - 4 - 19DA- 14900 Total Site Area 3.68 acres

Subdivision Jandina Block N/A Lot N/A

Comprehensive Plan Designation Residential Zoning Designation R-2/PD

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. The project would include a multi-family development consisting of 68 dwelling units and a Child Care Center.

The request is to amend the Jandina Planned Development approval.

See Planned Development Amendment Narrative for a complete description.

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).

See Planned Development Amendment Narrative for a complete description.

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. The development is in the Jandina Planned Development approved by Ordinance 3939 and amended by Ordinance 4067 and Ordinance 4509. See the Jandina Planned Development Amendment narrative for details and the Jandina Zone Change and Conditional Use applications.

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

The proposal is to amend the Jandina Planned Development. See the Jandina
Planned Development Amendment Narrative for details.

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

See Planned Development Amendment Narrative for a complete description.

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

See Planned Development Amendment Narrative for a complete description.

7. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use.

See Planned Development Amendment Narrative for a complete description.

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

See Planned Development Amendment Narrative for a complete description.

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.
- ☒ Compliance of Neighborhood Meeting Requirements.
- ☒ 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

7/21/26
Date


Property Owner's Signature

7/16/26
Date

EXHIBIT 2

PRELIMINARY TITLE REPORT



First American Title™

First American Title Insurance Company

775 NE Evans Street
McMinnville, OR 97128
Phn - (503)376-7363
Fax - (866)800-7294

Order No.: 1031-4349190

February 11, 2026

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

AMY KERSHAW, Escrow Officer/Closer
Phone: (503)472-4627 - Fax: (866)800-7294 - Email: AKershaw@firstam.com
First American Title Insurance Company
775 NE Evans Street, McMinnville, OR 97128

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Clayton Carter, Title Officer
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

Preliminary Title Report

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

Please be advised that any provision contained in this document, or in a document that is attached, linked or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

County Tax Roll Situs Address: 1950 SW 2nd Street, McMinnville, OR 97128

2021 ALTA Owners Standard Coverage	Liability \$ 1,600,000.00	Premium \$ 3,000.00
2021 ALTA Owners Extended Coverage	Liability \$	Premium \$
2021 ALTA Lenders Standard Coverage	Liability \$	Premium \$
2021 ALTA Lenders Extended Coverage	Liability \$	Premium \$ TBD TBD
Endorsement		Premium \$
Govt Service Charge		Cost \$ 25.00
Other		Cost \$

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of February 03, 2026 at 8:00 a.m., [title to the fee simple estate is vested in:](#)

The Salvation Army

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings

by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims or title to water, whether or not shown by the public record.
7. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.
8. Taxes, including the current fiscal year, not assessed because of Religious Organizations Exemption. If the exempt status is terminated an additional tax may be levied. Account No. 485689.
9. City liens, if any, of the City of McMinnville.

Note: There are no liens as of February 10, 2026. All outstanding utility and user fees are not liens and therefore are excluded from coverage.

10. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

11. Easement, including terms and provisions contained therein:
Recording Information: July 21, 1978, Film [Volume 131, Page 442](#), Deed and Mortgage Records
In Favor of: City of McMinnville, Oregon, a municipal corporation, acting by and through its Water and Light Commission
For: power lines
12. Covenants, conditions, restrictions and/or easements; but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes:
Recording Information: October 24, 1979, Film [Volume 145, Page 591](#), Deed and Mortgage Records

Modification and/or amendment by instrument:
Recording Information: March 25, 1980, Film [Volume 149, Page 556](#), Deed and Mortgage Records

Modification and/or amendment by instrument:
Recording Information: January 30, 1992, Film [Volume 264, Page 1533](#), Deed and Mortgage Records
13. Easement as shown on the recorded plat/partition
For: storm drain
Affects: see plat for exact location
14. Unrecorded leases or periodic tenancies, if any.
15. This report has been submitted to our underwriter for review and approval. We will inform you of any further exceptions and/or requirements.
16. With respect to The Salvation Army:
 - a. A copy of its by-laws or similar document establishing authority of the religious entity to enter into the proposed transaction;
 - b. A copy of its articles of incorporation or similar formation document and any corrections, amendments or restatements thereto;
 - c. Evidence that approval has been obtained or is not required from any parent, regional or national organization with which it may be affiliated;
 - d. Other requirements which the Company may impose following its review of the material required herein and other information which the Company may require.
17. Authority documents for all parties executing documents including the following:

With respect to Willamette Valley Wine Foundation: Evidence that the corporation is properly formed and in good standing in the state of its domicile. An official copy of the bylaws for the corporation. A copy of a resolution of the Board of Directors authorizing the contemplated transaction and designating which corporate officers shall have the power to execute on behalf of the corporation. Other requirements which the Company may impose following its review of the material required herein and other information which the Company may require.

- END OF EXCEPTIONS -

NOTE: According to the public records, there has been no conveyance of the land within a period of 24 months prior to the date of this report, except as follows:

None

NOTE: We find no matters of public record against Willamette Valley Wine Foundation that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: This Preliminary Title Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering Fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

Situs Address as disclosed on Yamhill County Tax Roll:

1950 SW 2nd Street, McMinnville, OR 97128

THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!

Recording Information

For county recording requirements and fees visit

<https://www.yamhillcounty.gov/746/Recording>

NOTE: Non-standard Document Fee of \$20.00, if applicable, will be imposed by the county clerk for documents presented for recording that fail to meet the requirements established by ORS 205.27

You can also calculate fees by using our Title Fee Calculator at <https://facc.firstam.com/>.

cc: Willamette Valley Wine Foundation

cc: The Salvation Army

cc: ,

,

cc: ,

,

Exhibit "A"

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

Parcel 1 of PARTITION PLAT NO. 92-07, recorded January 30, 1992, [Film 3, Page 182 and 183](#), Record of Plats for Yamhill County, Oregon.



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement erected on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury law or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 13.b.
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

ALTA OWNER'S POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

Rev. 07-01-21



Privacy Notice

Last Updated and Effective Date: December 1, 2025

First American Financial Corporation and its subsidiaries and affiliates (collectively, "First American," "we," "us," or "our") describe in our full privacy notice ("Notice"), which can be found at <https://www.firstam.com/privacy-policy/>, how we collect, use, store, sell or share your personal information when: (1) you access or use our websites, mobile applications, web-based applications, or other digital platforms where the Notice is posted ("Sites"); (2) you use our products and services ("Services"); (3) you communicate with us in any manner, including by e-mail, in-person, telephone, or other communication method ("Communications"); (4) we obtain your information from third parties, including service providers, business partners, and governmental departments and agencies ("Third Parties"); and (5) you interact with us to conduct business dealings, such as the personal information we obtain from business partners and service providers and contractors who provide us certain business services ("B2B"). This shortened form of the Notice describes some of the terms contained in the full Privacy Notice. Personal information is sometimes also referred to as personal data, personally identifiable information or other like terms to mean any information that directly or indirectly identifies you or is reasonably capable of being associated with you or your household. However, certain types of information are not personal information and thus, not within the scope of our Notice, such as: (1) publicly available information; and (2) de-identified and aggregated data that is not capable of identifying you. If we use de-identified or aggregated data, we commit to maintain and use the information in a non-identifiable form and not attempt to reidentify the information, unless required or permitted by law.

This Notice applies wherever it is posted. To the extent a First American subsidiary or affiliate has different privacy practices, such entity shall have their own privacy statement posted as applicable.

Please note that this Notice does **not** apply to any information we collect from job candidates and employees. Our employee and job candidate privacy notice can be found [here](#).

What Type Of Personal Information Do We Collect About You? We collect a variety of categories of personal information about you. To learn more about the categories of personal information we collect, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Collect Your Personal Information? We collect your personal information: (1) directly from you; (2) automatically when you interact with us; and (3) from other parties, including business parties and affiliates.

How Do We Use Your Personal Information? We may use your personal information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, complying with relevant laws and our policies, and handling a claim. To learn more about how we may use your personal information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Disclose Your Personal Information? We may disclose your personal information, including to subsidiaries, affiliates, and to unaffiliated parties, such as service providers and contractors: (1) with your consent; (2) in a business transfer; and (3) for legal process and protection. Although we do not "sell" your information in the traditional sense, the definition of "sale" is broad under the CCPA that some disclosures of your information to third parties may be considered a "sale" or "sharing" for targeted advertising. To learn more about how we disclose your personal information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Store and Protect Your Personal Information? The security of your personal information is important to us. We take all commercially reasonable steps to make sure your personal information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your personal information.

How Long Do We Keep Your Personal Information? We keep your personal information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.



Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and disclosure of your personal information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

International Jurisdictions: Our Services are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Services from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with the Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Services, and your agreements with us.

Changes to Our Notice: We may change the Notice from time to time. Any and all changes to the Notice will be reflected on this page and in the full Notice, and where appropriate provided in person or by another electronic method.

YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR SERVICES OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THE NOTICE.

For California Residents If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act and its implementing regulations. To learn more, please visit <https://www.firstam.com/privacy-policy/>.

Contact Us: dataprivacy@firstam.com or toll free at 1-866-718-0097.



SEE MAP 4 4 19AC



This map is provided as a courtesy by First American Title Insurance Company to assist in the locating of said premises and the company assumes no liability for its accuracy or for matters that may be disclosed by a survey.

1992 MAR 13 PM 2:27

F 266P0720

WARRANTY DEED (Statutory Form)

GRANTOR:

GRANADA LAND COMPANY

CONVEYS AND WARRANTS TO

GRANTEE:

THE SALVATION ARMY

the following described real property free of encumbrances except as specifically set forth herein:

Parcel 1 of Partition Plat No. 92-07, recorded January 30, 1992, Film 3, Page 182 and 183, Record of Plats for Yamhill County, Oregon.

SUBJECT TO:

Easement as delineated or dedicated on the recorded plat for storm drain affecting the Westerly portion; Covenants, conditions and restrictions recorded October 24, 1979 in Film Volume 145, Page 591, Microfilm Records of Yamhill County, which were amended by instrument recorded March 25, 1984 in Film Volume 149, Page 556, Microfilm Records of Yamhill County, which were amended by instrument recorded January 30, 1992 in Film Volume 264, Page 1537, Microfilm Records, Yamhill County, Oregon.

4419-3400
 21-01079

THIS INSTRUMENT WILL 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 APPROVED USES.

The true and actual consideration for this transfer stated in terms of dollars is \$ 90,000.00

However, if the actual consideration consists of or includes other property or other value given or promised, such other property or value was part of the / the whole of the (indicate which) consideration.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

Granada Land Company

GRANTOR: By Lawrence T. Epping

DATED: February 2, 1992

Until a change is requested, all tax statements shall be sent to the following address:

The Salvation Army, P.O. Box 765, McMinnville, OR 97128

STATE OF OREGON, County of Marion ss.

Date: February 2, 1992

Personally appeared the above named Lawrence T. Epping

and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Carolyn M. Orr
 CAROLYN M. ORR
 NOTARY PUBLIC - OREGON
 My Commission Expires 5-13-94

MY COMMISSION EXPIRES:

STATE OF OREGON, County of _____ ss.

Date: _____

Personally appeared _____, who being sworn, stated that he/she is the _____ of grantor corporation and that this instrument was voluntarily signed and sealed on behalf of the corporation. Before Me:

NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES:

(DON'T USE THIS SPACE:
 RESERVED FOR RECORDING
 COUNTY OF _____ (WHERE USED.)

I hereby certify that this instrument was received and duly recorded by me in Yamhill County records.

T. Fuller
 CHARLES STERN,
 COUNTY CLERK

NOTARY SEAL

NOTARY SEAL

AFTER RECORDING RETURN TO:

The Salvation Army
 P.O. Box 765
 McMinnville, OR 97128

K-70 8/91

Tax Account #4419-3400 (a portion of)

3-13-92



Yamhill County, Oregon

'In the heart of the Willamette Valley'

535 NE 5th
Street
McMinnville,
OR 97128
503-434-
7521

Property Account Summary

2/10/2026



Click image above for more information

Account Number	485689	Property Address	1950 SW 2ND ST , MCMINNVILLE, OR 97128
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General Information

Alternate Property #	R4419DA 14900
Property Description	PARCEL 1 P1992-07
Last Sale Price	
Last Sale Date	
Last Sale Excise Number	
Property Category	Land &/or Buildings
Status	Active, Host Other Property, Locally Assessed
Tax Code Area	40.0
Remarks	

Tax Rate

Description	Rate
Total Rate	

Property Characteristics

Neighborhood	Misc Exempt
Land Class Category	911 Exempt Church Improved
Account Acres	3.6800
Change Property Ratio	Exempt

Parties

Role	Name	Address
Owner	SALVATION ARMY	PO BOX 8798, PORTLAND, OR 97208 USA

Related Properties

400872 is Located On this property

Property Values

Value Type	Tax Year 2025	Tax Year 2024	Tax Year 2023	Tax Year 2022	Tax Year 2021
Assessed Value AVR	\$279,867	\$279,867	\$279,867	\$279,867	\$279,867
Exempt Value EAR	\$279,867	\$279,867	\$279,867	\$279,867	\$279,867
Taxable Value TVR					
Real Market Land MKLTL	\$78,752	\$78,752	\$78,752	\$78,752	\$78,752
Real Market Buildings MKITL	\$201,115	\$201,115	\$201,115	\$201,115	\$201,115
Real Market Total MKTTL	\$279,867	\$279,867	\$279,867	\$279,867	\$279,867
M5 Market Land MKLND	\$78,752	\$78,752	\$78,752	\$78,752	\$78,752
M5 Limit SAV M5SAV					
M5 Market Buildings MKIMP	\$201,115	\$201,115	\$201,115	\$201,115	\$201,115
M50 MAV MAVMK	\$409,848	\$409,848	\$409,848	\$409,848	\$409,848
Assessed Value Exception					
Market Value Exception					
SA Land (MAVUSe Portion) SAVL					

Parents

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	Document Number
No Parents Found						

Children

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Document Number
No Children Found					

Active Exemptions

307.140-Churches & Religious

Tax Balance

[Installments Payable/Paid for Tax Year\(Enter 4-digit Year, then Click-Here\):](#)

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
No Receipts Found					

Sales History

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths



Yamhill County, Oregon

'In the heart of the Willamette Valley'

535 NE 5th
Street
McMinnville,
OR 97128
503-434-
7521

Installments Paid/Payable

Parcel Number	485689	Property Address	1950 SW 2ND ST , MCMINNVILLE, OR 97128
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No Available Tax Charges for this Property in this Year.

POWER LINE EASEMENT

FILM 131 PAGE 442

KNOW ALL MEN BY THESE PRESENTS That J. Greggin, Inc., an

Oregon corporation, (P. O. Box 29, Hubbard, Oregon, 97032) hereinafter called the "Grantor", for and in consideration of ONE DOLLAR to him in hand paid by the CITY OF McMinnville, Oregon, a municipal corporation, acting by and through its Water and Light Commission, has bargained, sold and conveyed, and by these presents does hereby bargain, sell and convey unto the City of McMinnville, Oregon, acting by and through its Water and Light Commission, its successors and assigns, a permanent easement and right of way five feet in width, including a perpetual right to enter upon said easement area herein-after described for the purpose of constructing, reconstructing, maintaining, and using power lines with poles, cross arms, wires, guy wires and poles, and other appurtenances, which may hereinafter be installed on that certain City Street, known as Second Avenue, City of McMinnville, Oregon and for the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction and maintenance of said power lines.

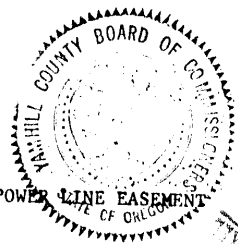
The land affected by the grant of this easement as granted to the City of McMinnville, Oregon, acting by and through its Water and Light Commission, is more particularly described as follows:

Tax Lot Number 4419-3400. Marguerite D. Spiller, Stephen D. Spiller, Katrina Tistadt, also known as Katherine Tistadt, Charles D. Tistadt and H. Edward Tistadt.

The limits of said easement as it crosses the above described real premises will lie within five feet South of Second Avenue, City of McMinnville, Oregon and the poles installed for said power lines will be placed in the right-of-way of said county road and this easement shall cover the overhang of the power lines extended over the boundary line of said county road above the real premises above described, and supporting guy wires and poles.

TO HAVE AND TO HOLD said easement and right of way unto the City of McMinnville, Oregon, acting by and through its Water and Light Commission, and to its successors and assigns forever.

The grantor hereby reserves the right to use the surface of the strip of land covered by this easement and right of way, excepting the right to erect structures thereon which would interfere with such power lines.



STATE OF OREGON

County of YAMHILL

64290

I, Wanda Catt, County Clerk in and for said County and State, do hereby certify that the within Instrument of Writing was received and has been by me duly recorded on Page 442 of Film Vol. 131 of the Records of deed for said County, on this 21 day of July A.D. 1978 at 12:47 o'clock PM.

In testimony whereof I have hereto subscribed my name and affixed my Official Seal
Wanda Catt, County Clerk

By Lanada Ollis
Deputy

The grantor hereby does covenant to and with the City, its successors and assigns, that he is lawfully seized and possessed of said premises and he has a good and lawful right to convey it or any part thereof, that it is free from all liens and encumbrances except encumbrances held by mortgagees, if any, or contract vendors, if any, who give their consent to this easement, and he will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

In construing this easement, it is understood that the grantor may be more than one person; that if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine and the neuter, and that generally all grammatical changes shall be made, assumed and implied to make provisions hereof apply equally to individuals.

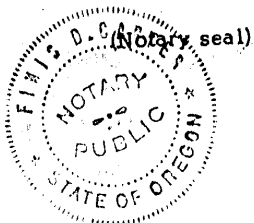
IN WITNESS WHEREOF, Grantor above named has executed this instrument this 8th day of June, 1978.

J. GREGGIN, INC.
an Oregon corporation
By D. E. Hockert President
By Janice M. Hockert Secretary

STATE OF Oregon County of Marion) ss. June 8, 1978
Date

Personally appeared Danny E. Hockert and Janice M. Hockert who, being duly sworn, each for himself and not one for the other did say that the former is the president and that the latter is the secretary of J. GREGGIN, INC., a corporation and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: [Signature]
Notary Public for Oregon
My commission expires 12-7-80



DECLARATION OF RESTRICTIONS AND
COVENANTS OF JANDINA RESIDENTIAL DEVELOPMENT

THIS DECLARATION, Made this 8 day of OCTOBER,
1974, by J. Greggin, Inc., an Oregon corporation, hereinafter
called "declarant".

W I T N E S S E T H:

WHEREAS, declarant is the owner of the real property
described in Exhibit "A" attached hereto and by this reference
incorporated herein, said real property hereinafter referred to
as "JANDINA"; and

WHEREAS, the purpose of this declaration is to establish
a protective framework within which JANDINA will be developed and
to secure for the benefit of all persons who acquire an interest
therein the beauty and variety of the natural environment of
JANDINA:

NOW, THEREFORE, declarant hereby declares that all of
the real property described in Exhibit "A" shall be held, conveyed,
hypothecated, sold, encumbered, used, occupied and improved subject
to the limitations, restrictions, covenants and conditions of
this declaration, hereinafter referred to as "JANDINA Restrictions,
and Covenants".

ARTICLE 1

Definitions

As used in the JANDINA Restrictions and Covenants, the
terms set forth below shall have the following meanings:

1.1 JANDINA Restrictions and Covenants means all of
the limitations, restrictions, covenants and conditions set forth
in this declaration.

1.2 JANDINA means the real property described in
Exhibit "A".

1.3 Owner means the person or persons holding the
beneficial ownership of real property in JANDINA.

1...DECLARATION

1.4 City means the City of McMinnville, Oregon and its governing bodies.

1.5 Lot means each platted lot within JANDINA.

1.6 Common Area means all real property owned by the City for the common use and enjoyment of the Public.

ARTICLE 11

Use and Occupancy - Restrictions and Covenants

2.1 Each owner shall maintain the grounds and improvements of his lot in a clean and attractive condition, in good repair and in such fashion as not to create a fire hazard.

2.2 Each owner shall keep any garbage, trash and other refuse on his lot in covered containers.

2.3 Each owner of a lot shall use the property solely for residential purposes, as shown on the preliminary plan approved by the City.

2.4 EASEMENTS: Easements for installation and maintenance of utilities shall be maintained continuously by the owner of each lot where they exist, except for those improvements for which a public authority or utility company is responsible. No outdoor overhead wire or service drop for the distribution of electric energy or for telecommunication purposes nor any pole, tower, or other structure supporting said outdoor overhead wires shall be erected, placed, or maintained within this subdivision, their heirs, successors, and assigns shall use underground service wires to connect their premises and the structures built thereon to the underground electric or telephone utility facilities, (except for street lighting purposes and any main transmission lines operated by the utility company).

2.5 NUISANCES: No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. Any wrecked or unused automobile or truck remaining on the real premises for a period of more than thirty (30) days shall be deemed a nuisance.

2...DECLARATION

2.6 No trailers or habitable motor vehicles of any nature shall be used as a permanent residence or as a temporary residence for a period exceeding three days on any lot in JANDINA.

2.7 No animals of any kind shall be raised, kept or permitted on any lot other than a reasonable number of household pets which are not kept, bread or raised for commercial purposes or in unreasonable numbers and which are controlled so that they do not constitute a nuisance to the other owners.

2.8 Owners shall at no time maintain any sign or other advertising device of any character upon any lot, except that an owner may maintain one sign not larger than six square feet for the purpose of advertising the property for rent or for sale.

2.9 No camper, trailer house truck, boat or like item shall be parked on any lot nearer an abutting street than the front line of the dwelling house, and, in the case of a corner lot, no closer to the side street than the nearest set-back line. Neither shall any such item be allowed to remain on any street abutting the lot for a period in excess of ten days. Parking of any vehicle, including a passenger automobile between the house and the curb, or on the public streets for the purpose of tearing apart, restoring, repairing and like activities, shall be prohibited.

2.10 Each owner shall strictly comply with each and every law of the City of McMinnville, County of Yamhill, and the State of Oregon and with each any every rule and regulation of the administrative agencies which are now or hereafter in effect.

ARTICLE 111

MISCELLANEOUS PROVISIONS

3.1 WHERE ever these covenants and restrictions are less restrictive than City ordinances the later shall prevail.

3.2 ARCHITECTURAL CONTROL. No building shall be erected, placed, or altered on a lot until a sketch of exterior, construction plans, and a plot plan showing the location of the structure have been approved by the Architectural Committee as to harmony of

4...DECLARATION

exterior design with existing structures. Approval of a single member of the Architectural Committee shall constitute complete approval. The Architectural Committee is composed of Robert P. Steen, Dina L. Steen, Danny E. Hockert and Janice M. Hockert. All are principals of J. Gregcin, Inc. In the event of death or resignation the remaining members have full authority to designate their successors. Neither committee members or their successors shall be entitled to any compensation for services pursuant to the covenant.

3.3 ANY owner of a lot who shall cause excavation of lot to build a structure shall complete that structure within 1 year.

3.4 OWNER shall complete landscaping of the lot within 1 year from the date of occupancy.

3.5 NO lots may be resubdivided without written approval of the Architectural Committee.

3.6 AMENDMENT AND REPEAL. The JANDINA Restrictions and Covenants, or any provision thereof, may at any time with the written consent of declarant, or at any time more than two years after the date on which this declaration is recorded without the consent of declarant, be amended or repealed by the written consent of owners owning not less than 75 percent of the lots within JANDINA; provided, however, that there shall be no amendment of any provision relating to the common area without the prior written consent of the City of McMinnville, Oregon, and provided that no amendment shall permit the sale or transfer of the common area for any purpose or purposes other than for the purposes of using the property for open space or recreational property. Any amendment must be recorded.

3.7 Duration. The JANDINA Restrictions and Covenants shall run with the land and shall be and remain in full force and effect at all times with respect to all property included within JANDINA and the owners thereof for an initial period of 10 years commencing with the date on which this declaration is recorded. thereafter, the DANDINA Restrictions and Covenants shall continue

4...DECLARATION

to run with the land and be and remain in full force and effect at all times with respect to all property within JANDINA and the owners thereof for successive additional periods of ten years each. The continuation from the initial or any additional period into the next subsequent period shall be automatic and without the necessity of any notice, consent or other action whatsoever; provided, however, that the JANDINA Restrictions and Covenants may be terminated at the end of the initial or any additional period by resolution approved not less than six months prior to the intended termination date by the vote or written consent of owners owning not less than 75 percent of the lots within JANDINA.

3.8 Enforcement. The Declarant, or any owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of the JANDINA Restrictions and Covenants. The failure by Declarant, or by any owner, to enforce any covenant or restriction herein contained shall in no event be deemed as waiver of the right to do so thereafter. In the event of an action or suit to enforce any of the provisions contained in the JANDINA Restrictions and Covenants, the party not prevailing in said action or suit shall pay the prevailing party's costs and disbursements and such sum as the court may adjudge reasonable as attorney's fees to be allowed in said action or suit or any appeal thereon.

3.9 Joint Owners. In any case in which two or more persons share the ownership of any lot, regardless of the form of ownership, the responsibility of such persons to comply with the JANDINA Restrictions and Covenants shall be a joint and several responsibility and the act or consent of any one or more of such persons shall constitute the act or consent of the entire ownership interest.

3.10 Lessees and other Invitees. Lessess, Invitees, contractors, family members and other persons entering JANDINA

5...DECLARATION

under rights derived from an owner shall comply with all of the provisions of the JANDINA Restrictions and Covenants restricting or regulating the owner's use, improvement or enjoyment of his lot and other areas within JANDINA. The owner shall be responsible for obtaining such compliance and shall be liable for any failure of compliance by such persons in the same manner and to the same extent as if the failure had been committed by the owner himself.

3.11 Construction; Severability; Number; Captions. The JANDINA Restrictions and Covenants shall be liberally construed as an entire document to accomplish the purposes thereof as stated in the introductory paragraphs of this declaration. Nevertheless, each provision of the JANDINA Restrictions and Covenants shall be deemed independent and severable, and the invalidity or partial invalidity of any provision shall not affect the validity or enforceability of the remaining part of that or any other provision.

As used herein, the singular shall include the plural and the plural the singular, and the masculine and neuter shall each include the masculine, feminine and neuter, as the context requires. All captions used herein are intended solely for convenience of reference and shall in no way limit any of the provisions of the JANDINA Restrictions and Covenants.

3.12 Exclusion: The City of McMinnville as owner of common areas is in no way bound by or obligated to enforce any of these covenants or restrictions.

3.13 Notices and Other Documents. Any notice or other document permitted or required by the JANDINA Restrictions and Covenants may be deemed made 24 hours after having been deposited as certified or registered mail in the United States mail, with postage prepaid addressed as follows:

P.O. Box 29, Hubbard, OR 97032; if to an owner, at the address given by him at the time of his purchase of a lot.

6...DECLARATION

IN WITNESS WHEREOF, we have hereunto set our hands and seals the day and year first above written.

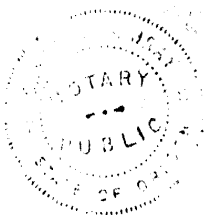
J. GREGGIN, INC.

By D. E. Hockert
 Danny E. Hockert, President

STATE OF OREGON, }
 County of Yamhill } ss.

OCTOBER 9, 1979

Before me, personally appeared Danny E. Hockert who acknowledged to me that he is the president of J. Greggin, Inc., an Oregon corporation, and that he signed the foregoing instrument on behalf of said corporation by authority of its Board of Directors.

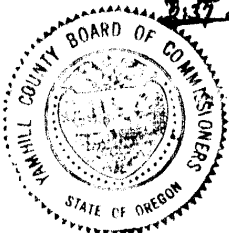


Gregory S. Bray
 Notary Public for Oregon
 My Commission Expires: July 6, 1983

STATE OF OREGON }
 County of YAMHILL }

10320

I, Wanda Galt, County Clerk for said County and State, do hereby certify that the within instrument of filing was duly and has been by me duly recorded on Page 591 of File No. 145 of the Recorder's Office of said County, on this 24 day of Oct AD 1979 at 2:37 o'clock PM.



In testimony whereof, I have subscribed my name and affixed my official seal.
Wanda Galt
 Deputy

NORTHWEST TITLE COMPANY

ADDENDUM TO COVENANTS AND RESTRICTIONS

THIS ADDENDUM, made this 20th day of March, 1980, by J. Gregcin, Inc., an Oregon Corporation, and,

WHEREAS, the above named corporation did instill certain Covenants and Restrictions concerning certain real premises as described in Covenants and Restrictions recorded in Film Volume 145, Page 592, Deed and Mortgage Records, Yamhill County, Oregon and,

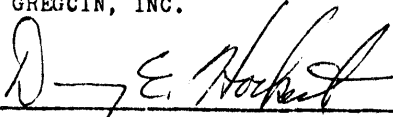
WHEREAS, it is the desire of said corporation to clarify and make more definite item No. 2.3, USE AND OCCUPANCY - RESTRICTIONS AND COVENANTS.

NOW THEREFORE, said paragraph is hereby amended to read as follows: Each owner of a lot shall use the property solely for residential purposes, as shown on the preliminary plan approved by the City or as enumerated in McMinnville Ordinance No. 4067 which amended the preliminary plan.

IT IS FURTHER UNDERSTOOD AND ACKNOWLEDGED that all other terms and conditions of the said Protective Covenants shall remain in full force and effect excepting as herein modified.

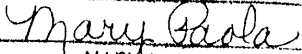
J. GREGGIN, INC.

STATE OF OREGON
County of Yamhill

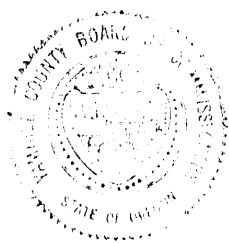


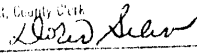
Danny E. Hockert - President

On this 20th day of March, 1980 personally appeared Danny E. Hockert who, being duly sworn, did say that he is the President of J. Gregcin, Inc., an Oregon Corporation, and was signed in behalf of said Corporation by authority of board of directors, and acknowledged said instrument to be his voluntary act and deed.


MARY PAOLA
NOTARY PUBLIC OREGON
My Commission Expires 10/23/83

Notary Public for Oregon
My commission expires: _____



STATE OF OREGON }
County of YAMHILL } ss
I, County Clerk of said County and State, do hereby certify that the foregoing instrument was duly recorded on
Film 556 149 25 March 20 1980 at
9:18 a.m. A.M.
In testimony whereof, I have hereunto set my hand and the seal of said County Clerk's Office at
Woodsburg, Oregon, this 20th day of March, 1980.
By 
Deputy

02276

32

ORDINANCE NO. 4067

An Ordinance amending Ordinance 3939 by permitting the construction of common-wall, single-family structures on specified lots in the Jandina Subdivision.

WHEREAS, the Planning Commission received an application dated October 23, 1979, for an amendment to an existing planned unit development to allow the construction of common-wall, single-family structures on specified lots in the Jandina Subdivision which is located off West Second Street (ZC 5-78); and

WHEREAS, a public hearing was held on January 24, 1980, at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on January 7, 1980, and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing the testimony of the applicant and surrounding property owners was received and a staff report was presented; and

WHEREAS, the Planning Commission being fully informed about said amendment to the existing planned development, and based on the observations and the findings of fact has approved said amendment and has recommended said change to the Council; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Danny E. Hockert, President, J. Gregcin, Inc.

Section 2. That Ordinance 3939 is amended to permit the construction of common-wall, single-family structures on specified lots in the Jandina Subdivision, by incorporating the following provisions and changes:

- (a) That the following lots are approved for either duplex dwellings or common-wall, single-family dwellings:

Block 2, Lot 28	Block 7, Lot 14
Block 4, Lot 5	Block 8, Lot 2
Block 5, Lots 1, 6, and 21	Block 9, Lots 12 and 16
Block 6, Lots 1 and 7	

- (b) That the following lots are approved for either triplex dwellings, duplex dwellings, or two-unit, common-wall, single-family dwellings:

Block 1, Lots 1 and 7	Block 7, Lot 18
Block 2, Lot 20	Block 8, Lots 1 and 3
Block 5, Lots 12 and 18	

- (c) That the Jandina Subdivision hardboard be flagged to show that it is encumbered by the provisions of this ordinance.

- (d) That the conditions of Ordinance 3995 be met before any common-wall construction is allowed.

- (e) That approval of the Water and Light Department be received before any common-wall construction is allowed.
- (f) That under no condition will a cut in a new street be allowed to facilitate a common-wall structure.
- (g) That Section 2.3 of Article II of the Restrictions and Covenants (Deed Restrictions) of Jandina Development be amended to read:

"2.3 Each owner of a lot shall use the property solely for residential purposes, as shown on the preliminary plan approved by the City or as enumerated in McMinnville Ordinance No. 4067 which amended the preliminary plan."

Section 3. That this ordinance shall be subject to the terms and conditions of Ordinance 3823, entitled "Initiative and Referendum," for a period of thirty days.

Passed by the Council this 5 day of February, 1980, by the following votes:

Ayes: Allen, Springer, Wilson and Hamby

Nays: _____

Approved this 5 day of February, 1980.

Donald D. Porter
MAYOR

Attest:

Marjorie E. Kerber
RECORDER

STATE OF OREGON }
County of YAMHILL } ss

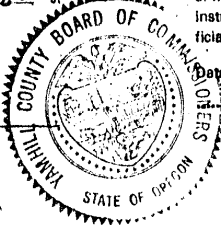
02277

I, Wanda Catt, County Clerk in and for said County and State, do hereby certify that the within instrument of Writing was received and has been by me duly recorded on Page 557 of Film Vol. 149 of the Records of McMinnville for said County, on this 25 day of March 1980 at 2:20 o'clock AM.

In testimony whereof, I have hereto subscribed my name and affixed my Official Seal.
Wanda Catt, County Clerk

By Don Sawyer
Deputy

Ordinance No. 4067
Page 2



STATE OF OREGON, }
COUNTY OF YAMHILL, } ss. CERTIFICATION
CITY OF McMINNVILLE.

MARJORIE E. KERBER

I, Marjorie E. Kerber, Recorder for City of McMinnville, Yamhill County, Oregon, certify that instrument is a true copy of the original and part of the official records of the City of McMinnville, Oregon.
Dated this 20 day of March, 1980.
Marjorie E. Kerber
Recorder for City of McMinnville, Oregon

1992 JAN 30 PM 1:40

F264P1533

MEMORANDUM

of certain

AMENDMENT OF RESTRICTIONS AND COVENANTS
OF JANDINA RESIDENTIAL DEVELOPMENT

We, Jonathan Knapp, Lucy Parr, Blanche Suchy and Valerie Moorhead hereby certify that the Jandina Subdivision property owners listed in Exhibit "A" did sign in our individual or collective presences a certain document entitled "Amendment of Restrictions and Covenants of Jandina Residential Development."

An exemplar of said document, consisting of 1 (one) page is attached and incorporated by this reference as Exhibit "B."

The Jandina Restrictions and Covenants must be amended or repealed by the written consent of owners owning not less than 75 (seventy five) percent of the lots within Jandina before a property can be used for any purpose other than residential. The owners of the lots enumerated in Exhibit "A" who signed the "Amendment of Restrictions and Covenants of Jandina Residential Development" total 117 (one hundred seventeen) which is 77 (seventy seven) percent of the lot owners in the Jandina Homeowners Subdivision as of November 13, 1991.

In recognition of the authority granted by said signatories, the property described in Exhibit "C" may therefore be used as a church, child care center and youth center.

Dated this 23rd day of January, 1992.

Jonathan Knapp
Jonathan Knapp

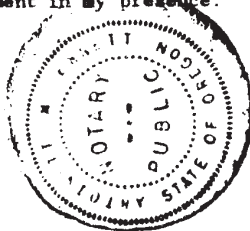
Lucy Parr
Lucy Parr

Blanche Suchy
Blanche Suchy

Valerie Moorhead
Valerie Moorhead

State of Oregon)
) ss
County of Yamhill)

On this 23rd day of January, 1992, personally appeared before me the above named Jonathan Knapp, Lucy Parr, Blanche Suchy, and Valerie Moorhead who acknowledged the foregoing "Amendment of Restrictions and Covenants of Jandina Residential Development" to be true and correct and did also personally executed said document in my presence.



Antoinette M. Bennett
Notary Public for State of Oregon
My Commission Expires: 5-9-94

1-30-92

1992 JAN 30 PM 1:40

F264P1534

Exhibit "A" Page 1 of 3

Section R4419DA

Lot 5200	Susan Mentze
Lot 5300	David McDonald
Lot 5500	Debbie Service
Lot 5601	Helen Cahill
Lot 5700	Kelly Strahan
Lot 5800	Margaret VanDam
Lot 5900	Yvonne Brown
Lot 6000	Judy Meierotto
Lot 6200	Al Buller
Lot 6300	William Harris
Lot 6400	Debra Fuller
Lot 6600	Rafael Arreola
Lot 6800	Housing Authority of Yamhill Co.
Lot 6900	Toni Briggs
Lot 7000	Fred Stephen
Lot 7100	Ladonna Privatsky
Lot 7200	Catherine Burdett
Lot 7300	Greg Evers
Lot 7400	Al Owens
Lot 7500	Heladia Garcia
Lot 7600	Sharon Smith
Lot 7701	Marvin Black
	Barbara Black
Lot 7800	Mary E. Linn
Lot 7900	Teresa McLeod
Lot 8000	Douglas Cummins
Lot 8100	Tammy H. Aase
Lot 8500	Lena McKimens
Lot 8600	Mary McGanty
Lot 8700	Robert C. Johnson Jr.
Lot 9000	April Hawks
Lot 9100	Al Buller
Lot 9200	Judith May
Lot 9300	Mary Rash
Lot 9400	Joan Markel
Lot 9500	Marguerite L. Stacey
Lot 9600	Susan Edwards
Lot 9700	Cris Croxford
Lot 9800	Kelly Jo Shaw
Lot 9900	Nancy Reichenberger
Lot 1000	Elsie Phillips
Lot 2101	Margaret A. Walts
Lot 0100	Lois J. Harmon
Lot 0101	Claude W. Chase Sr.
	Geraldyna B. Chase
Lot 0200	Jonnie R. Getsinger
Lot 0300	Heather D. Gosen
Lot 0400	Barbara Hinton
Lot 0500	Ruth Moad
Lot 0600	Rebecca S. Neill-White
Lot 0700	Cathie Meade
Lot 0800	Laura Lake
Lot10000	Housing Authority of Yamhill Co.

11:30-92

1992 JAN 30 PM 1:40

F264P1535

Exhibit "A" Page 2 of 3

Lot 1300	Donna Spear
Lot 1301	Mooki Kim
	Snagwon Kim
Lot 1400	Sangwon Kim
Lot 1500	Pedro Salinas
Lot 1600	Leonard Brean
Lot 1700	Pixie Esell
Lot 1800	Cindy McAnaw
Lot 2100	Janice Wilcox
Lot 2200	Rick Jones
	Marie Jones
Lot 2300	Cheryl Allard
Lot 2600	Michael Quillen
Lot 2700	Dionicio Garza
	Carolyn Garza
Lot 2800	Elma Henrikson
Lot 2900	Douglas Williams
Lot 3000	Housing Authority of Yamhill Co.
Lot 2310	Doug Hays
Lot 3200	Mary Anne Odan
Lot 3300	Neal E. Gehuan
Lot 3400	Scott Woods
	Val Woods
Lot 3500	Michele Osbon
Lot 3600	Beverly Clark
Lot 3900	Stephanie Stevens
Lot 4000	William B. Souther
Lot 4100	Ronald Christensen
Lot 4400	Winifred E. Regler
Lot 4600	Connie Morgan
Lot 4700	Debra K. Olson
Lot 4800	Margaret Nice
Lot 4900	Jimmy L. Bosshardt
Lot 5000	Alfredo Martinez
Lot 5100	Peverly G. McCarthy

Section R4419DD

Lot 0100	Housing Authority of Yamhill Co.
Lot 0200	Frances Heimlick
	Daniel Heimlick
Lot 0201	Marcia Ray
Lot 0300	Edward Ulmer
	Frances Ulmer
Lot 0400	Ester Wiebe
Lot 0500	Gregg Rogers
Lot 0600	Jane Newton
Lot 0700	Sarah Palmer
Lot 0800	Thomas Cahill
Lot 0900	Carol Heidrich
Lot 1100	Karen Aksan
Lot 1200	Lucy Tester
Lot 1400	Donald Talmadge

1-30-92

1992 JAN 30 PM 1:40

F264P1536

Exhibit "A" Page 3 of 3

Lot 1600	Sheila Walls
Lot 1700	Janet Westgard
Lot 1800	Jeff Corff
Lot 1900	Breck Mayer
Lot 2000	Vicki Johnson
Lot 2100	Carla Brewer
Lot 2200	Ronald Crafton
Lot 2300	Lilly Mota
Lot 2500	Robin Martsolf-Hubbard
Lot 2600	Richard Plummer
Lot 2700	Al Baker of Grove Builders
Lot 2900	Karen Longoria
Lot 3200	Wendy Izlar
	Frances Izlar
Lot 3300	Al Baker of Grove Builders
Lot 3409	Al Buller
Lot 3410	Al Buller
Lot 3411	Raymond J. Kulback Jr.
Lot 3412	Raymond J. Kulback Jr.
Lot 3413	Raymond J. Kulback Jr.
Lot 3414	Leonard D. Tripp
Lot 3415	Sandra Smith
	Vern Sjoberg
Lot 3417	Raymond J. Kulback Jr.
Lot 3418	Raymond J. Kulback Jr.
Lot 3419	Raymond J. Kulback Jr.

1-30-92

1992 JAN 30 PM 1:40

F 264P1537

Exhibit "B"

AMENDMENT OF RESTRICTIONS AND COVENANTS
OF JANDINA RESIDENTIAL DEVELOPMENT

The Jandina subdivision was created with a deed restriction limiting the use of all land for residential purposes. This provision (as it applies to a particular parcel) may be changed when 75 percent of the property owners agree.

The Salvation Army desires to buy a parcel of land consisting of 3.68 acres located west of Filbert Street and abutting West Second Street, McMinnville, Oregon. Please see the attached map. This land would be used for a church and day care center. (Social services such as "Fish" would be provided out of the downtown office and not from this site.) A conditional use permit is being sought from the City of McMinnville if this land use restriction change is approved by Jandina property owners; now, therefore,

I/We, _____, owners of Tax Lot No. _____, Jandina subdivision, McMinnville, Oregon, do hereby agree that the restrictive covenants of the Jandina subdivision be amended to allow the property (described in the attached map) to be used as a church and day care center.

As evidence of our agreement to amend the Restrictions and Covenants of Jandina Residential Development, I/we do hereby sign this agreement this _____ day of _____, 1991.

WITNESSED BY:

001102

STATE OF OREGON)

COUNTY OF YAMHILL) ss.

I hereby certify that this instrument was received and duly recorded by me in Yamhill County records.

Instrument #

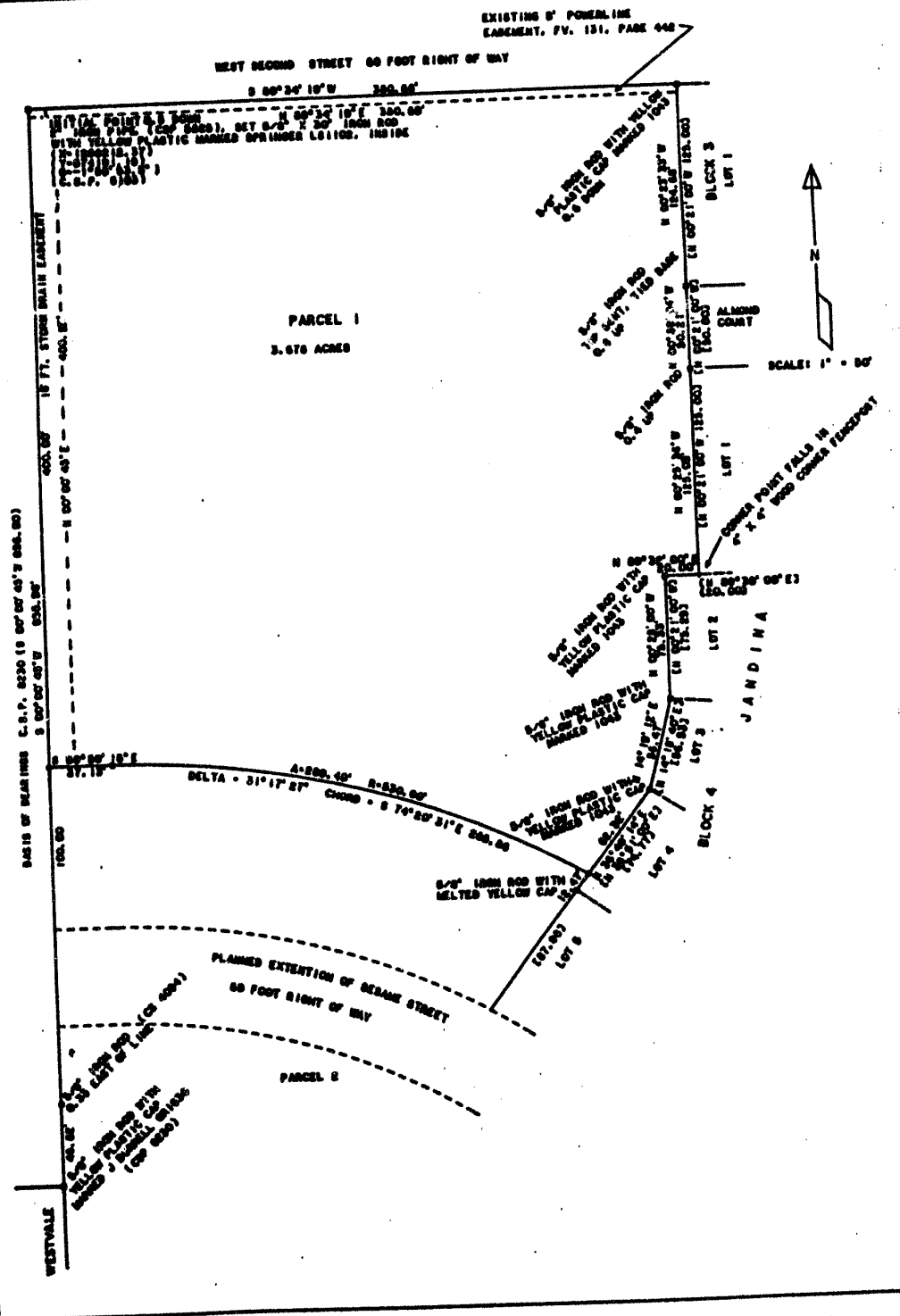
T. Glicker

CHARLES STERN,
COUNTY CLERK

Salvation Army

1-30-92

Exhibit "C"

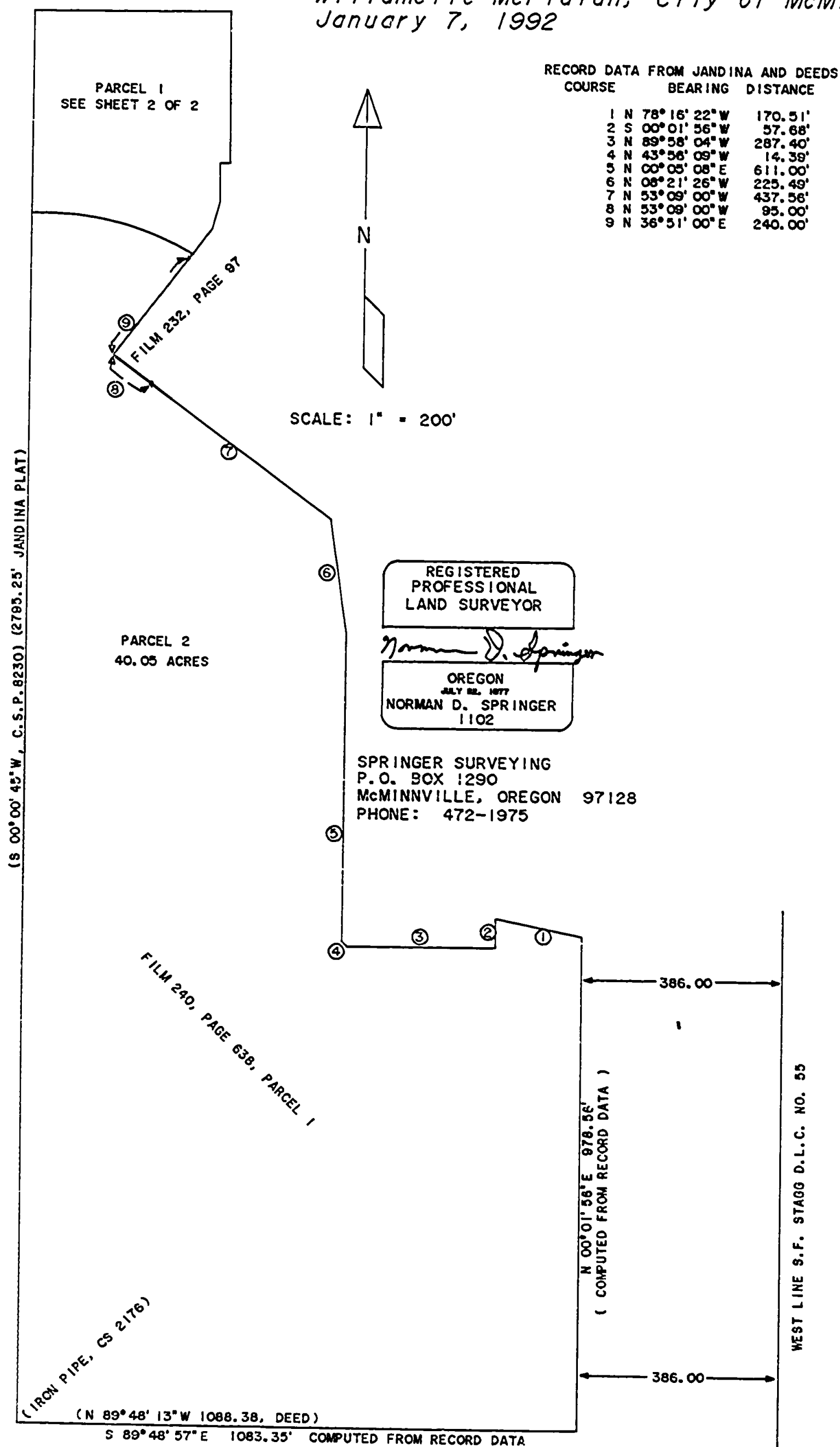


1992 JAN 30 PM 1:41

F264P.1539

1-30-92

PARTITION PLAT NO. 92-07 (CITY OF McMinnville MP 10-91)
for THE SALVATION ARMY
In the SE 1/4 of Section 19, Township 4 South, Range 4 West,
Willamette Meridian, City of McMinnville, Yamhill County, Oregon
January 7, 1992



DECLARATION

I, LAWRENCE T. EPPING, MANAGING PARTNER, GRANADA LAND COMPANY, HEREBY DECLARE THAT GRANADA LAND COMPANY IS THE RECORDED OWNER OF THE LAND DESCRIBED IN THE SURVEYORS CERTIFICATE AND THAT I HAVE CAUSED THIS PARTITION PLAT TO BE PREPARED AND THE PROPERTY DIVIDED IN ACCORDANCE WITH OREGON REVISED STATUTES CHAPTER 92 AND FURTHER THAT I HEREBY DEDICATE ALL EASEMENTS SHOWN HEREON TO THE PUBLIC FOR THE PURPOSES SHOWN. THERE ARE NO WATER RIGHTS APPURTENANT TO THIS PARTITION. WATER IS SUPPLIED BY THE CITY OF McMINNVILLE MUNICIPAL WATER SYSTEM.

Lawrence T. Epping

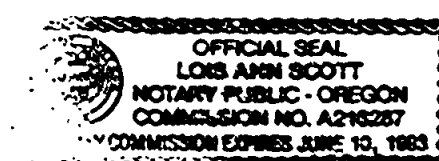
LAWRENCE T. EPPING, MANAGING PARTNER, GRANADA LAND COMPANY

ACKNOWLEDGEMENT

STATE OF OREGON)
COUNTY OF YAMHILL)

THIS IS TO CERTIFY THAT ON THIS 29th DAY OF JANUARY, 1992, BEFORE ME, A NOTARY PUBLIC FOR THE STATE OF OREGON, DID PERSONALLY APPEAR LAWRENCE T. EPPING, WHO IS PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON DESCRIBED IN AND WHO EXECUTED THE DECLARATION FREELY AND VOLUNTARILY.

Lois Ann Scott
NOTARY PUBLIC FOR THE STATE OF OREGON
MY COMMISSION EXPIRES 6-10-23



APPROVALS

APPROVED THIS 29 DAY OF JAN, 1992

Raymond L. ...
CITY OF McMINNVILLE, PLANNING DIRECTOR

APPROVED THIS 29th DAY OF JANUARY, 1992

Donald C. Schut
CITY OF McMINNVILLE, SURVEYOR

I DO HEREBY CERTIFY THAT THIS PARTITION PLAT WAS DULY RECORDED ON THE 30th DAY OF JAN. 1992 AT 1:41 O'CLOCK P.M AS PARTITION PLAT NO. 92-07, YAMHILL COUNTY RECORDS, FILM 3 VOLUME 182-183

T. Fuller
YAMHILL COUNTY CLERK

PARTITION PLAT NO. 92-07
for THE SALVATION ARMY
 In the SE 1/4 of Section 19, Township 4 South, Range 4 West,
 Willamette Meridian, City of McMinnville, Yamhill County, Oregon
 January 7, 1992

- LEGEND**
- FOUND MONUMENT AS NOTED
 - SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED SPRINGER LS1102
 - () DATA OF RECORD, AS NOTED
 - [] RECORD DATA FROM JANDINA PLAT

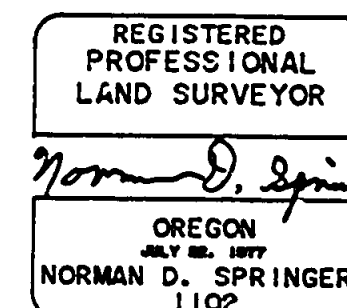
NARRATIVE

THIS PARTITION WAS DONE TO SATISFY CONDITIONS OF APPROVAL OF MP-10-91. MONUMENTS WERE HELD AS FOUND. THE POSITION OF THE SOUTHEAST CORNER OF LOT 1, BLOCK 4 WAS COMPUTED IN BY HOLDING RECORD ANGLE AND DISTANCE FROM THE NORTHWEST CORNER OF LOT 2. THE NEW DIVISION LINE WAS COMPUTED AT 100 FEET FROM THE NORTHERLY LINE OF THE PROPOSED SESAME STREET. THE PROPOSED POSITION OF SESAME WAS SHOWN AS 500 FEET FROM THE SOUTHERLY RIGHT OF WAY LINE OF WEST SECOND STREET AS MEASURED ALONG THE WEST LINE OF THIS PARTITION. THE BOUNDARIES OF PARCEL 2 WERE NOT SURVEYED. BASIS OF BEARINGS FOR THIS PARTITION IS C.S.P. 8230, AS SHOWN. C.S.P. 8193 RESURVEYED THE WEST LINE, AND COURSES 2 THROUGH 4, AND RETURNED SLIGHTLY DIFFERENT DISTANCES THAN THE RECORD SHOWN HEREON.

SURVEYORS CERTIFICATE

I, NORMAN D. SPRINGER, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, BEING FIRST DULY SWORN, HEREBY DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED MAP AS PARCEL 1. PARCEL 2, BEING IN EXCESS OF 10 ACRES, WAS NOT SURVEYED AT THIS TIME. THE BOUNDARY OF THIS PARTITION IS DESCRIBED AS FOLLOWS: BEGINNING AT THE INITIAL POINT, A 2" IRON PIPE WITH A 5/8" x 30" IRON ROD WITH A YELLOW PLASTIC CAP MARKED SPRINGER LS1102 INSIDE, ALL 6" BELOW THE SURFACE OF THE GROUND. SAID INITIAL POINT BEING 653.98 FEET NORTH 00° 00' 45" EAST FROM A 5/8" IRON ROD AT THE NORTHEAST CORNER OF TRACT A, SHEET 3, OF WESTVALE, A SUBDIVISION OF RECORD IN YAMHILL COUNTY, OREGON; THENCE SOUTH 00° 00' 45" WEST 2795.25 FEET TO AN IRON PIPE; THENCE SOUTH 89° 48' 57" EAST 1083.34 FEET TO A POINT ON THE SOUTH LINE OF THE TRACT OF LAND DESCRIBED IN THE DEED RECORDED IN FILM VOLUME 30, PAGE 711, SAID POINT BEING 386.00 FEET WESTERLY FROM THE WEST LINE OF THE S.F. STAGG D.L.C. NO. 55; THENCE NORTH 00° 01' 56" EAST, PARALLEL TO SAID WEST LINE OF THE S.F. STAGG D.L.C., A DISTANCE OF 978.56 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 10, BLOCK 9 OF JANDINA, A SUBDIVISION IN YAMHILL COUNTY, OREGON; THENCE ALONG THE SOUTHERLY AND WESTERLY BOUNDARIES OF SAID JANDINA SUBDIVISION, NORTH 78° 16' 22" WEST 170.50 FEET TO THE SOUTHWEST CORNER OF LOT 8, BLOCK 9; THENCE SOUTH 00° 01' 56" WEST 57.68 FEET TO THE SOUTHEAST CORNER OF LOT 5, BLOCK 9; THENCE NORTH 89° 58' 04" WEST 287.40 FEET TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 9; THENCE NORTH 43° 56' 09" WEST 14.39 FEET TO THE SOUTHWEST CORNER OF TRACT G; THENCE NORTH 00° 05' 08" EAST 611.00 FEET TO AN ANGLE POINT ALONG THE WEST LINE OF TRACT E; THENCE NORTH 08° 21' 26" WEST 225.49 FEET TO THE SOUTHEAST CORNER OF TRACT I; THENCE NORTH 53° 09' 00" WEST 437.56 FEET TO THE SOUTHEAST CORNER OF THE PROPERTY DESCRIBED IN FILM VOLUME 232, PAGE 97, DEED RECORDS; THENCE NORTH 53° 09' 00" WEST 95.00 FEET; THENCE NORTH 36° 51' 00" EAST 240.00 FEET TO THE MOST NORTHERLY CORNER OF LOT 5, BLOCK 4 OF SAID JANDINA SUBDIVISION; THENCE NORTH 36° 49' 14" EAST 74.29 FEET TO THE MOST NORTHERLY CORNER OF LOT 4, BLOCK 4; THENCE NORTH 14° 19' 12" EAST 56.74 FEET TO THE SOUTHWEST CORNER OF LOT 2, BLOCK 4; THENCE NORTH 00° 28' 00" WEST 75.33 FEET TO THE NORTHWEST CORNER OF LOT 2, BLOCK 4; THENCE NORTH 89° 32' 00" EAST 20.00 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 4; THENCE NORTH 00° 25' 36" WEST 125.03 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4; THENCE NORTH 00° 39' 04" WEST 50.21 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 3; THENCE NORTH 00° 23' 33" WEST 124.68 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3; THENCE SOUTH 89° 34' 19" WEST 380.66 FEET TO THE POINT OF BEGINNING.

Norman D. Springer
 NORMAN D. SPRINGER, LS 1102



SPRINGER SURVEYING
 P.O. BOX 1290
 McMINNVILLE, OREGON 97128
 PHONE: 472-1975

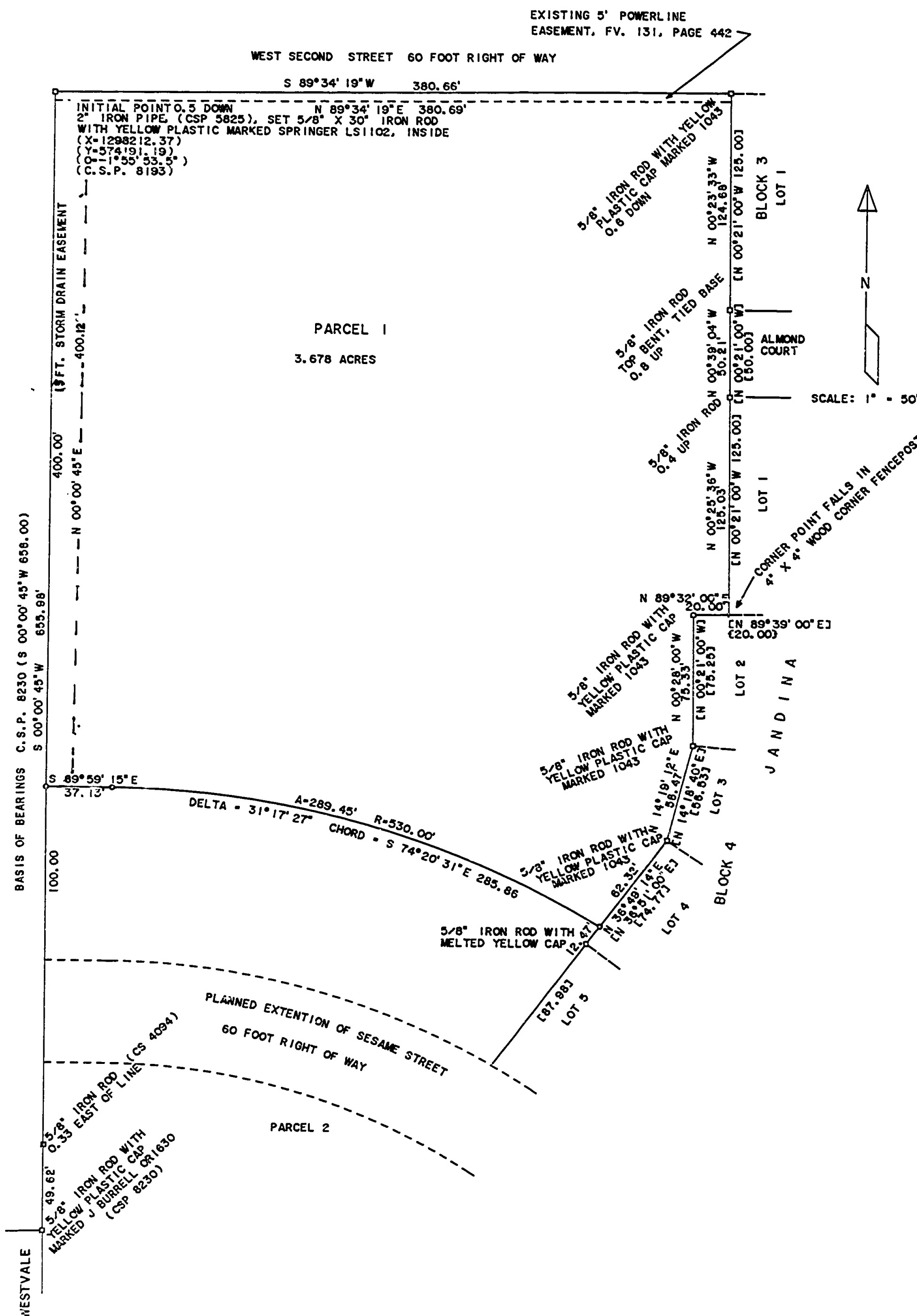
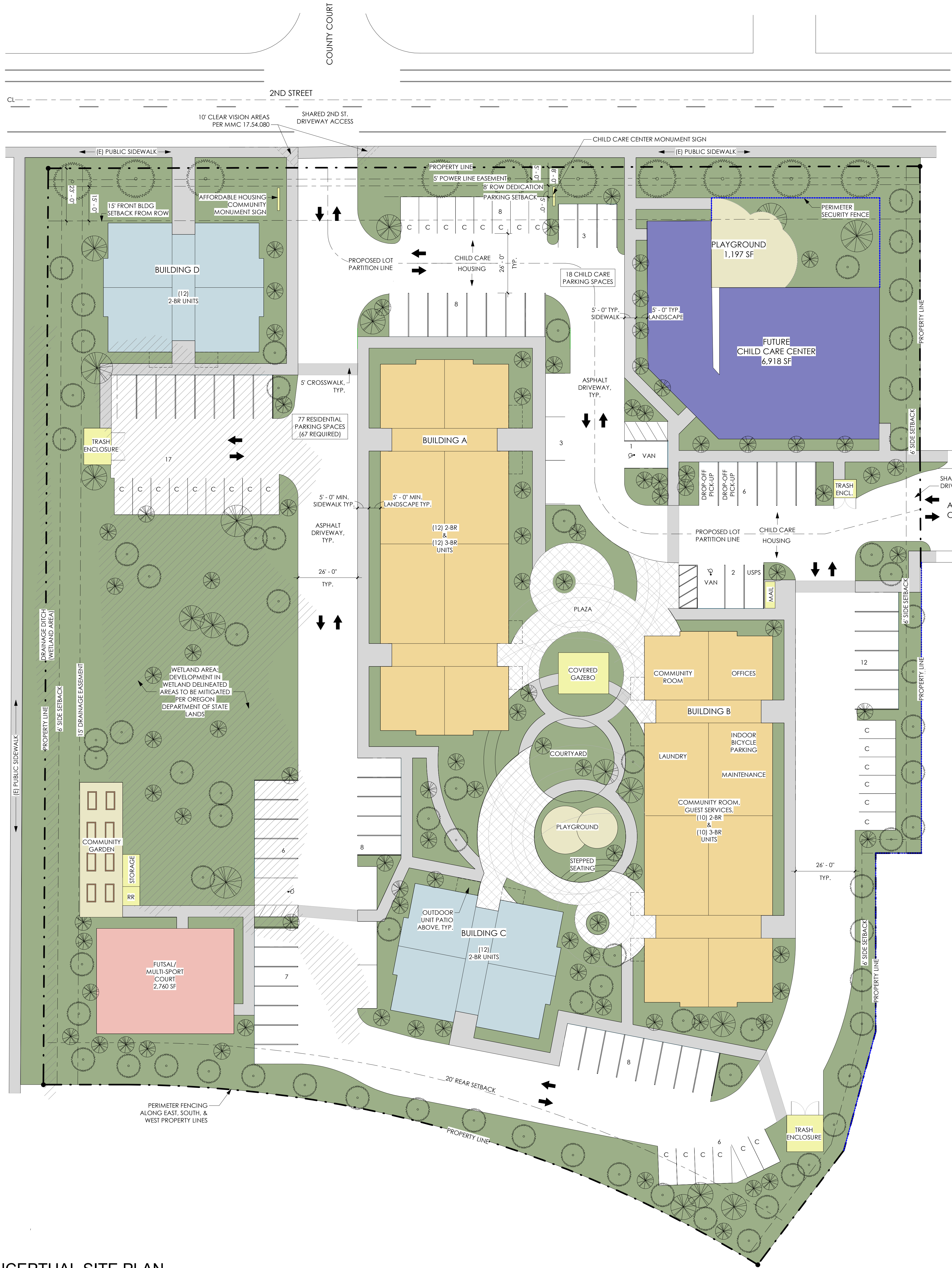


EXHIBIT 3

CONCEPTUAL SITE PLAN



AFFORDABLE HOUSING COMMUNITY

SITE AREA: 132,877 SF (3.05 AC)
BUILDING AREA: 78,815 SF (INCLUDES COVERED OPEN-AIR AREAS)

TOTAL UNIT COUNT:
(46) 2-BEDROOM
(22) 3-BEDROOM
(68) UNITS TOTAL

OFF-STREET PARKING (MMC 17.60.060):
0.5 SPACES PER 2-BR UNIT x(46) UNITS= 23 SPACES
2 SPACES PER 3-BR UNIT x(22) UNITS= 44 SPACES
67 TOTAL SPACES REQUIRED
77 SPACES PROVIDED

BICYCLE PARKING (MMC 17.60.140):
10% OF REQUIRED AUTOMOBILE PARKING= 7 SPACES REQUIRED
MINIMUM 7 SPACES TO BE PROVIDED THROUGHOUT SITE & INSIDE BUILDING A
NEAR COMMUNITY ROOM

LANDSCAPE AREA (MMC 17.57.070):
25% OF GROSS SITE AREA REQUIRED
TOTAL LANDSCAPE AREA PROVIDED: 45,715 SF (34.4% OF SITE)

CHILD CARE CENTER

SITE AREA: 27,343 SF (0.63 AC)
BUILDING (EXISTING) AREA: 6,918 SF

OFF-STREET PARKING (MMC 17.60.060):
12 EMPLOYEES MAX / 40-50 CHILDREN
1 SPACE PER ON-SITE EMPLOYEE & 2 DROP-OFF/PICK-UP SPACES: 14 SPACES REQUIRED
18 PARKING SPACES PROVIDED

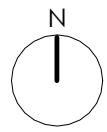
LANDSCAPE AREA (MMC 17.57.070):
25% OF GROSS SITE AREA REQUIRED
TOTAL LANDSCAPE AREA PROVIDED: 7,639 SF (27.9% OF SITE)

PARKING LOT LIGHTING WILL COMPLY W/ MMC 17.60.080(D)(3)

BICYCLE PARKING WILL BE PROVIDED PER MMC 17.60.140

CHILD CARE CENTER PLAYGROUND WILL COMPLY W/ OAR 414-305-0920

PARKING STALL DIMENSIONS:
STANDARD- 8'-6"x19'-0"
COMPACT- 8'-0"x16'-0"
HANDICAP- 12'-0"x19'-0"
65% OF PARKING TO BE STANDARD SPACES



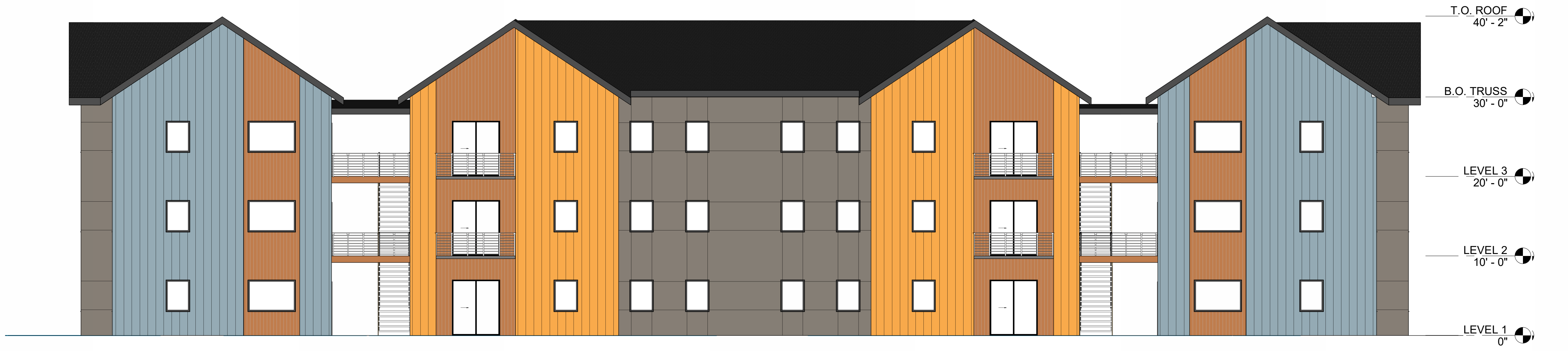
CLIENTS



EXHIBIT 4

BUILDING ELEVATIONS

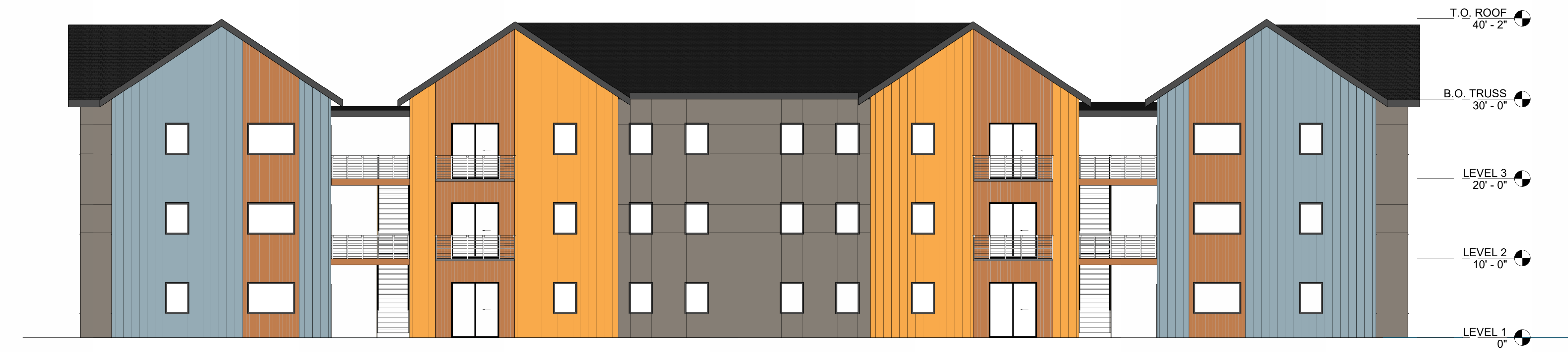
*BUILDING MATERIALS NOTED IN ELEVATIONS 5 & 6 ON SHEET A2.0
ARE TYPICAL FOR ALL APARTMENT BUILDING ELEVATIONS



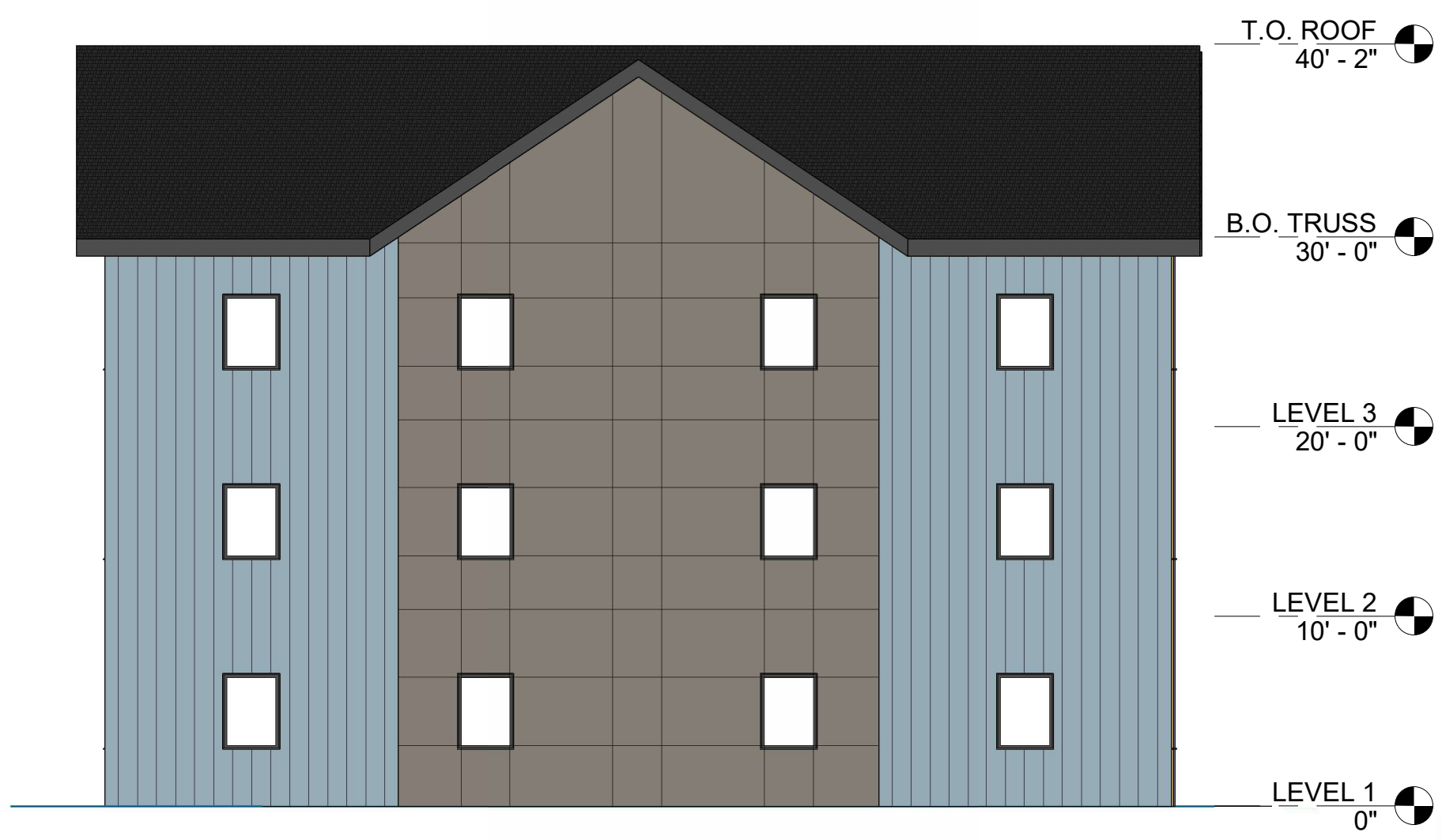
1 BLDG A- WEST ELEV
scale: 1/8" = 1'-0"



2 BLDG A- NORTH ELEV
scale: 1/8" = 1'-0"



3 BLDG A- EAST ELEV
scale: 1/8" = 1'-0"



4 BLDG A- SOUTH ELEV
scale: 1/8" = 1'-0"



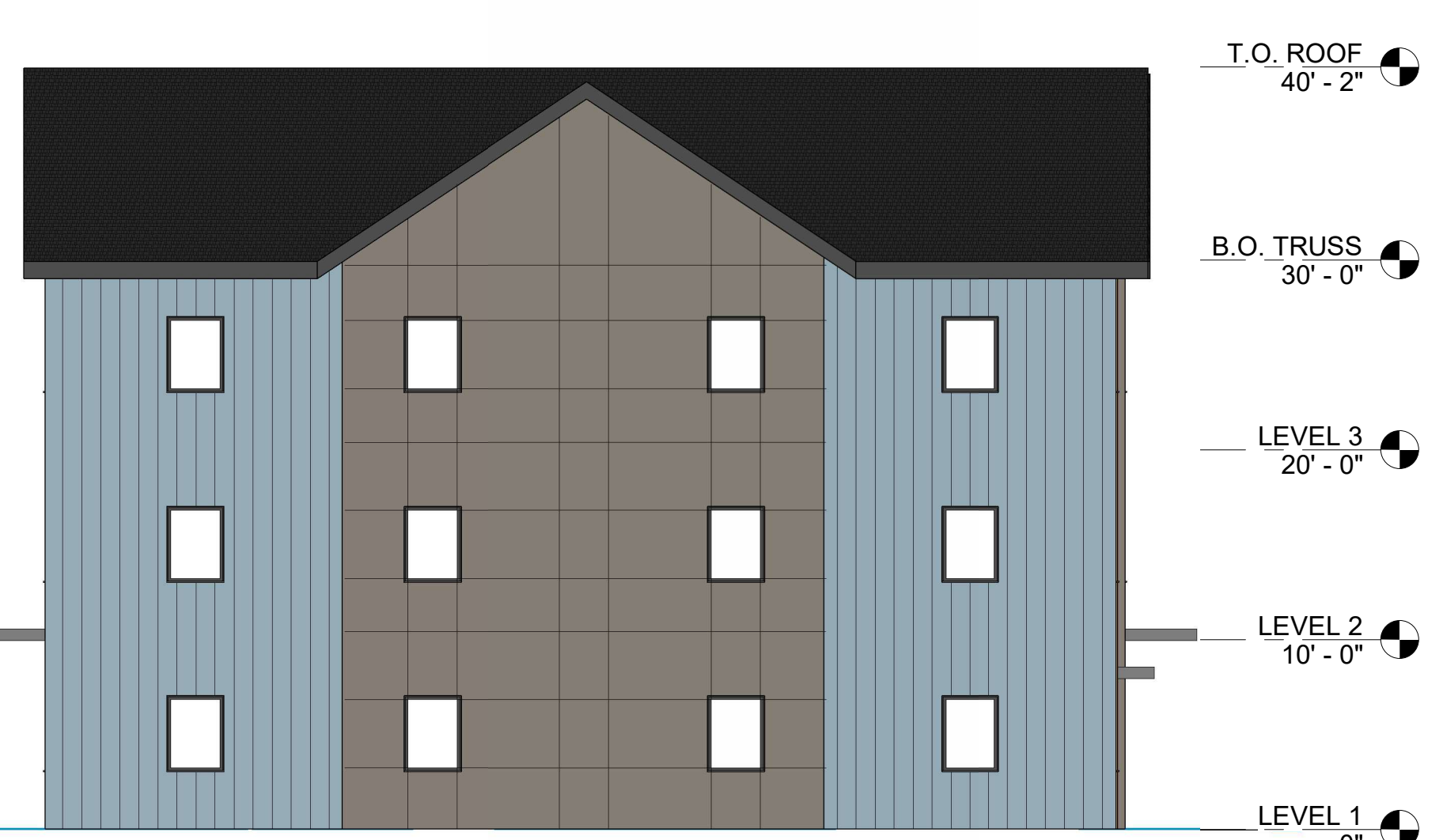
5 BLDG B- WEST ELEV
scale: 1/8" = 1'-0"



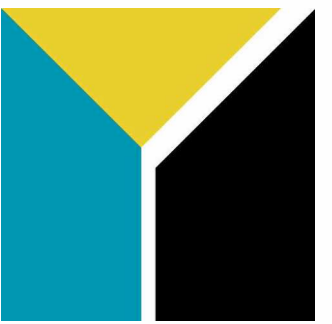
6 BLDG B- NORTH ELEV
scale: 1/8" = 1'-0"



7 BLDG B- EAST ELEV
scale: 1/8" = 1'-0"



8 BLDG B- SOUTH ELEV
scale: 1/8" = 1'-0"



YUKO MINO
ARCHITECTURE
LAKE OSWEGO, OR 97034
E: yuko@yukomino.com
T: (971) 202-0132

CLIENTS



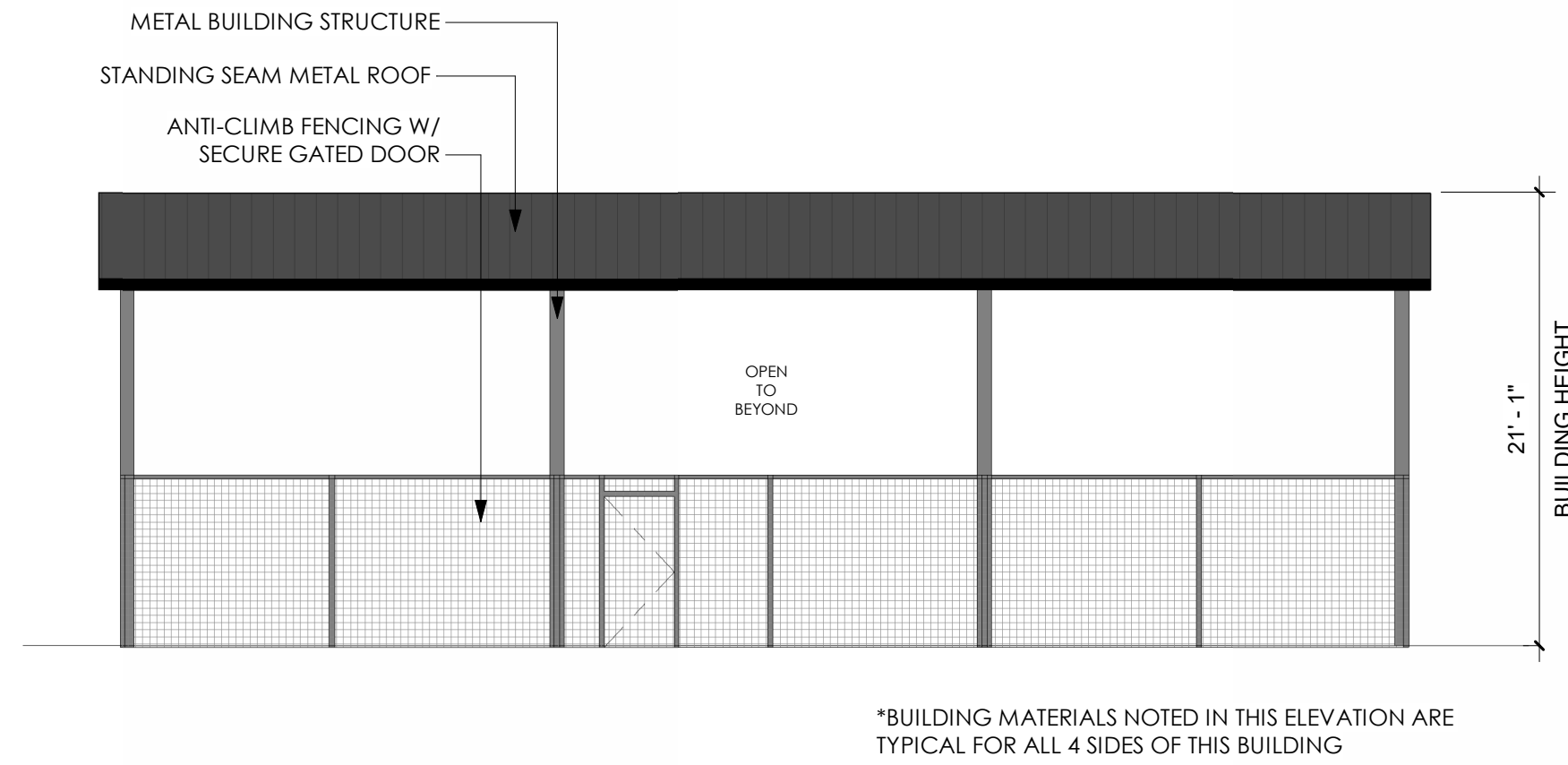
*BUILDING MATERIALS NOTED IN ELEVATIONS 5 & 6 ON SHEET A2.0
ARE TYPICAL FOR ALL APARTMENT BUILDING ELEVATIONS



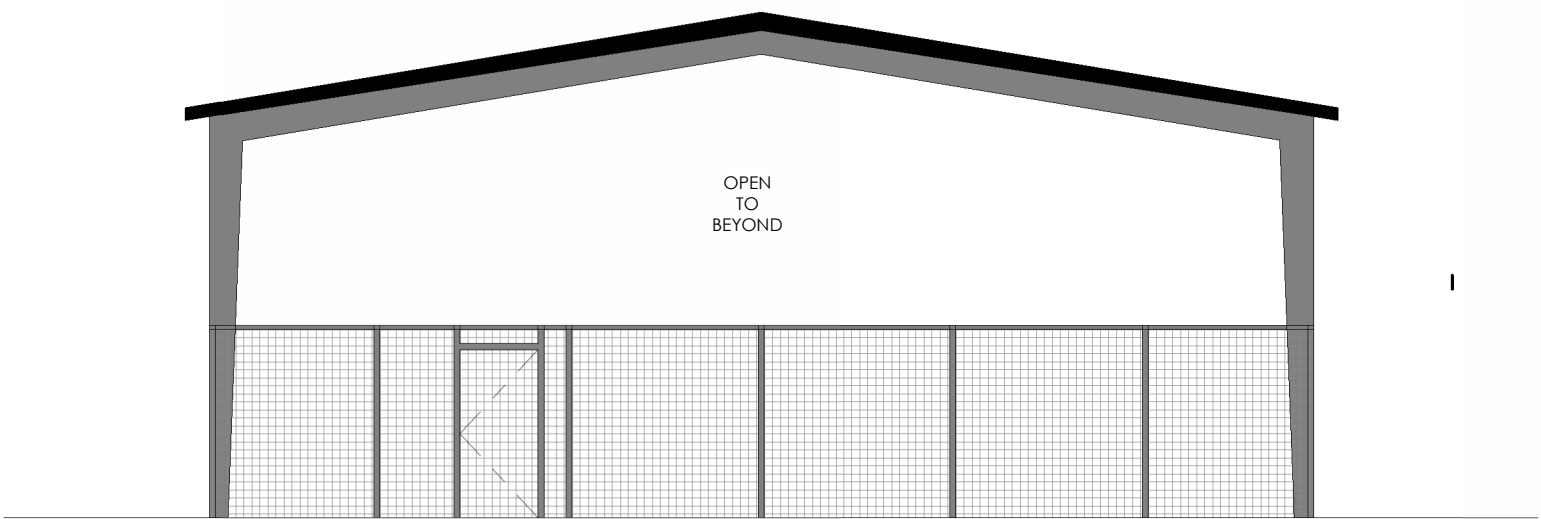
1 BLDGS C & D- NORTH & SOUTH ELEV
scale: 1/8" = 1'-0"



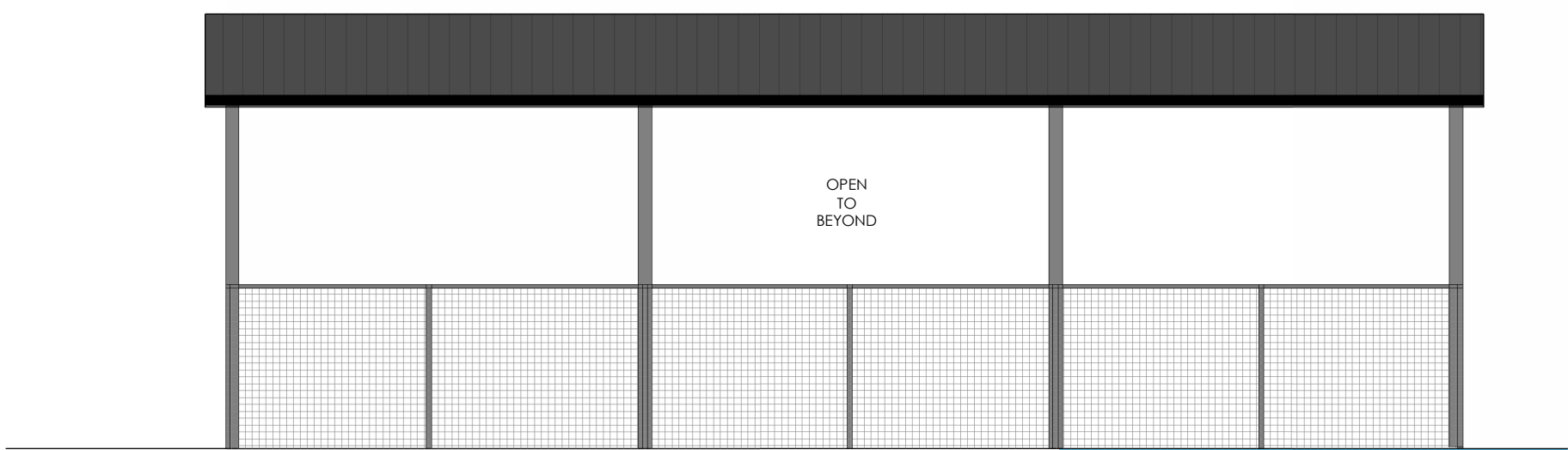
2 BLDGS C & D- EAST & WEST ELEV
scale: 1/8" = 1'-0"



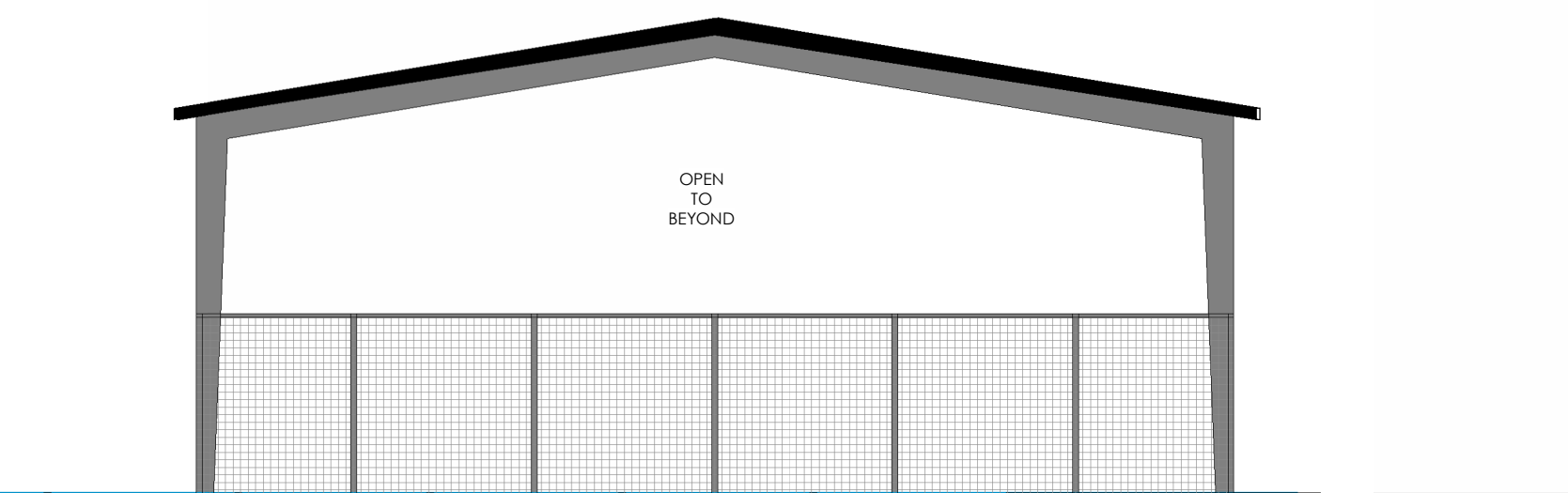
3 FUTSAL/MULTI-SPORT COURT- NORTH ELEV
scale: 1/8" = 1'-0"



4 FUTSAL/MULTI-SPORT COURT- EAST ELEV
scale: 1/8" = 1'-0"



5 FUTSAL/MULTI-SPORT COURT- SOUTH ELEV
scale: 1/8" = 1'-0"



6 FUTSAL/MULTI-SPORT COURT- WEST ELEV
scale: 1/8" = 1'-0"



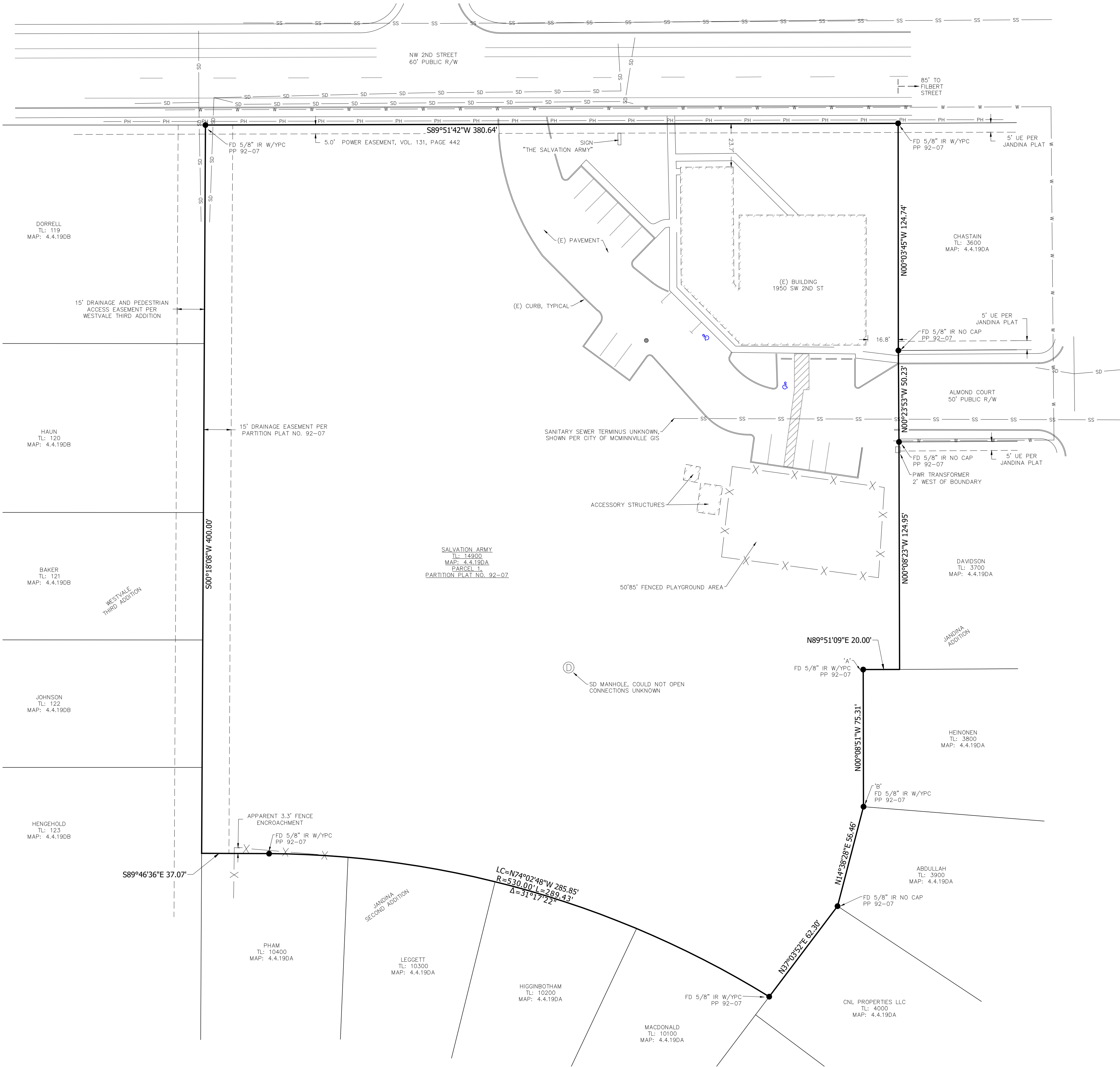
YUKO MINO
ARCHITECTURE
LAKE OSWEGO, OR 97034
E: yuko@yukomino.com
T: (971) 202-0132

CLIENTS



EXHIBIT 5

ALTA SURVEY - TOPO



PROPERTY OWNERSHIP:

THE SALVATION ARMY

SITE ADDRESS

1950 SW 2ND STREET,
MCMINNVILLE, OR 97128
YAMHILL COUNTY TAX LOT 14900
TAX MAP 4.4.19DA

FLOOD ZONE DESIGNATION

THE LAND REPRESENTED HEREON LIES IN THE ZONE X FLOOD ZONE WHICH IS OUTSIDE OF THE SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 41071C0403D, COMMUNITY NUMBER 410255 WITH EFFECTIVE DATE OF MARCH 2, 2010.

AREA

3.68 ACRES

LEGAL DESCRIPTION:

PER FIRST AMERICAN TITLE INSURANCE COMPANY PRELIMINARY TITLE REPORT FILE NO. 1031-4349190

PARCEL 1 OF PARTITION PLAT NO. 92-07, RECORDED JANUARY 30, 1992, FILM 3, PAGE 182 AND 183, RECORD OF PLATS FOR YAMHILL COUNTY, OREGON

THE PROPERTY DESCRIBED AND SHOWN HEREON IS THE SAME PROPERTY AS DESCRIBED IN THE ABOVE-REFERENCED TITLE REPORT.

SURVEYOR'S CERTIFICATION:

TO: FIRST AMERICAN TITLE INSURANCE COMPANY; WILLAMETTE VALLEY WINE FOUNDATION; DAVIS WRIGHT TREMAINE LLP: THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2026 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 8, 9, 10, 11(a)(b), 13, 14, 16, 17, 18 AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 30, 2026.

DATE OF MAP: 5/5/2026

Kyle W. Latimer

TITLE INSURANCE SPECIAL EXCEPTIONS:

A PRELIMINARY TITLE REPORT, NO. 1031-4349190, PREPARED BY FIRST AMERICAN TITLE, DATED FEBRUARY 11, 2023 REVEALED THE FOLLOWING EXCEPTIONS AND SPECIFIC ITEMS (FINANCIAL AND ADMINISTRATIVE EXCEPTIONS NOT INCLUDED):

11. POWER LINE EASEMENT IN FAVOR OF CITY OF MCMINNVILLE, BY AND THROUGH ITS WATER AND LIGHT COMMISSION, RECORDED JULY 21, 1978 IN VOLUME 131, PAGE 442. ALONG NORTH PROPERTY LINE, PLOTTED HERE
13. A 15' WIDE STORM DRAIN EASEMENT IN FAVOR OF THE CITY OF MCMINNVILLE, PER YAMHILL COUNTY PARTITION PLAT NO. 92-07, ALONG WEST BOUNDARY, PLOTTED HERE

NOTES:

- NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WAS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK
- SURVEYOR IS UNAWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES. NO RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK
- NO PLOTTABLE OFFSITE EASEMENTS WERE PROVIDED. ADJACENT UTILITY EASEMENTS HAVE BEEN PLOTTED

APPARENT ENCROACHMENTS:

- A 3.3' FENCE ENCROACHMENT NEAR THE SOUTH WEST CORNER
- A POWER TRANSFORMER AT THE END OF ALMOND COURT ALONG THE SUBJECT PROPERTY EAST LINE. 2' WEST OF BOUNDARY

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO SATISFY THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR AN ALTA/NSPS LAND TITLE SURVEY
MINIMUM STANDARD ALTA/NSPS). THE BOUNDARY WAS RETRACED USING FOUND SURVEY MONUMENTS RECOVERED IN GOOD CONDITION PER YAMHILL COUNTY PARTITION PLAT NO. 92-07. THE SOUTHWEST CORNER WAS CALCULATED USING THE RECORD DISTANCE FROM THE NORTHWEST CORNER AND RECORD ANGLE FROM THE NORTH LINE, PER SAID PLAT. THE EASTERLY MOST SOUTHEAST CORNER WAS CALCULATED USING RECORD DISTANCE FROM MONUMENT 'A' AND RECORD ANGLE FROM 'A'-B', PER SAID PLAT.

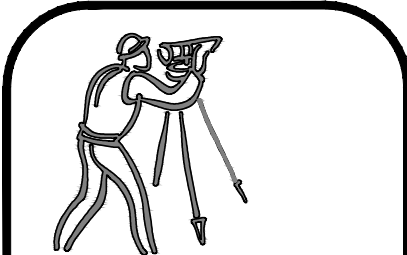
THE BASIS OF BEARINGS IS GRID NORTH ON OREGON COORDINATE REFERENCE SYSTEM NAD83(2011), BETWEEN THE NORTHWEST AND NORTHEAST CORNERS.

ABBREVIATIONS LEGEND

(E) - EXISTING
FD - FOUND
IR - IRON ROD
R/W - RIGHT-OF-WAY
SD - STORM DRAIN
YPC - YELLOW PLASTIC CAP

EXISTING SYMBOL LEGEND

● - FOUND MONUMENT AS NOTED
⊙ - (E) STORM DRAIN CATCH BASIN
— SD — (E) STORM DRAIN PER GIS LOCATION
— W — (E) WATER LOCATE PER PAINT
— PH — (E) OVERHEAD COMMUNICATION
— SS — (E) SANITARY SEWER LINE



CLIENT:

FHDC, C/O CARMEN FERNANDEZ
127 45TH ST., SUITE 1-A
WOODBURN, OREGON

UDELL ENGINEERING
AND
LAND SURVEYING, LLC

63 EAST ASH ST.
LEBANON, OREGON 97355
(541) 451-5125 PH.
(541) 451-1366 FAX

ALTA/NSPS LAND TITLE SURVEY

1950 SW 2nd STREET
MCMINNVILLE, OR

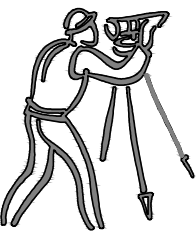
DATE: 5/4/2026
PROJECT: 26-053 FHDC
DRAWN BY: KWL
CHECKED BY: KWL

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2026

Sheet
of
1
1

SCALE: SEE BARSCALE



CLIENT:
FHDC, C/O CARMEN FERNANDEZ
127 45TH ST., SUITE 1-A
WOODBURN, OREGON

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON 97355
(541) 451-5125 PH.
(541) 451-1366 FAX

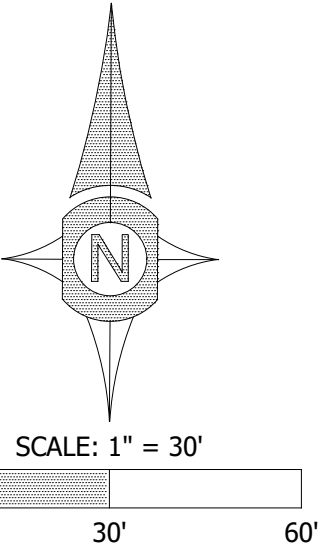
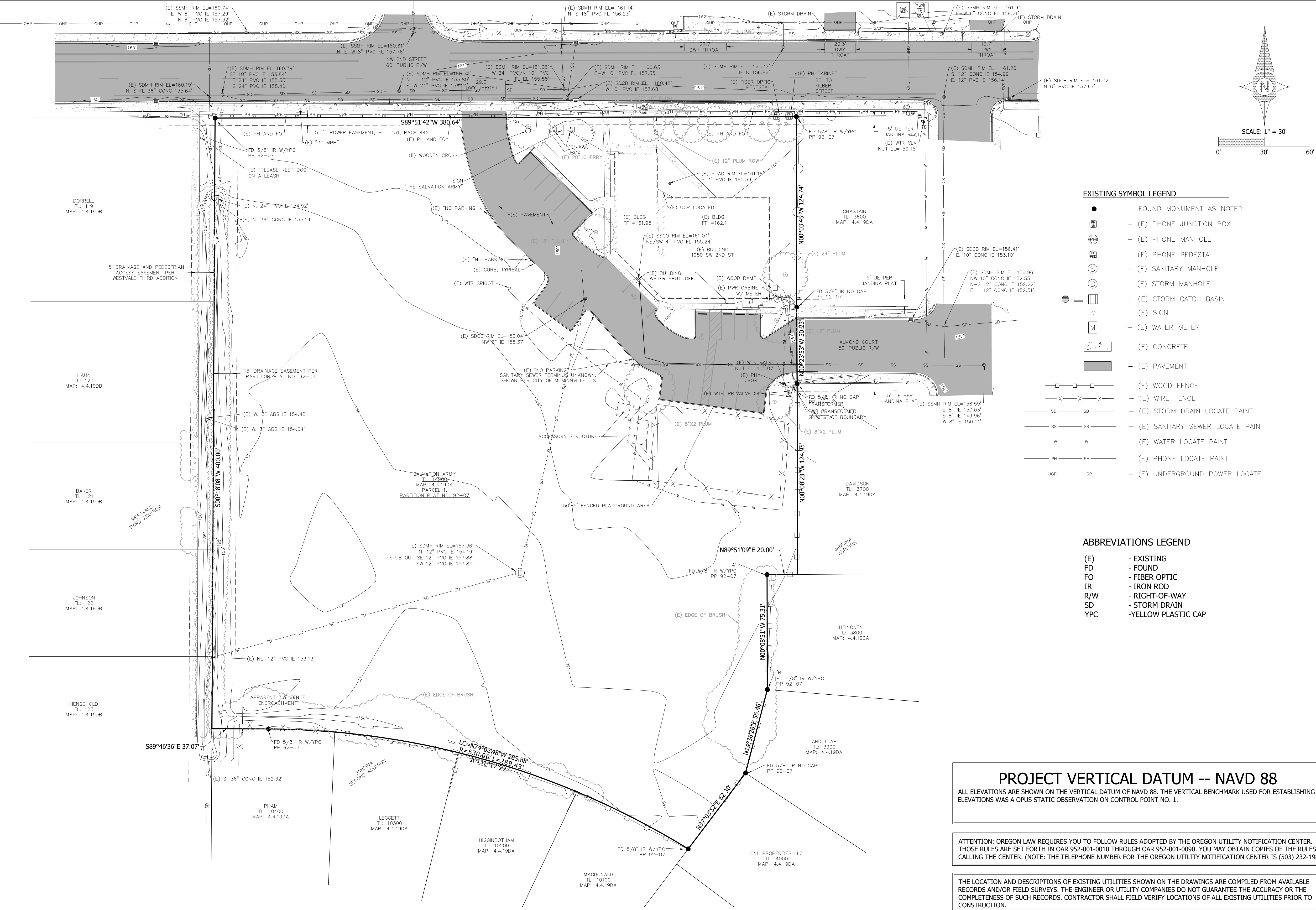
SITE IMPROVEMENTS
1950 SW 2nd STREET
MCMINNVILLE, OR

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2026

Sheet
of
1
1

SCALE: SEE BARSCALE



- EXISTING SYMBOL LEGEND
- - FOUND MONUMENT AS NOTED
 - Ⓟ - (E) PHONE JUNCTION BOX
 - Ⓢ - (E) PHONE MANHOLE
 - Ⓢ - (E) PHONE PEDESTAL
 - Ⓢ - (E) SANITARY MANHOLE
 - Ⓢ - (E) STORM MANHOLE
 - Ⓢ - (E) STORM CATCH BASIN
 - Ⓢ - (E) SIGN
 - Ⓢ - (E) WATER METER
 - Ⓢ - (E) CONCRETE
 - Ⓢ - (E) PAVEMENT
 - Ⓢ - (E) WOOD FENCE
 - Ⓢ - (E) WIRE FENCE
 - Ⓢ - (E) STORM DRAIN LOCATE PAINT
 - Ⓢ - (E) SANITARY SEWER LOCATE PAINT
 - Ⓢ - (E) WATER LOCATE PAINT
 - Ⓢ - (E) PHONE LOCATE PAINT
 - Ⓢ - (E) UNDERGROUND POWER LOCATE
- ABBREVIATIONS LEGEND
- (E) - EXISTING
 - FD - FOUND
 - FO - FIBER OPTIC
 - IR - IRON ROD
 - R/W - RIGHT-OF-WAY
 - SD - STORM DRAIN
 - YPC - YELLOW PLASTIC CAP

PROJECT VERTICAL DATUM -- NAVD 88
ALL ELEVATIONS ARE SHOWN ON THE VERTICAL DATUM OF NAVD 88. THE VERTICAL BENCHMARK USED FOR ESTABLISHING ELEVATIONS WAS A OPUS STATIC OBSERVATION ON CONTROL POINT NO. 1.

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987).

THE LOCATION AND DESCRIPTIONS OF EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE COMPILED FROM AVAILABLE RECORDS AND/OR FIELD SURVEYS. THE ENGINEER OR UTILITY COMPANIES DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF SUCH RECORDS. CONTRACTOR SHALL FIELD VERIFY LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

EXHIBIT 6

STAFF REPORT ZC 5-78 / CPA 6-78, JUNE 1978

CPA 6-78
ZC 5-78

Dan Hockert (J.Gregcin, Inc.)

Exhibits:

1. Zoning map (City of McMinnville)
2. McMinnville Comprehensive Plan
3. Legal Notice and list of adjacent property owners
4. Assessors map
5. Preliminary concept maps
6. Agency and Utility Statements
7. Engineering comments.

Applicants: J.Gregcin, Inc.

Request: The applicants are requesting approval of a comprehensive plan map amendment from a residential to a multi-family residential designation, a zone change from Exclusive-Farm 40 and R-1 to a R-4 PD (Multi-family Residential/Planned Development) zone, and conceptual approval of a Planned Development containing 459 dwelling units ranging from single-family homes to apartment complexes.

Location: The subject property is approximately 94.5 acres in size, located adjacent to the south side of west Second Street, further described as TL 3400, Section 19, T. 4 S., R. 4 W., W.M.

Zoning: Presently the zoning of the majority of the subject property is Exclusive-Farm 40, which would not permit a residential development. Approximately 150 ft of the property frontage is zoned R-1 (Single-family residential) and would permit the creation of lots with a minimum density of 9000 sq ft per lot.

The applicants originally where under the understanding that it was necessary to obtain a zone change to R-4 PD (Multi-family / Planned Development) in order to have triplexes, fourplexes and apartment complexes. A recent interpretation of the planned development clause of the zoning ordinance by the city attorney concludes that this is not necessary. The basic zoning restriction would be the density factor under the present interpretation.

With the present roadway pattern and number of acres, the subject site could contain as many as 468.5 units and still be within the 7,000 sq ft per unit density factor of the R-2 zone. The applicants plans' show a total of 459 units which is well within the R-2 density.

Finding #1 The subject plans would conform to density requirements of the R-2 (single-family residential) zone.

The applicant does plan to stage this development over a 4 to 5 year period. It appears that stages 1,2,&3 would not meet an R-2 density factor seperately or combined. With this particular type of staging it would be practical to obtain an R-4 zone change. In the event that the applicant faults on the development plans after any of the first 3 stages, the total development would exceed the denisty requirement of the R-2 zone. The options that are available would be to rezone the

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site or R-4 development which would allow any individual stage to be compatible with the zoning density requirements; or to allow a zone change to R-2 and require that the developer make each stage compatible with the R-2 zoning density. The second option would not necessarily change the present layout or density of the overall plan, but would require that he modified the way the plan is to be staged.

Finding #2 The way the plans are presently staged would comply to an R-4 zone classification. The staging would need to be modified in order to comply with the density provisions of the R-2 zone.

Comprehensive Plan: The subject property is designated Residential on the comprehensive plan map, the Residential classification allows R-1, R-2 and R-3 type densities. The proposed plan is, as mentioned above, of an R-2 type density. It is therefore within the Residential designation density limits and should not require a change to multi-family. However, the question of staging again arises. Providing that the first individual stage or combination of stages in consecutive order could meet the density requirements of up to the R-3 zone density which is 4,000 sq ft per unit, then the plans would be compatible with the graphic portion of the comprehensive plan. It was not determined whether any stage as proposed would exceed this requirement.

However, the graphic portion of the plan and the zoning must remain compatible to as not to create a Baker (Plan/Zone) conflict. Therefore if the requested R-4 zone change is accepted then the plan should be amended to M-R (Multi-family residential) in order to keep the plan designation and zoning compatible.

Finding #3 The applicants overall plans are compatible with the residential plan designation presently on the property. The staging of the development would need to comply with the density requirements of the R-1, R-2 or R-3 zoning to remain in substantial harmony with the graphic portion of the plan.

Finding #4 The plan designation must be amended if the requested zone change to R-4 is accepted. The Plan designation and zoning must remain compatible to eliminate a Baker (Plan/Zone) conflict. Goal and Policy Statements of the McMinnville Comprehensive Plan, 1971 are found on page 15 of the plan. The goals which relate to this request are as follows:

- A. To create a land use arrangement which recognizes the living, working, commercial, and recreational needs of the community...
- B. Insure everyone the opportunity to live in safe and healthy housing.
- C. Encourage residential development on suitable soils and in areas served by municipal sewer and water systems.
- D. Promote a variety of housing types and densities and encourage the placement of higher density areas adjacent to arterials and close to employment and shopping areas.

Finding #5 The subject request would not conflict with the goals and objectives of the McMinnville Comprehensive Plan, 1971.

Other Considerations:

The Parks Department has submitted a statement concerning the proposed park which would follow the drainage way which bisects the property. The