



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

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**Landscape Review Committee**  
**Community Development Center, 231 NE 5<sup>th</sup> Street**  
**June 26, 2019**  
**12:00 PM**

Committee Members	Agenda Items
Rob Stephenson Chair  Sharon Gunter Vice-Chair  Josh Kearns  RoseMarie Caughran  Tim McDaniel	<ol style="list-style-type: none"> <li><b>1. Call to Order</b></li> <li><b>2. Citizen Comments</b></li> <li><b>3. Approval of Minutes</b> <ol style="list-style-type: none"> <li>A. April 17, 2019 (Exhibit 1)</li> </ol> </li> <li><b>4. Action Items</b> <ol style="list-style-type: none"> <li>A. L 7-19 – Landscape Plan Revision (Exhibit 2) 170 NE 12<sup>th</sup> Street</li> <li>B. L 9-19 – Street Tree Removal (Exhibit 3) 598 NE Jade Street</li> <li>C. L 11-19 – Landscape Plan (Exhibit 4) 1445 NE Miller Street</li> <li>D. L 14-18 – Landscape Plan Revision(Exhibit 5) 2070 NE Lafayette Avenue</li> <li>E. L 30-18 – Landscape Plan (Exhibit 6) 2790 NE Waggoner Drive</li> </ol> </li> <li><b>5. Discussion Items</b></li> <li><b>6. Old/New Business</b></li> <li><b>7. Committee Member Comments</b></li> <li><b>8. Staff Comments</b></li> <li><b>9. Adjournment</b></li> </ol>

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

\*Please note that these documents are also on the City's website, [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov). You may also request a copy from the Planning Department.



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# EXHIBIT 1 - MINUTES

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**April 17, 2019**  
**Landscape Review Committee**  
**Regular Meeting**

**12:00 pm**  
**Community Development Center**  
**McMinnville, Oregon**

**Members Present:** Tim McDaniel, Sharon Gunter, and Rob Stephenson  
**Members Absent:** Rose Marie Caughran and Josh Kearns  
**Staff Present:** Jamie Fleckenstein - Associate Planner  
**Guests Present:** Scott Hill – Mayor and Kellie Menke – City Councilor

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## 1. Call to Order

Chair Stephenson called the meeting to order at 12:00 p.m.

## 2. Citizen Comments

None

## 3. Approval of Minutes

- A. October 24, 2018
- B. January 16, 2019
- C. February 20, 2019

Committee Member McDaniel moved to approve the October 24, 2018 and January 16 and February 20, 2019 minutes. The motion was seconded by Committee Member Gunter and passed 3-0.

## 4. Action/Docket Item (repeat if necessary)

- A. McMinnville Recommended Street Tree List Update

Associate Planner Fleckenstein reviewed the updated Street Tree List.

Chair Stephenson thought they should specify the minimum size for a planter box, which should be 4x4. Associate Planner Fleckenstein clarified for neighborhoods, the standard was 4.5 to 5 feet and for planters that were surrounded by sidewalks the standard was 6x4.

Associate Planner Fleckenstein said the list had been sent to Public Works, McMinnville Water & Light, and the Department of Forestry for comment. Both Public Works and Water & Light thought the format, layout, and information presentation was good. Water & Light commented on the mature height of trees and suitability for placement under wires. After doing some research, he had adjusted the mature height on some of the trees. If the Committee approved the Street Tree List, it would go in front of the City Council next Tuesday for adoption.

Committee Member Gunter moved to approve the updated Street Tree List. The motion was seconded by Committee Member McDaniel and passed 3-0.

## **5. Discussion Items**

### **A. 2019 Arbor Day Tree Planting Event**

Associate Planner Fleckenstein reported on the tree planting event that happened last Saturday at the high school. Three Eastern Redbud trees were planted near the preschool facility to replace some trees that had been removed due to storm damage. Commemorative signs for the trees were produced by students from the fabrication and welding program. Water retaining gel would be used for watering the trees.

Associate Planner Fleckenstein then discussed the status of the tree removal at 3<sup>rd</sup> and Ford that had been done without a permit. The tree appraisal was a little over \$31,000.

There was discussion regarding how the appraisal value was determined and putting in four 4 inch caliper trees as replacement trees and putting four tree grates in the sidewalk for them.

There was consensus to recommend staff draft a letter to Council recommending the requirement for the replacement trees and grates.

There was discussion about what would happen if the developer did not pay the \$31,000.

## **6. Old/New Business**

None

## **7. Committee/Commissioner Comments**

None

## **8. Staff Comments**

None

## **9. Adjournment**

Chair Stephenson adjourned the meeting at 12:35 p.m.



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## EXHIBIT 2 - STAFF REPORT

DATE: June 26, 2019  
TO: Landscape Review Committee Members  
FROM: Jamie Fleckenstein, Associate Planner  
SUBJECT: Landscape Plan Application (L 7-19)

### STRATEGIC PRIORITY & GOAL:



### GROWTH & DEVELOPMENT CHARACTER

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

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

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### Report in Brief:

An application for a landscape plan (L 7-19) for a remodel of an Oregon State Credit Union branch to be reviewed by the Landscape Review Committee.

### Background:

The application requests approval of a landscape plan (L 7-19) for a remodel of an Oregon State Credit Union branch to be reviewed by the Landscape Review Committee. The proposed Landscape Plan would revise a previously approved Landscape Plan (L 13-10).

The applicant, Ryan Dellit of Gerding Builders on behalf of Oregon State Credit Union, property owner, submitted a landscape plan associated with a building permit for the Oregon State Credit Union Branch at 170 NE 12<sup>th</sup> Street. The subject property is more specifically described as Tax Lot 19600, Section 17DD, T. 4. S., R. 4 W., W.M. The subject property is located on NE 12<sup>th</sup> Street between NE Adams and NE Baker Streets (Highway 99W), and is zoned C-3 (General Commercial). A previous landscape plan was approved for the property in 2010 (L 13-10). **See Figure 1: Vicinity Map and Figure 2: L 13-10 Approved Landscape Plan.**

A building permit has been applied for to remodel an existing building (formerly a bank and most recently a retail store) to re-open as a new Oregon State Credit Union branch. The remodel of the building is limited mostly to the interior of the building, and expansion of the footprint of the structure is within previously the approved roofline of the building. No new impervious surface is proposed. Because the previous uses of the site included a bank and retail store, no major changes to the overall site plan are

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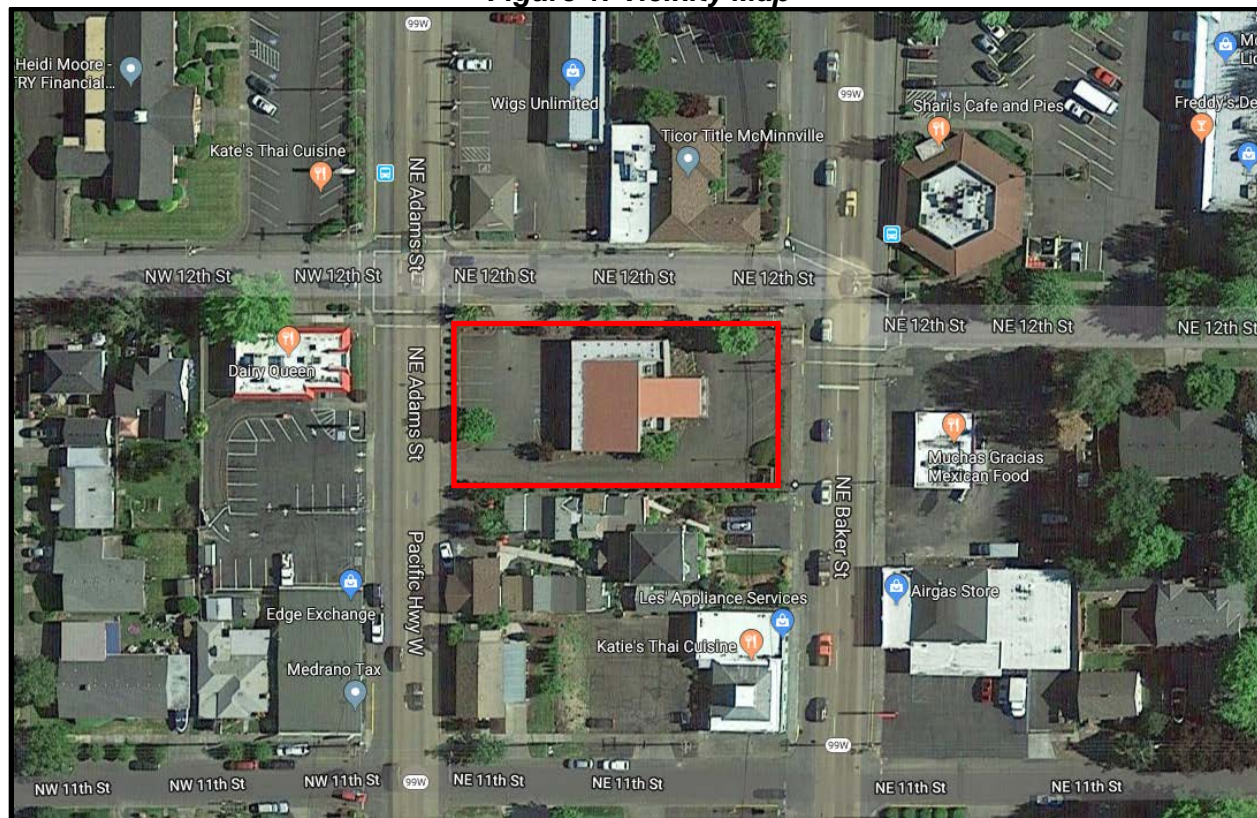
### Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 170 NE 12<sup>th</sup> Street (L 7-19)



proposed. The drive-up banking lanes are being reconfigured to add a second lane. Otherwise, the location and configuration of existing landscape, parking, and drive isles are remaining generally the same. **See Figure 3: Site Plan.** The landscape plan addresses landscaping around the solid waste enclosure which is being updated, and around portions of the perimeter of the building. **See Figure 4: Landscape Plan.**

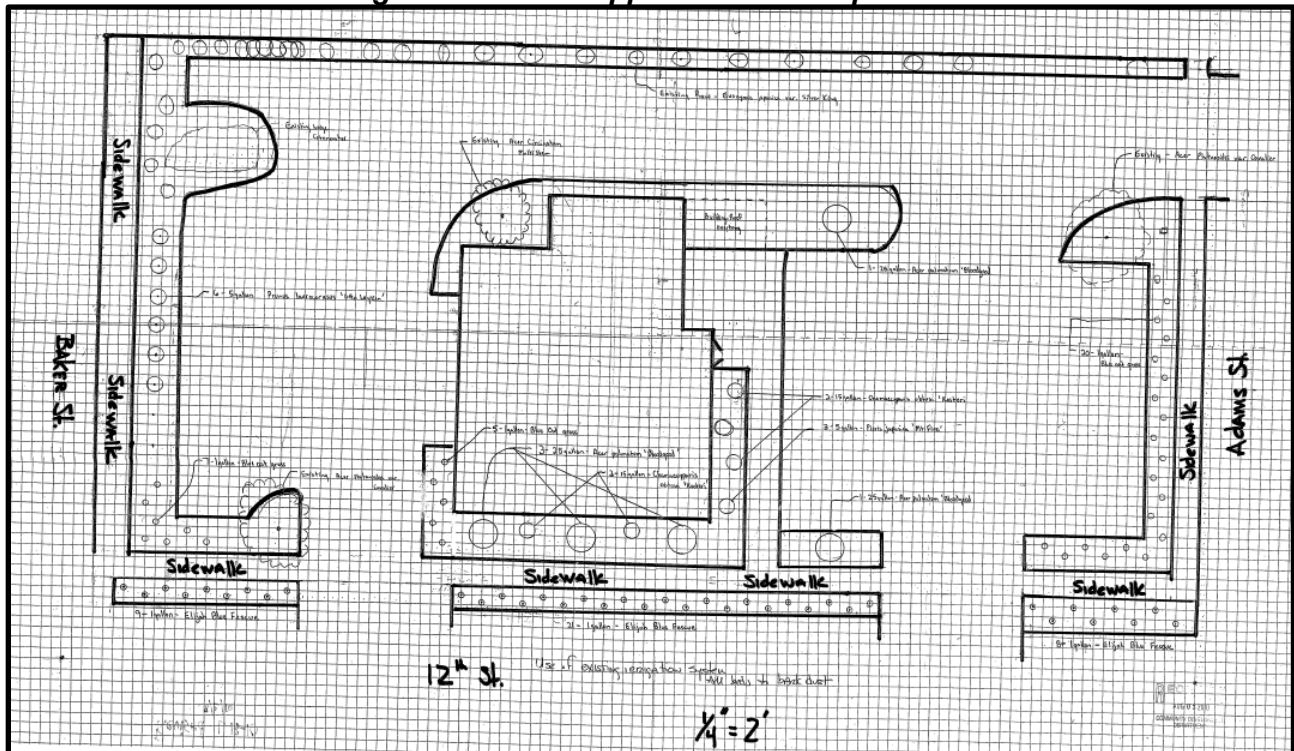
**Figure 1: Vicinity Map**



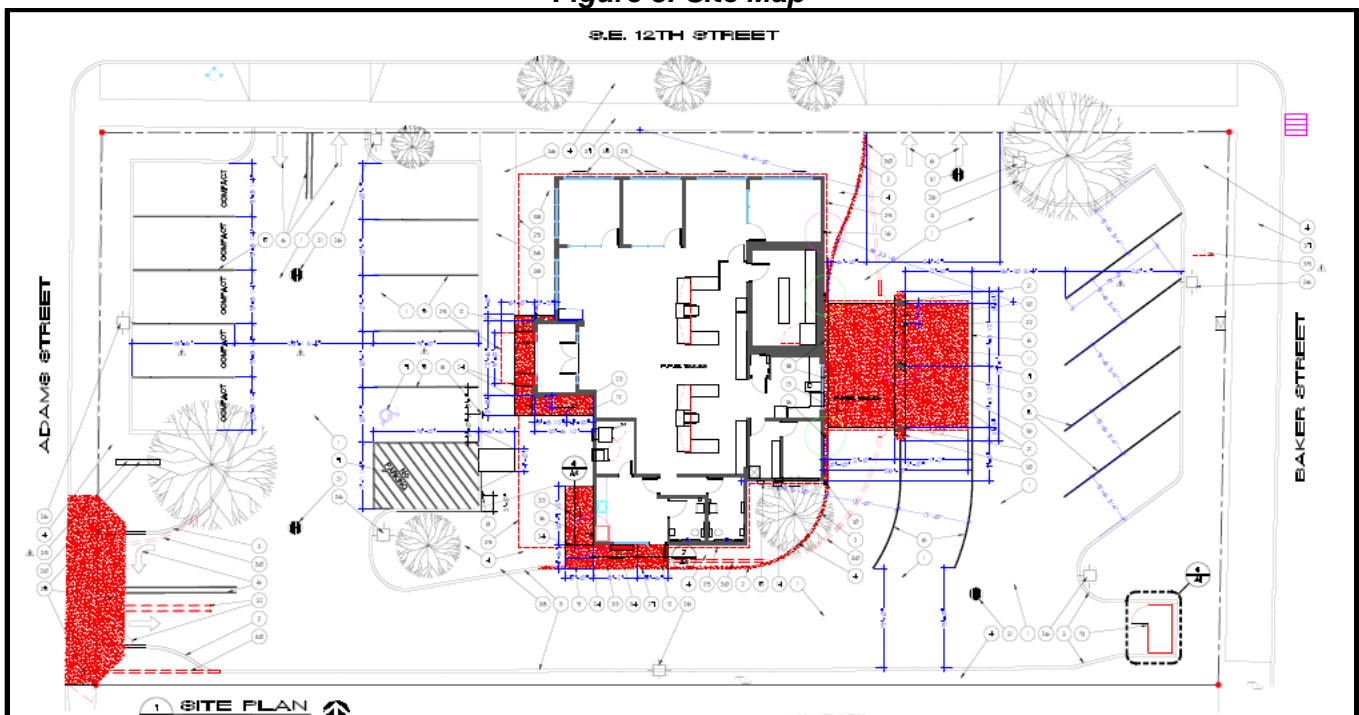
**Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 170 NE 12<sup>th</sup> Street (L 7-19)

**Figure 2: L 13-10 Approved Landscape Plan**



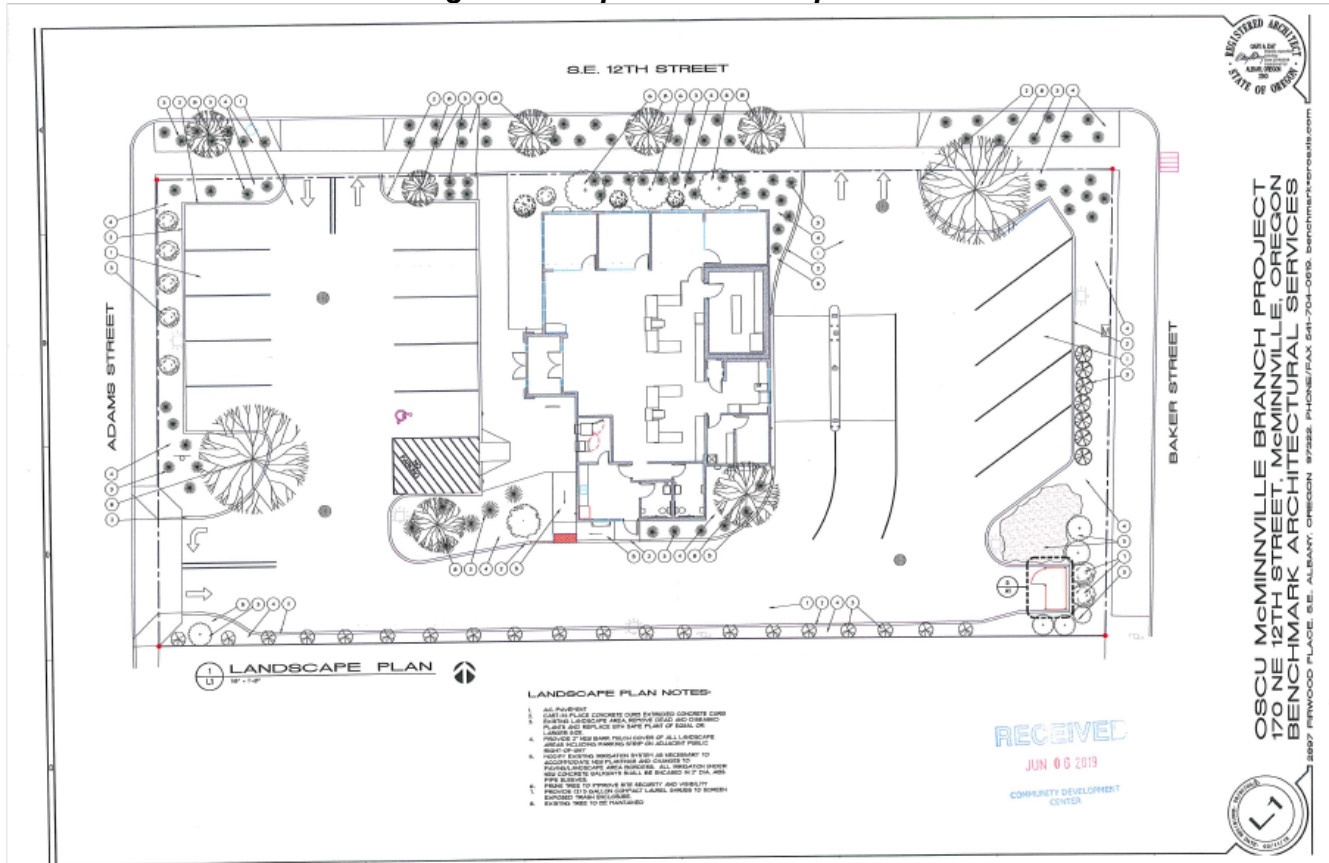
***Figure 3: Site Map***



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*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 170 NE 12<sup>th</sup> Street (L 7-19)*



**Figure 4: Proposed Landscape Plan****Discussion:****Summary of Criteria & Issues:**

The subject site is zoned C-3 (General Commercial). The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of a site being developed be landscaped (Section 17.57.070(A)(2) (Area Determination – Planning Factors)). Landscape areas are not being created or removed from the previously approved landscape plan, which was found to meet review criteria.

The landscape plan was submitted to address screening of a trash enclosure and a proposed revision to a previously approved landscape plan for the site.

A previous version of the landscape plan that was reviewed at the May 15, 2019 Landscape Review Committee meeting proposed the removal of three (3) small Bloodgood Japanese Maple trees from the north side of the building. After considering the Committee's discussion and comments, the applicant is no longer proposing to remove those three trees, and instead prune the trees to meet visibility and security goals.

In reviewing a landscape plan, MMC Section 17.57.050(B) (Area Determination – Planning Factors) requires the Landscape Review Committee to consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

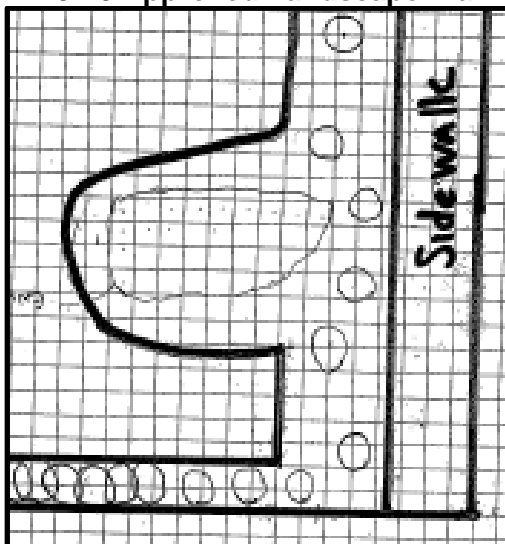
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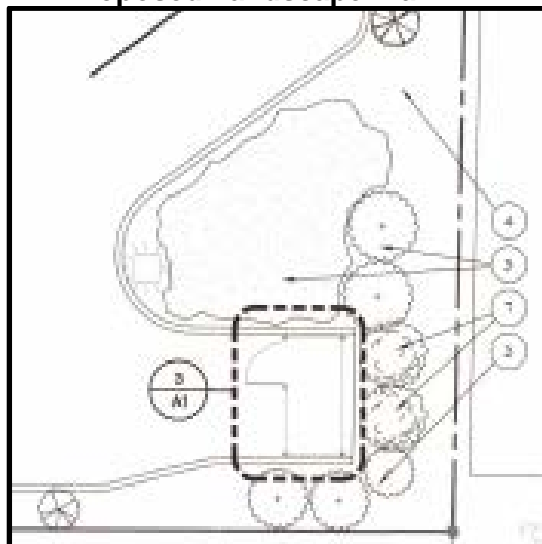
The proposed project is a remodel to a commercial bank branch located on three street frontages, NE Adams Street, NE Baker Street, and NE 12<sup>th</sup> Street. Mature landscaping from a previously approved landscape plan (L 13-10) exists on site. Generally, the proposed landscape plan preserves the existing mature landscaping throughout the site, and replacement of dead or dying mature plants with the same variety is included in the proposal. The existing landscaping is compatible with the proposed commercial use of the site, as indicated by the previous approval of the Landscape Review Committee. Low to medium evergreen planting along Baker and Adams Streets screens parking while allowing visibility into the commercial site. Low ornamental planting with and overhead tree canopy along 12<sup>th</sup> Street provide a pedestrian-scaled environment against the north side of the building. Along the south property line, an evergreen hedge provides screening and buffering of the driveway and site from the adjacent property to the south.

While the existing landscaping is generally being retained and replaced in kind throughout the site, there one area where changes to the approved landscape plan is proposed. The area is along Baker Street, where the trash enclosure is located. The enclosure itself is being updated to reflect the materials of the building, and new landscaping is proposed around the enclosure, and new evergreen planting (compact Laurel) is proposed to fill in gaps in the vegetative hedge obscuring the trash enclosure from view.

**L 13-10 Approved Landscape Plan**



**Proposed Landscape Plan**



### Existing Trash Enclosure Condition

#### Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 170 NE 12<sup>th</sup> Street (L 7-19)



Overall, the proposed changes to the landscape appear to be compatible with the proposed use, and the abutting properties and uses.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The proposed use on the subject site is a commercial banking branch, and it is not appropriate to screen the entire use. Parking areas on the east and west sides of the site are screened by mature evergreen plantings, as approved in the original landscape plan (L 13-10). Dead or dying existing plants will be replaced in kind to continue to provide low screening of the parking areas.

Required screening of the solid waste enclosure is proposed. New evergreen laurel shrubs are proposed to be planted between the trash enclosure and the Baker Street right-of-way, providing new screening.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

There are eight (8) existing trees within the site and an additional four (4) street trees adjacent to the property identified on the landscape plan. All eight (8) trees within the site are proposed to remain, as are the four (4) street trees. The landscape plan notes that the three (3) Bloodgood Japanese Maples on the north side of the building are to be pruned for site security and visibility purposes, but will remain.

4. The development and use of islands and plantings therein to break up parking areas.

The proposed site work for the remodel of the building does not include alteration to any of the existing parking areas within the site. Existing planting areas around the existing parking are going to be retained, and dead or dying plant material will be replaced with new plants. Existing trees at the ends of the parking aisles provide shade, screening and buffering to the existing parking areas.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

*Attachments:*

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Street trees were required in a condition of approval for the original approved landscape plan (L 13-10). Kwanzan cherry trees were required in the planter strip along NE 12<sup>th</sup> Street. Street trees were not required along Adams and Baker Streets, where the sidewalks are curb-tight and no planter strips exist. The easternmost street tree on 12<sup>th</sup> Street has been removed.

### Existing Street Trees – 12<sup>th</sup> Street



Staff recommends a condition of approval to require a Kwanzan cherry street tree be planted in the easternmost planter strip along NE 12<sup>th</sup> Street between Adams and Baker to replace the street tree required in the original approved landscape plan (L 13-10).

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The proposed landscape plan indicates that an existing irrigation system would be modified to accommodate new plantings and changes to the paving/landscape area borders.

### **Fiscal Impact:**

None.

### **Landscape Review Committee Options:**

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

### **Staff Recommendation:**

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#### *Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 170 NE 12<sup>th</sup> Street (L 7-19)*

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions specified in the attached Decision Document, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL** of the application, subject to the conditions specified in the attached Decision Document.

**Suggested Motion:**

**THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE STREET TREE REMOVAL APPLICATION L 7-19 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.**

JF

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*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 170 NE 12<sup>th</sup> Street (L 7-19)*





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**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN AT 170 NE 12<sup>TH</sup> STREET**

**DOCKET:** L 7-19 (Landscape Plan)

**REQUEST:** Approval of a Landscape Plan for an Oregon State Credit Union bank branch

**LOCATION:** 170 NE 12<sup>th</sup> Street (Tax Lot 19600, Section 17DD, T. 4. S., R. 4 W., W.M.)

**ZONING:** C-3 (General Commercial)

**APPLICANT:** Ryan Dellit of Gerding Builders on behalf of Oregon State Credit Union, property owner

**STAFF:** Jamie Fleckenstein, PLA, Associate Planner

**DATE DEEMED COMPLETE:** April 18, 2019

**HEARINGS BODY & ACTION:** McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.

**HEARING DATE & LOCATION:** May 15, 2019, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon  
June 26, 2019, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon

**PROCEDURE:** Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

**CRITERIA:** The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.

**APPEAL:** The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.57.170 of the McMinnville Zoning Ordinance.

**COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Their comments are provided in this document. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.



Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the Landscape Plan (L 7-19) **subject to the conditions of approval provided in this document.**

**DECISION: APPROVAL WITH CONDITIONS**

Date: June 26, 2019Date: June 26, 2019

## **I. APPLICATION SUMMARY:**

### ***Subject Property & Request***

The application requests approval of a landscape plan (L 7-19) for a remodel of an Oregon State Credit Union branch to be reviewed by the Landscape Review Committee. The proposed Landscape Plan would revise a previously approved Landscape Plan (L 13-10).

The applicant, Ryan Dellit of Gerding Builders on behalf of Oregon State Credit Union, property owner, submitted a landscape plan associated with a building permit for the Oregon State Credit Union Branch at 170 NE 12<sup>th</sup> Street. The subject property is more specifically described as Tax Lot 19600, Section 17DD, T. 4. S., R. 4 W., W.M. The subject property is located on NE 12<sup>th</sup> Street between NE Adams and NE Baker Streets (Highway 99W), and is zoned C-3 (General Commercial). A previous landscape plan was approved for the property in 2010 (L 13-10). **See Figure 1: Vicinity Map and Figure 2: L 13-10 Approved Landscape Plan.**

A building permit has been applied for to remodel an existing building (formerly a bank and most recently a retail store) to re-open as a new Oregon State Credit Union branch. The remodel of the building is limited mostly to the interior of the building, and expansion of the footprint of the structure is within previously the approved roofline of the building. No new impervious surface is proposed. Because the previous uses of the site included a bank and retail store, no major changes to the overall site plan are proposed. The drive-up banking lanes are being reconfigured to add a second lane. Otherwise, the location and configuration of existing landscape, parking, and drive isles are remaining generally the same. **See Figure 3: Site Plan.** The landscape plan addresses landscaping around the solid waste enclosure which is being updated, and around portions of the perimeter of the building. **See Figure 4: Landscape Plan.**

**Figure 1: Vicinity Map**

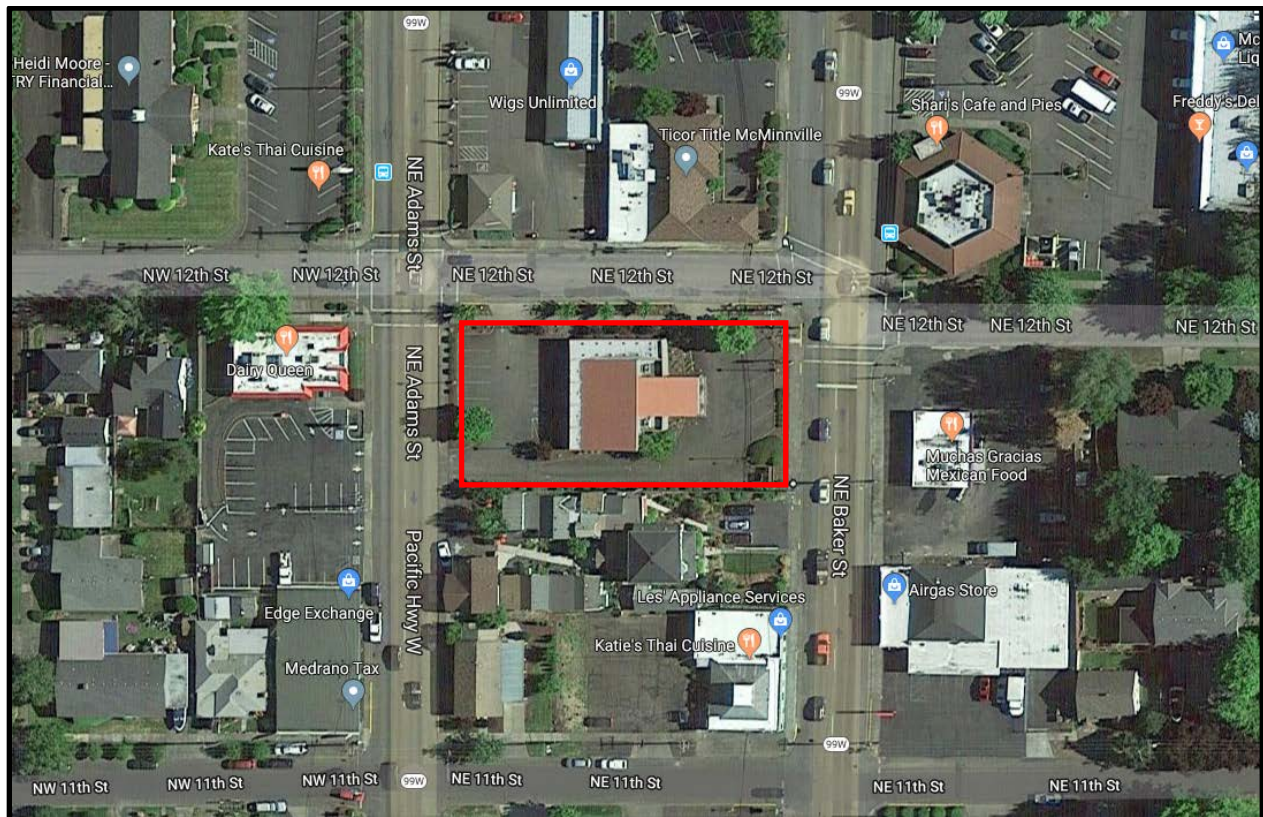


Figure 2: L 13-10 Approved Landscape Plan

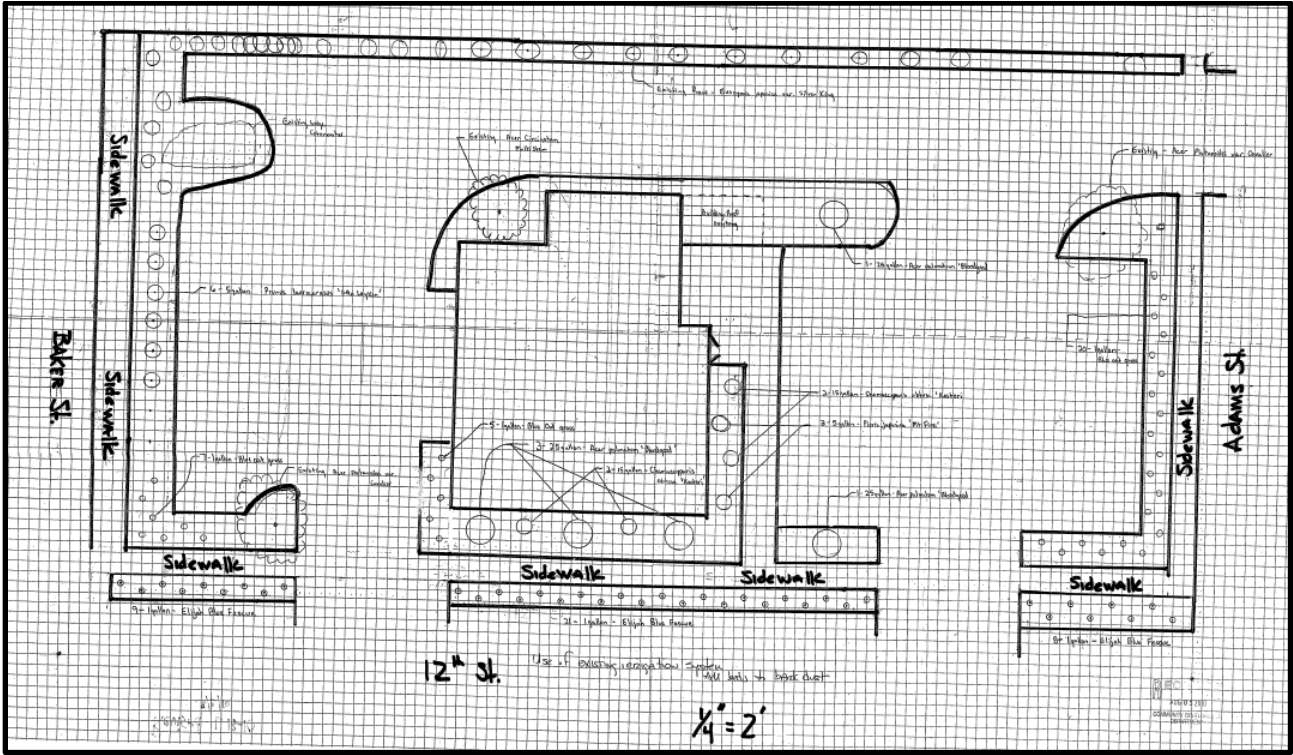
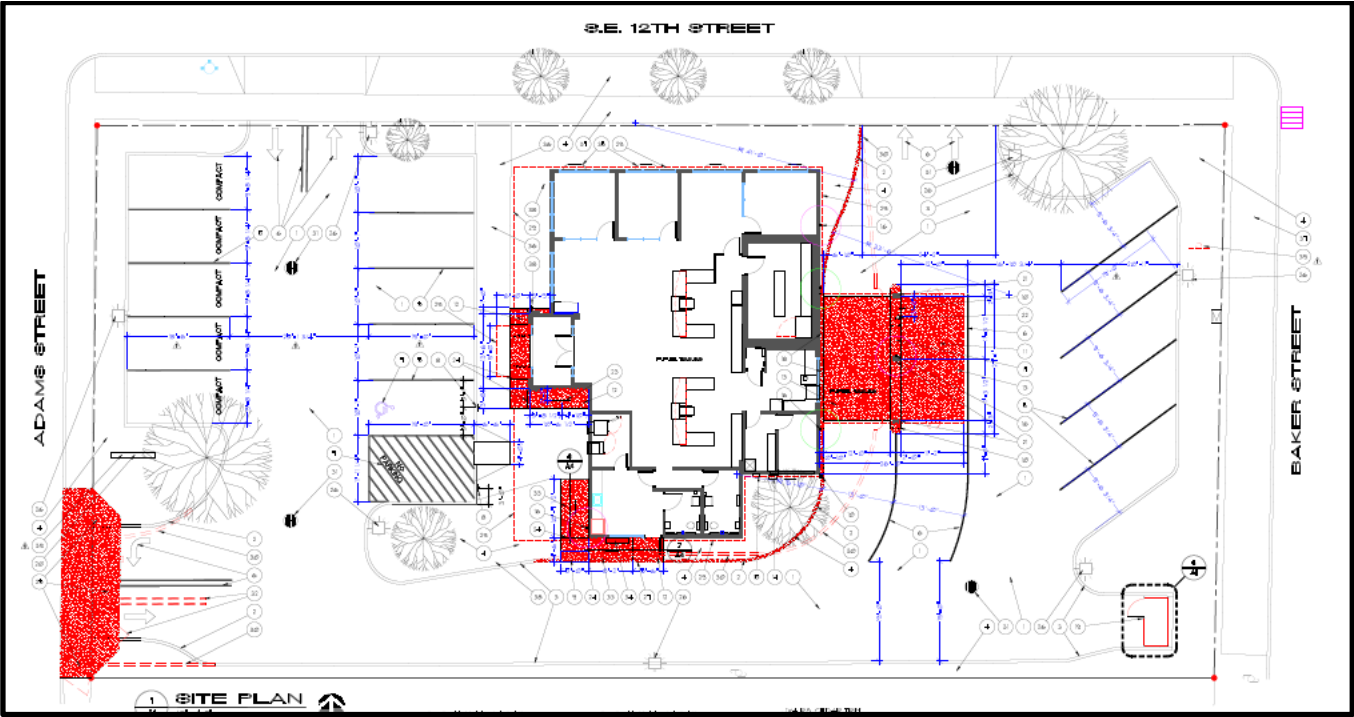
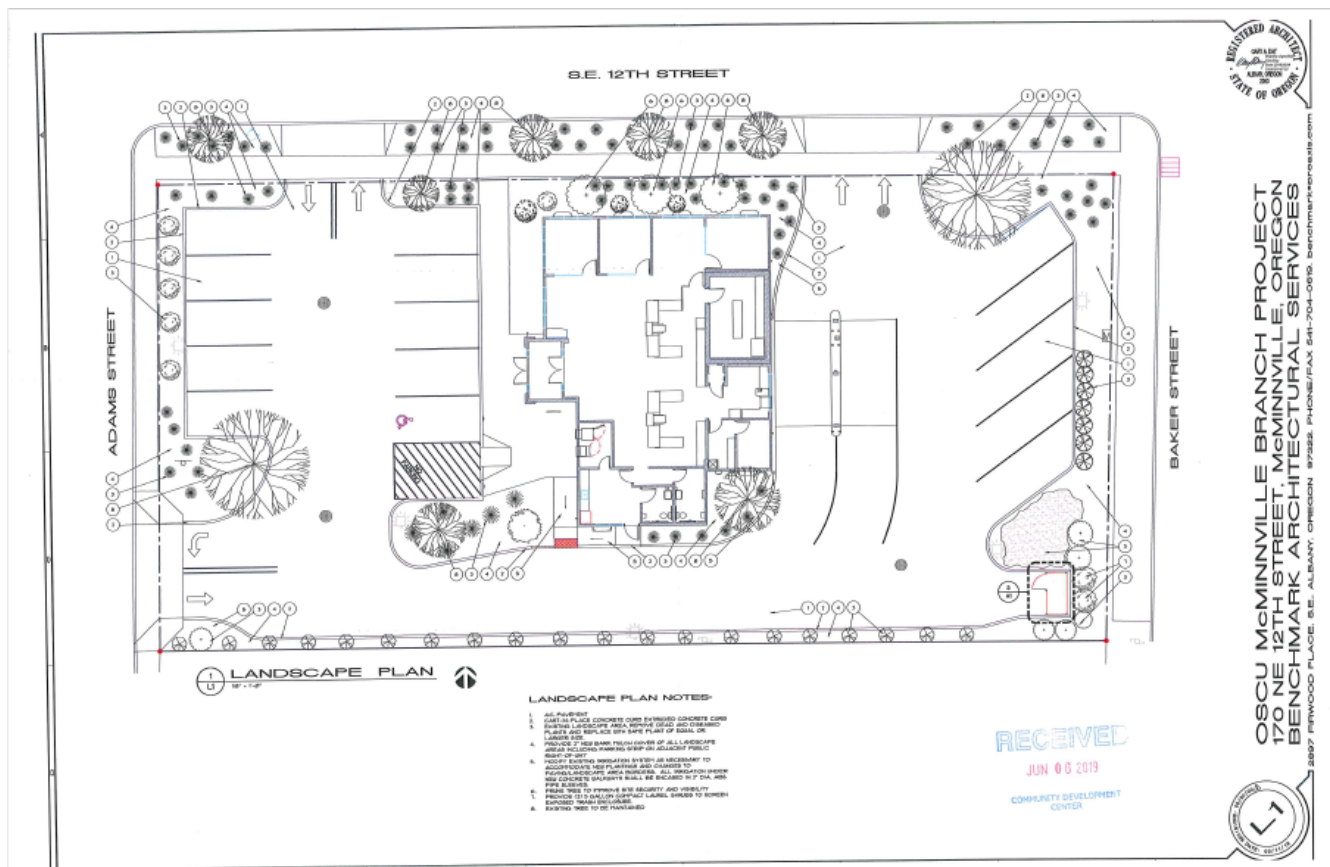


Figure 3: Site Map





**Figure 4: Proposed Landscape Plan**

### Summary of Criteria & Issues

The subject site is zoned C-3 (General Commercial). The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of a site being developed be landscaped (Section 17.57.070(A)(2) (Area Determination – Planning Factors)). Landscape areas are not being created or removed from the previously approved landscape plan, which was found to meet review criteria.

Because no new impervious surface is being created, no new additional landscape areas are required on the site.

The landscape plan was submitted to address screening of a trash enclosure and a proposed revision to a previously approved landscape plan for the site.

## II. CONDITIONS:

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on June 6, 2019.
2. That a street tree be replaced in the easternmost planter strip of NE 12<sup>th</sup> Street. The replacement tree species shall be *Prunus serrulata* 'Kwanzan' (Kwanzan Cherry).
3. That all costs and liability associated with stump grinding, and street tree replacement shall be borne by the applicant.
4. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to stump grinding to ensure that underground utilities are not damaged during this process.

5. That the street tree's stump and remaining surface roots shall be removed at least six (6) inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations.
6. That the replacement tree shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
7. That the replacement tree shall be planted per the approved City detail (see enclosure). The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with two (2) deep watering tubes to promote deep root growth.
8. That the applicant shall contact the McMinnville Public Works Department at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule an inspection prior to backfilling.
9. That the applicant is reminded that trees are not to be planted within:
  - a. Five (5) feet of a private driveway or alley;
  - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
  - c. Twenty (20) feet of street light standards or street intersections.
10. That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.
11. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side or within ten (10) feet of the front of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
12. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

### **III. ATTACHMENTS:**

1. L 7-19 Application and Attachments (on file with the Planning Department)

### **IV. COMMENTS:**

#### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. The following comments have been received and incorporated into the conditions of approval:

- McMinnville Public Works:

**Site Review**

1. The existing site is a commercial building located at on the SW corner of the intersection of 12<sup>th</sup> and Adams. The site is bordered on the north side by 12<sup>th</sup> Avenue, Adams Street to the west and Baker Street to the north. There is sidewalk adjacent to the site on the north, east and west sides.
2. Adams and Baker are part of Hwy 99, and are under ODOT jurisdiction. 12<sup>th</sup> Street in this location is classified as a minor collector in the Transportation System Plan.
3. There is currently screening plant material planted along the south border of the site, adjacent to a fence line.
4. There are no overhead conflicts on the south side of 12<sup>th</sup> Street
5. 12<sup>th</sup> Street is currently under construction for sewer work, and is scheduled to be milled and paved this construction season. Part of that work will be to replace existing curb ramps at the NE and NW corners of the property. The applicant should be advised that this work will impact plantings and irrigation located in the right of way, and should be advised to coordinate their work with the City's Engineering Department.

**Recommendations**

1. The submitted landscaping plan does not appear to include any additional street trees. The planter strip on 12<sup>th</sup> Street is does not show any new plantings. Public Works concurs with the street tree plan as shown, and would note that it will be important to insure that any new plantings at the NE corner of the site meet the vision clearance triangle requirements.
2. The landscape plan appears to call out replacing the existing native grass plantings in the north parking strip, which we would concur with.
3. The remainder of the plantings are outside of the public right of way, and are thus out of our purview.
4. Based on items #1 and #2 above, Public Works would recommend approval of this proposal.

- McMinnville Water and Light:

No comments from power or water.

**Public Comments**

No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the Planning Director's decision.

**V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. Ryan Dellit of Gerding Builders, on behalf of Oregon State Credit Union, property owner, submitted a landscape plan application on March 18, 2019.
2. The application was deemed complete on April 18, 2019.
3. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.

4. No public notice of the application was provided by the City of McMinnville, as Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
5. A public meeting was held by the Landscape Review Committee on May 15, 2019 to review the application and proposed landscape plan. The Landscape Review Committee voted to continue the application.
6. Ryan Dellit of Gerding Builders, on behalf of Oregon State Credit Union, property owner, submitted an updated landscape plan on June 6, 2019.
7. A public meeting was held by the Landscape Review Committee on June 26, 2019 to review the application and proposed landscape plan.

## **VI. FINDINGS OF FACT - GENERAL FINDINGS**

1. **Location:** 170 NE 12<sup>th</sup> Street (Tax Lot 19600, Section 17DD, T. 4. S., R. 4 W., W.M.)
2. **Size:** 20,909 s.f. (0.48 acres)
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** Vacant building
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None.
  - b. **Other:** None identified.
8. **Other Features:** Five (5) foot wide planter strip adjacent to NE 12<sup>th</sup> Street with four (4) street trees. No planter strip adjacent to Adams and Baker Streets.
9. **Utilities:**
  - a. **Water:** The property is served by water. The treatment plant has sufficient treatment capacity.
  - b. **Sewer:** The property is served by sewer. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
  - c. **Stormwater:** Storm water is conveyed to a catch basin and storm drain in NE Baker Street.
  - d. **Other Services:** Overhead utilities are not present adjacent to the site on 12<sup>th</sup> Street.
10. **Transportation:** Adams and Baker Streets are part of Hwy 99, and are under ODOT jurisdiction. 12th Street in this location is classified as a minor collector in the Transportation System Plan.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Street Tree Removal Permit are specified in Section 17.58.050 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

**Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

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

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

*Policy 132.38.00: Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project.*

**APPLICANT'S RESPONSE:** The applicant did not address this in the application.

**FINDING: SATISFIED WITH CONDITION 2.** The replacement of the street tree in the NE 12th Street right-of-way would continue the established streetscape aesthetic established along NE 12th Street and required by a previously approved Landscape Plan (L 13-10).

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

*Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.*

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED.** McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

**McMinnville Zoning Ordinance**

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

**17.57 Landscaping**



**17.57.010 Purpose and intent.** The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

**17.57.030 Zones where required.** Landscaping shall be required in the following zones except as otherwise noted: [...]

D. C-3 (General Commercial zone).

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The subject site is zoned C-2 (General Industrial), and landscaping is being provided and maintained as required.

**17.57.070(B) Area Determination – Planning Factors.**

**17.57.070(B).** The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

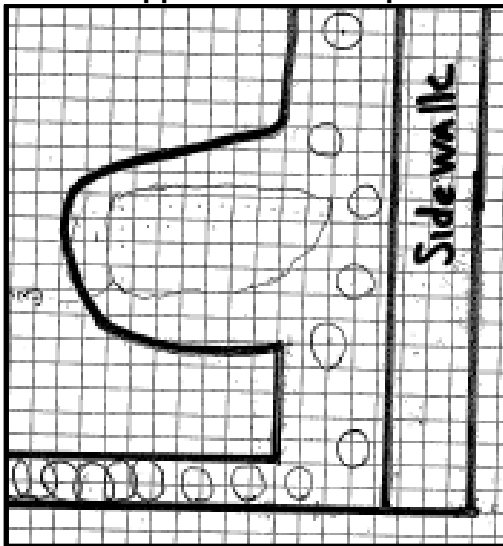
**17.57.070(B)(1).** *Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

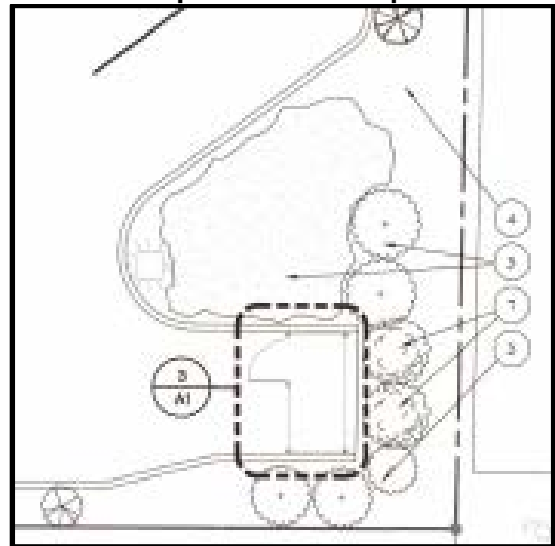
**FINDING: SATISFIED.** The proposed project is a remodel to a commercial bank branch located on three street frontages, NE Adams Street, NE Baker Street, and NE 12<sup>th</sup> Street. Mature landscaping from a previously approved landscape plan (L 13-10) exists on site. Generally, the proposed landscape plan preserves the existing mature landscaping throughout the site, and replacement of dead or dying mature plants with the same variety is included in the proposal. The existing landscaping is compatible with the proposed commercial use of the site, as indicated by the previous approval of the Landscape Review Committee. Low to medium evergreen planting along Baker and Adams Streets screens parking while allowing visibility into the commercial site. Low ornamental planting with and overhead tree canopy along 12<sup>th</sup> Street provide a pedestrian-scaled environment against the north side of the building. Along the south property line, an evergreen hedge provides screening and buffering of the driveway and site from the adjacent property to the south.

While the existing landscaping is generally being retained and replaced in kind throughout the site, there one area where changes to the approved landscape plan is proposed. The area is along Baker Street, where the trash enclosure is located. The enclosure itself is being updated to reflect the materials of the building, and new landscaping is proposed around the enclosure, and new evergreen planting (compact Laurel) is proposed to fill in gaps in the vegetative hedge obscuring the trash enclosure from view.

L 13-10 Approved Landscape Plan



Proposed Landscape Plan



Existing Trash Enclosure Condition



Overall, the proposed changes to the landscape appear to be compatible with the proposed use, and the abutting properties and uses.

**17.57.070(B)(2).** *Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed use on the subject site is a commercial banking branch, and it is not appropriate to screen the entire use. Parking areas on the east and west sides of the site are screened by mature evergreen plantings, as approved in the original landscape plan (L 13-10). Dead or dying existing plants will be replaced in kind to continue to provide low screening of the parking areas.

Required screening of the solid waste enclosure is proposed. New evergreen laurel shrubs are proposed to be planted between the trash enclosure and the Baker Street right-of-way, providing new screening.

**17.57.070(B)(3).** *The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** There are eight (8) existing trees within the site and an additional four (4) street trees adjacent to the property identified on the landscape plan. All eight (8) trees within the site are proposed to remain, as are the four (4) street trees. The landscape plan notes that the three (3) Bloodgood Japanese Maples on the north side of the building are to be pruned for site security and visibility purposes, but will remain.

**17.57.070(B)(4).** *The development and use of islands and plantings therein to break up parking areas.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed site work for the remodel of the building does not include alteration to any of the existing parking areas within the site. Existing planting areas around the existing parking are going to be retained, and dead or dying plant material will be replaced with new plants. Existing trees at the ends of the parking aisles provide shade, screening and buffering to the existing parking areas.

**17.57.070(B)(5).** *The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED WITH CONDITION #2.** Street trees were required in a condition of approval for the original approved landscape plan (L 13-10). Kwanzan cherry trees were required in the planter strip along NE 12<sup>th</sup> Street. Street trees were not required along Adams and Baker Streets, where the sidewalks are curb-tight and no planter strips exist. The easternmost street tree on 12<sup>th</sup> Street has been removed.

**Existing Street Trees – 12<sup>th</sup> Street**



Staff recommends a condition of approval to require a Kwanzan cherry street tree be planted in the easternmost planter strip along NE 12<sup>th</sup> Street between Adams and Baker to replace the street tree required in the original approved landscape plan (L 13-10).

**17.57.070(B)(6).** *Suitable watering facilities or irrigation systems must be included in or near all planted areas.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed landscape plan indicates that an existing irrigation system would be modified to accommodate new plantings and changes to the paving/landscape area borders.

**17.57.070(C)** *All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED WITH CONDITION #2, #12.** A condition of the previously approved landscape plan for the site (L 13-10) required street trees to be planted in the planter strip along 12<sup>th</sup> Street. The easternmost street tree, near the intersection of 12<sup>th</sup> Street and Baker Street, is no longer there, a condition of approval has been included to require the replanting of a street tree in that location. A second condition of approval will require that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

## **17.58 Trees**

### **17.58.040 Tree Removal/Replacement**

**17.58.040(C)** *The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED WITH CONDITIONS #3, #4.** A condition of approval has been included to ensure the applicant shall be responsible for all costs associated with any street tree stump removal where a replacement tree is required. A condition of approval has been included to require underground utility location prior to work.

**17.58.040(E)** *The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED WITH CONDITION #5.** A condition of approval has been included to ensure the applicant shall remove any remaining street tree stump and surface roots where a replacement tree is required, and restore the planting strip.

**17.58.040(H)** *The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014. Specific design drawings and specifications have been developed*

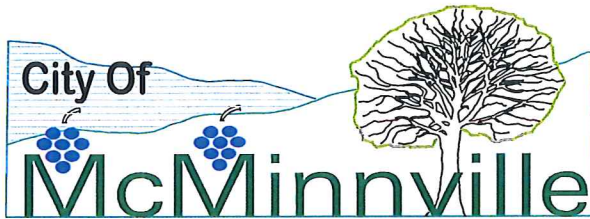
*for trees outside the Downtown Tree Zone. Such design specifications may be periodically updated by the City to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees to minimize the potential for sidewalk / tree root conflict.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED WITH CONDITIONS #6, #7, #8, #9, #10, #11.** Conditions of approval have been included to ensure the applicant shall plant the replacement street tree in accordance with City standards and specifications.

JF



**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128

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

[www.ci.mcminnville.or.us](http://www.ci.mcminnville.or.us)**Office Use Only:**File No. L 7-19Date Received 3-18-19Fee 801.35Receipt No. 200170Received by [Signature]

## Landscape Plan Review Application

**Applicant Information**
**Applicant is:** ☐ Property Owner ☐ Contract Buyer ☐ Option Holder ☐ Agent ☒ Other Contractor
Applicant Name Ryan Dellit Phone 541-250-1114Contact Name \_\_\_\_\_ Phone \_\_\_\_\_  
(If different than above)Address ~~170 NE 12TH ST~~ PO BOX 1082City, State, Zip McMinnville, OR 97128 Corvallis, OR 97339Contact Email ryandellit ryand@gerdingbuilders.com**Property Owner Information**Property Owner Name Oregon State Credit Union Phone 541-714-4012  
(If different than above)Contact Name Priscilla Rietmann Phone 541-714-4012Address 4800 SW RESEARCH WAYCity, State, Zip Corvallis, OR 97333Contact Email PRietmann@oregonstatecu.com**Site Location and Description**

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

Property Address 170 NE 12TH ST, McMinnville, OR 97128Assessor Map No. R4 417 DD 41-70-D 19600 Total Site Area \_\_\_\_\_Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot 19800Comprehensive Plan Designation Com Zoning Designation C-3

## Landscaping Information

1. Total Landscaped Area: \_\_\_\_\_
2. Percent Landscaped: \_\_\_\_\_
3. Building Floor Area:  
New Structure: \_\_\_\_\_ Existing Structure: 2,820' Addition: \_\_\_\_\_
4. Architect Name Benchmark Architectural Phone 541-704-0619  
(Landscape Architect; Engineer; or Other Designer)  
Contact Name Gary Day Phone 541-704-0619  
Address 2897 Firwood Pl S.E  
City, State, Zip Albany, OR 97322  
Contact Email benchmark@proaxis.com

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

- ☒ Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.
- ☐ Payment of the applicable review fee, which can be found on the Planning Department web page.

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

  
Applicant's Signature

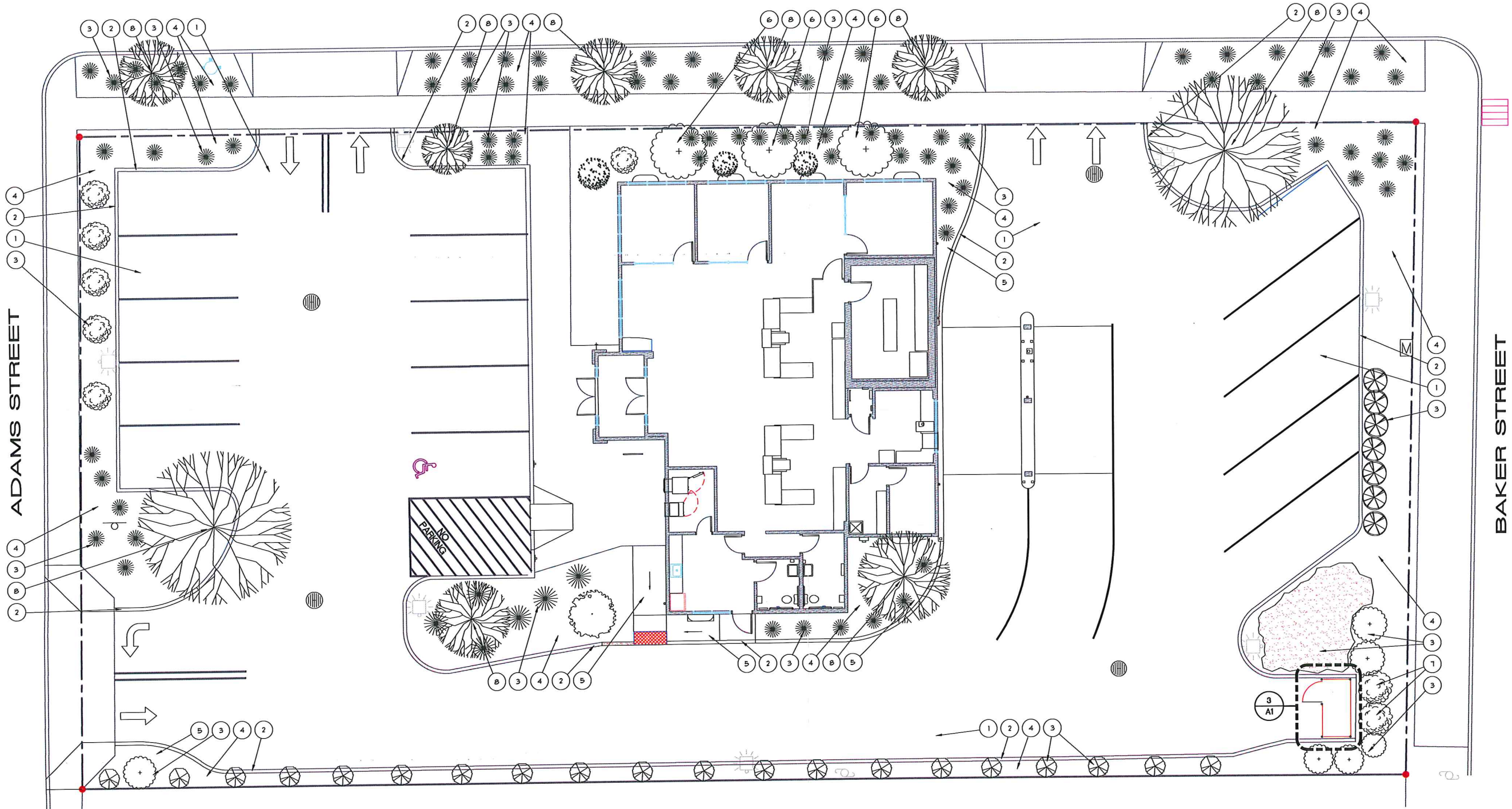
3-18-19  
Date

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date



S.E. 12TH STREET



1 LANDSCAPE PLAN  
L1 1/8" = 1'-0"

LANDSCAPE PLAN NOTES:

1. A.C. PAVEMENT
2. CAST-IN-PLACE CONCRETE CURB EXTRUDED CONCRETE CURB
3. EXISTING LANDSCAPE AREA, REMOVE DEAD AND DISEASED PLANTS AND REPLACE WITH SAME PLANT OF EQUAL OR LARGER SIZE.
4. PROVIDE 2" NEW BARK MULCH COVER OF ALL LANDSCAPE AREAS INCLUDING PARKING STRIP ON ADJACENT PUBLIC RIGHT-OF-WAY.
5. MODIFY EXISTING IRRIGATION SYSTEM AS NECESSARY TO ACCOMMODATE NEW PLANTINGS AND CHANGES TO PAVING/LANDSCAPE AREA BORDERS. ALL IRRIGATION UNDER NEW CONCRETE WALKWAYS SHALL BE ENCASED IN 2" DIA. ABS PIPE SLEEVES.
6. PRUNE TREE TO IMPROVE SITE SECURITY AND VISIBILITY.
7. PROVIDE (2) 5 GALLON COMPACT LAUREL SHRUBS TO SCREEN EXPOSED TRASH ENCLOSURE.
8. EXISTING TREE TO BE MAINTAINED

RECEIVED

JUN 06 2019

COMMUNITY DEVELOPMENT  
CENTER





City of McMinnville  
Planning Department  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## EXHIBIT 3 - STAFF REPORT

DATE: June 26, 2019  
TO: Landscape Review Committee Members  
FROM: Jamie Fleckenstein, Associate Planner  
SUBJECT: Street Tree Removal Application (L 9-19)

### STRATEGIC PRIORITY & GOAL:



### GROWTH & DEVELOPMENT CHARACTER

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

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

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### Report in Brief:

An application to remove one (1) street trees (L 9-19) to be reviewed by the Landscape Review Committee.

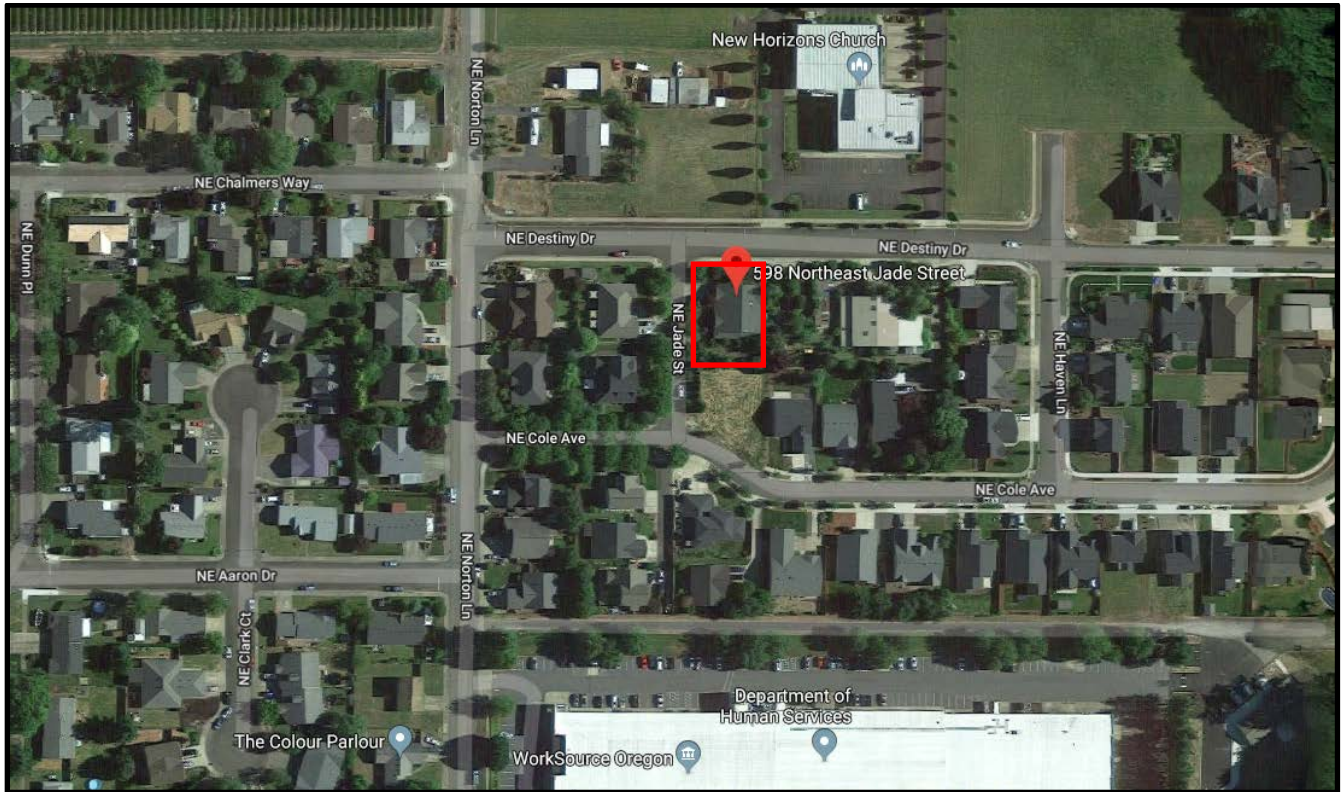
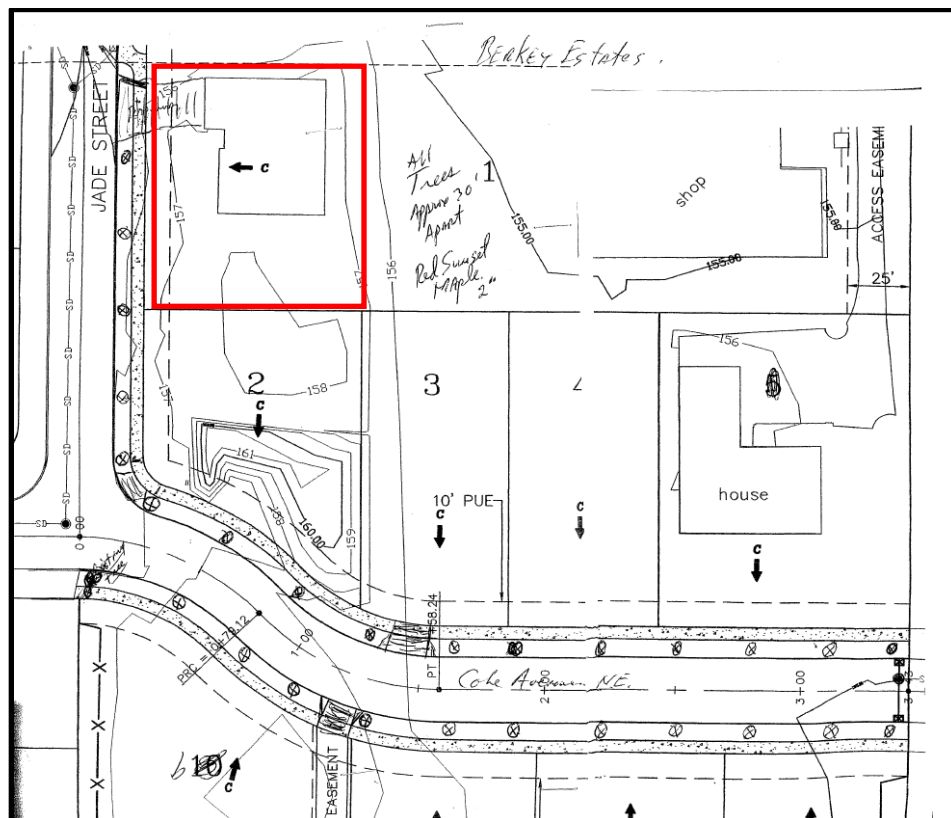
### Background:

The applicant and adjacent property owner, Rick Grenz, submitted a street tree removal application to remove one (1) street trees from the right-of-way adjacent to the property at 598 NE Jade Street. The subject property is more specifically described as Tax Lot 200, Section 22DC, T. 4. S., R. 4 W., W.M. The subject property is located on NE Jade Street within the Berkey Estates subdivision. A street tree plan (L 30-07) for the subdivision was approved in 2007. **See Figure 1: Vicinity Map, and Figure 2: Berkey Estates Street Tree Plan.**

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### Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 598 NE Jade Street

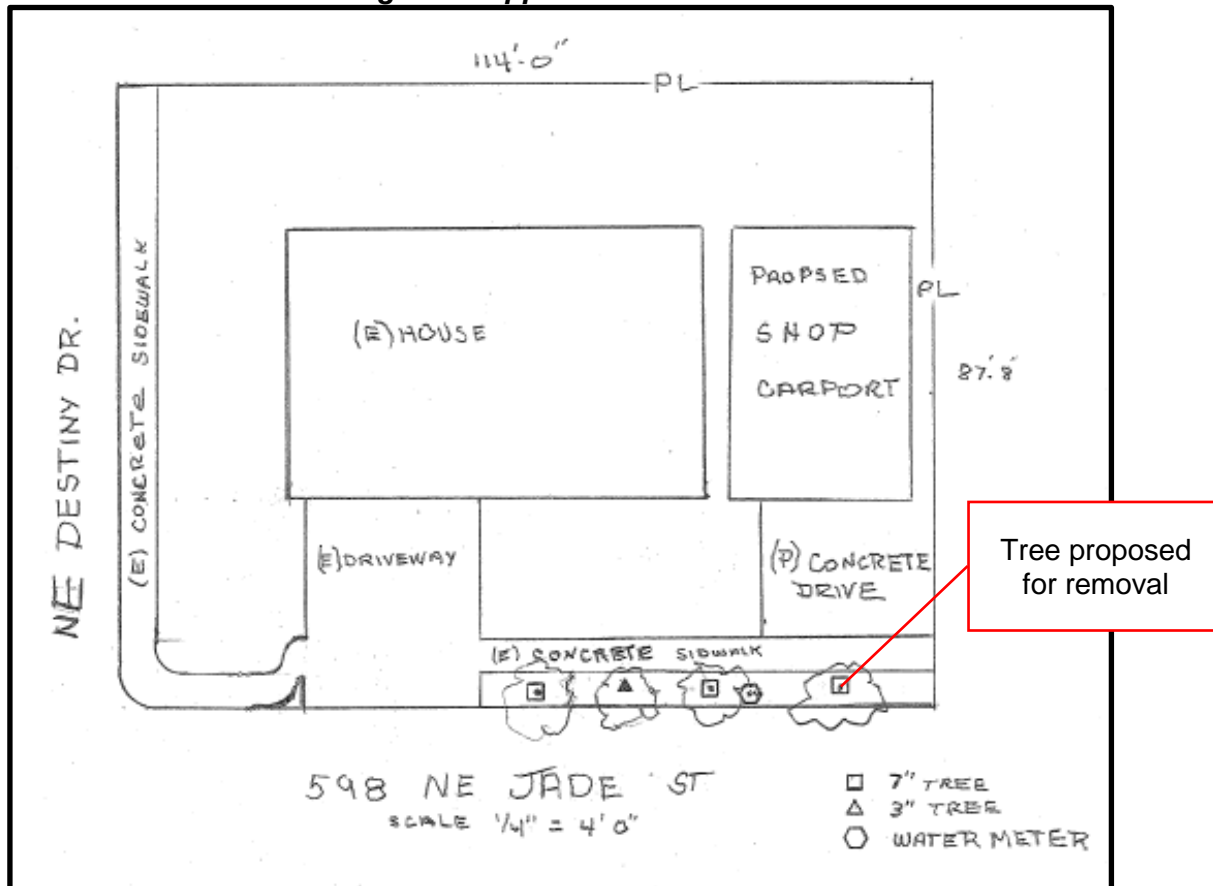
**Figure 1: Vicinity Map****Figure 2: Berkey Estates Street Tree Plan****Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 598 Jade Street

**Discussion:****Summary of Criteria & Issues:**

The applicant has requested the removal of one (1) street tree due to conflict with an approved development project. The property owner is proposing to build a new shop building on his property with a second driveway access that would enter the property from Jade Street and access the new structure.

**See Figure 3: Applicant's Site Plan.** As part of the development project, the applicant has applied for and received a permit for the construction of a second driveway access to the subject property. The street tree in question is located in the planter strip where the new driveway is proposed.

**Figure 3: Applicant's Site Plan**

The tree is a maple variety (*Acer rubrum* var.) that measures approximately six (6) inches DBH (diameter at breast height). **See Figure 4.** The tree appears to be in good health and condition, though it exhibits some surface rooting. The tree is located in a five (5) foot wide planter strip. Also in the same planter strip is a water meter and three (3) additional street trees, which are spaced approximately 12 feet apart. The northern and southern-most trees of the three (3) are planted approximately six (6) feet from the existing driveway apron and approximately six (6) feet from the proposed driveway apron, respectively. **See Figure 5.**

**Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 598 Jade Street



**Figure 4: Street Tree****Figure 5: Adjacent Planter Strip Condition**

The street tree requested for removal is planted in the planter strip adjacent to the property where the driveway apron for the proposed driveway would be located. A Public Works permit has been approved, granting the applicant authority to construct a second curb cut and driveway access into the property. Once the proposed driveway apron is installed in place of the planter strip, a replacement tree could not be replanted in the same approximate location. After considering the 12 foot spacing of the nearby street trees, and applying City street tree spacing standards to the water meter and driveways, there is not sufficient room to plant a replacement street tree anywhere in the planter strip along Jade Street adjacent to the property. On the north side of the property, along Destiny Drive, the sidewalk is curb-tight and no

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**Attachments:**

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 598 Jade Street*

planter strip exists. Because there is not sufficient space in the Jade Street planter strip and no planter strip exists along Destiny Drive, a replacement tree is not recommended.

**Fiscal Impact:**

None.

**Landscape Review Committee Options:**

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

**Staff Recommendation:**

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions specified in the attached Decision Document, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL** of the application, subject to the conditions specified in the attached Decision Document.

**Suggested Motion:**

**THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE STREET TREE REMOVAL APPLICATION L 9-19 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.**

JF

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**Attachments:**

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 598 Jade Street*



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

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**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A STREET TREE REMOVAL AT 598 NE JADE STREET**

**DOCKET:** L 9-19 (Street Tree Removal)

**REQUEST:** Approval to remove 1 street tree from the right-of-way adjacent to the subject property

**LOCATION:** 598 NE Jade Street (Tax Lot 200, Section 22DC, T. 4. S., R. 4 W., W.M.)

**ZONING:** R-2 PD (Single-family Residential Planned Development)

**APPLICANT:** Rick Grenz, property owner

**STAFF:** Jamie Fleckenstein, PLA, Associate Planner

**DATE DEEMED COMPLETE:** April 18, 2019

**HEARINGS BODY & ACTION:** McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.

**HEARING DATE & LOCATION:** June 26, 2019, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon

**PROCEDURE:** Any street tree removal is subject to review in accordance with procedures specified in Chapter 17.58-Trees of the McMinnville Zoning Ordinance. The application for street tree removal is subject to the procedures specified in Section 17.58.040 Tree Removal/Replacement.

**CRITERIA:** The applicable criteria are specified in Section 17.58.050 of the McMinnville Zoning Ordinance, McMinnville City Code.

**APPEAL:** The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.58.040(A) of the McMinnville Zoning Ordinance.

**COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Their comments are provided in this document. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

## DECISION

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the street tree removal (L 9-19) **subject to the conditions of approval provided in this document.**

**DECISION: APPROVAL WITH CONDITIONS**

Planning Staff: \_\_\_\_\_  
 Jamie Fleckenstein, Associate Planner

Date: June 26, 2019

Planning Department: \_\_\_\_\_  
Heather Richards, Planning Director

Date: June 26, 2019

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*Attachments:*

*Attachment 1 – Application for Street Tree Removal (L 9-19)*



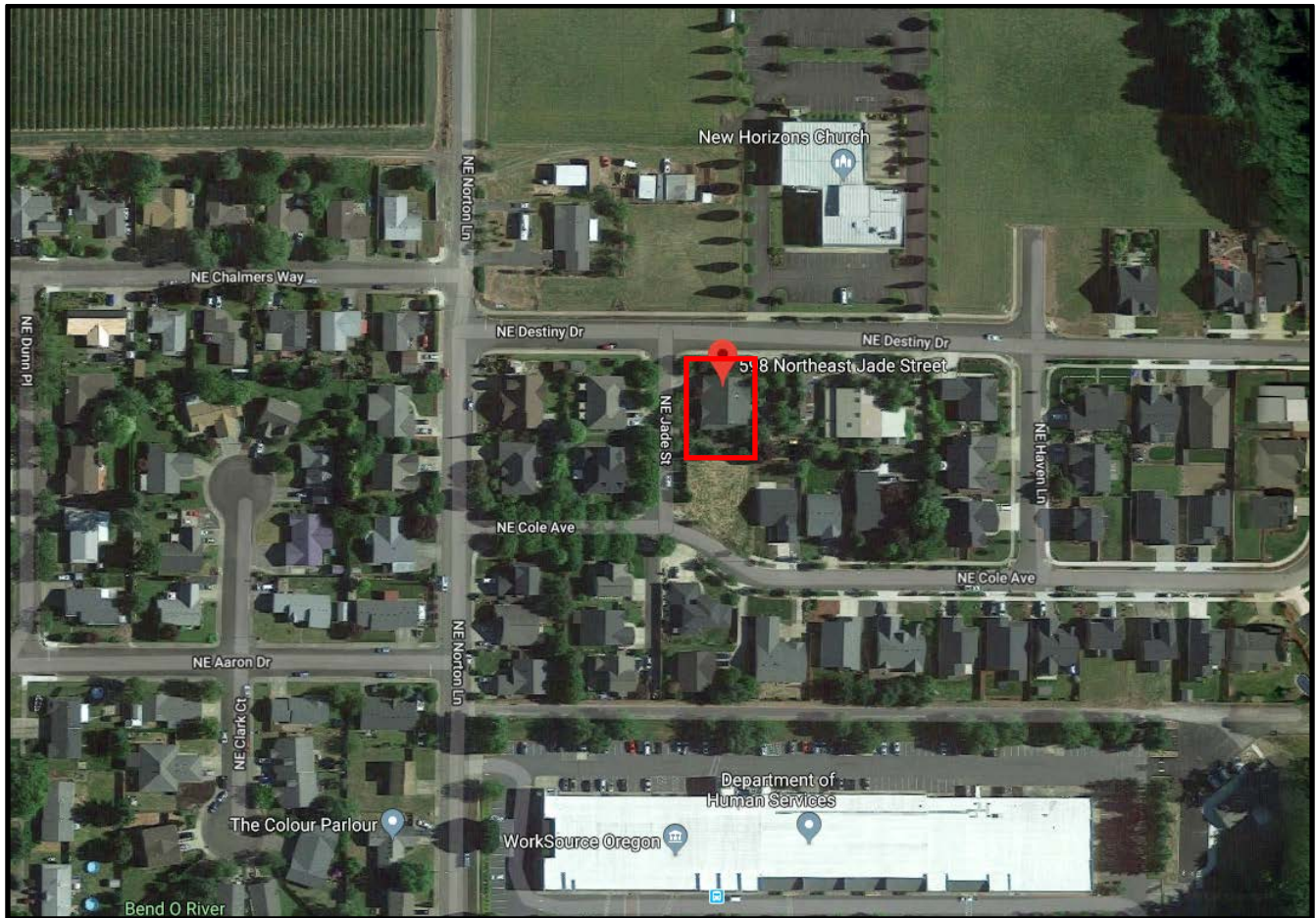
## **I. APPLICATION SUMMARY:**

### ***Subject Property & Request***

The application requests the removal of one (1) street tree from the public right-of-way adjacent to the subject property. The application does not indicate if a replacement tree is proposed. Removal of a tree within the public right-of-way requires City approval.

The subject property is located at 598 NE Jade Street within the Berkey Estates subdivision. A street tree plan (L 30-07) for the subdivision was approved in 2007. **See Figure 1: Vicinity Map, and Figure 2: Berkey Estates Street Tree Plan.**

**Figure 1: Vicinity Map**

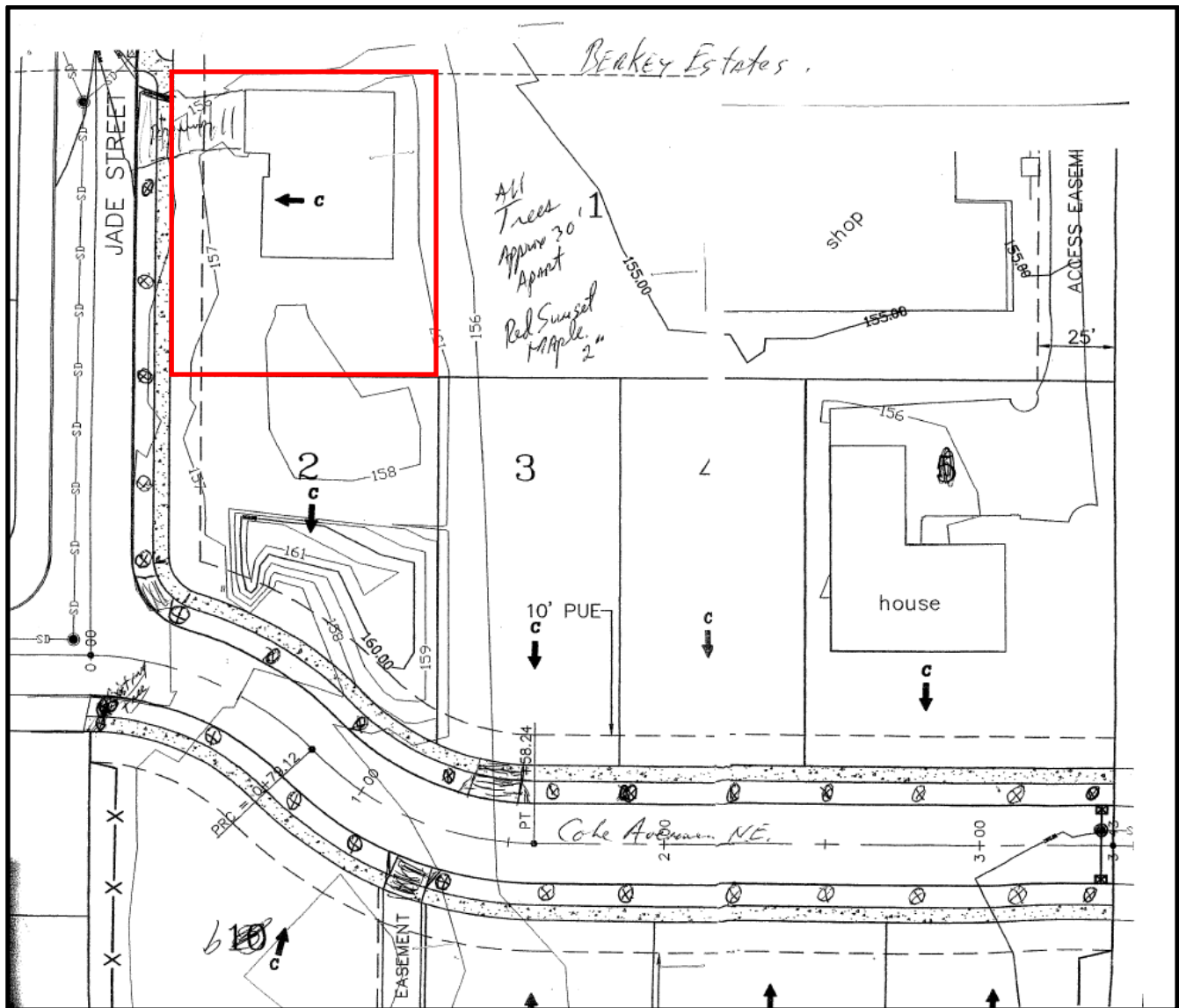


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### **Attachments:**

Attachment 1 – Application for Street Tree Removal (L 9-19)



**Figure 2: Berkey Estates Street Tree Plan****Summary of Criteria & Issues**

The application is subject to review criteria in Section 17.58.050 of the McMinnville Zoning Ordinance, which states that a permit for tree removal shall be granted if a tree is found to be unsafe, dead or diseased; in conflict with public improvements; or part of an approved development project, public improvement project, or street tree improvement program.

The applicant has requested the removal of one (1) street tree due to conflict with an approved development project. The property owner is proposing to build a new shop building on his property with a second driveway access that would enter the property from Jade Street and access the new structure.

**See Figure 3: Applicant's Site Plan.** As part of the development project, the applicant has applied for and received a permit for the construction of a second driveway access to the subject property. The street tree in question is located in the planter strip where the new driveway is proposed.

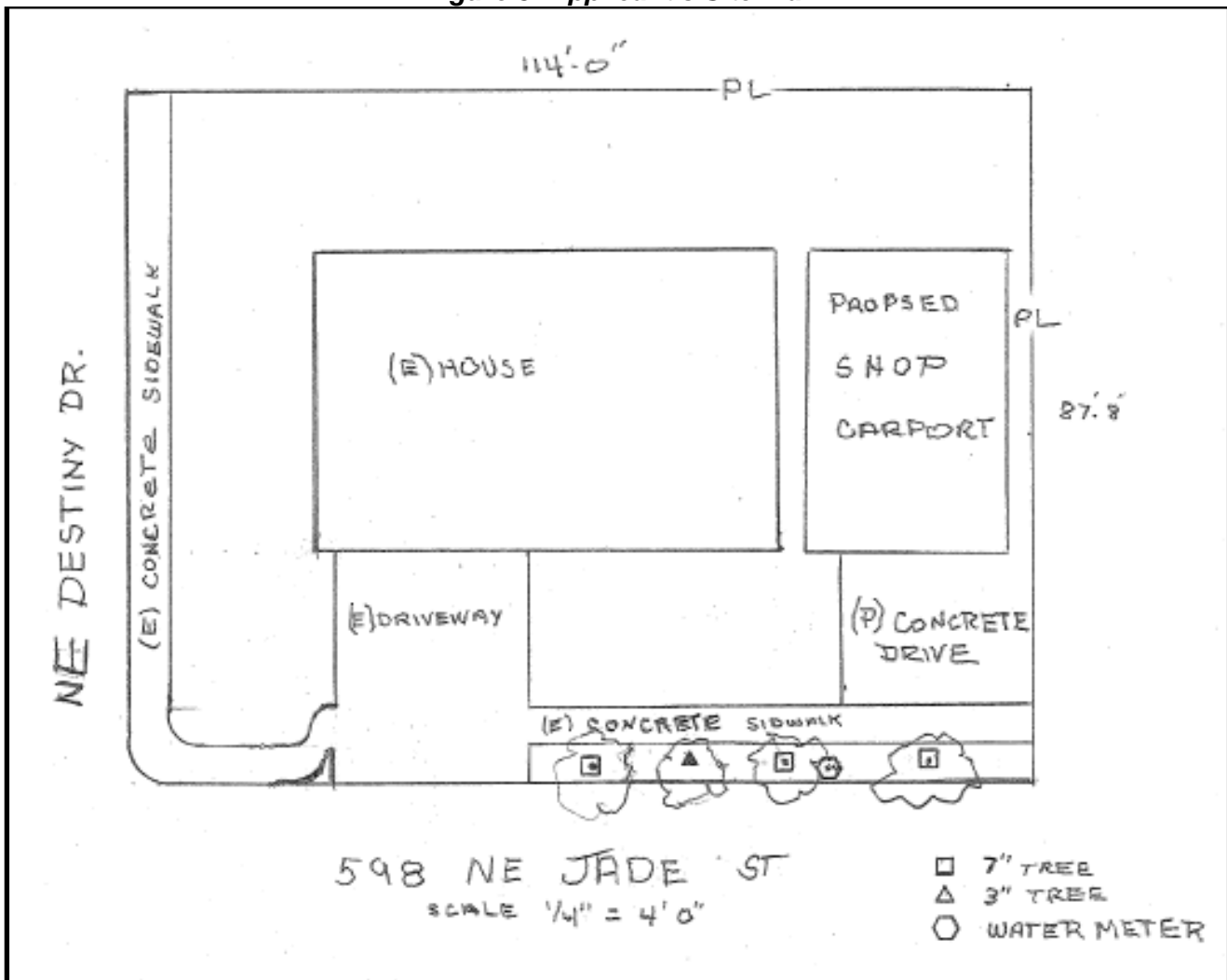
The tree is a maple variety (*Acer rubrum* var.) that measures approximately six (6) inches DBH (diameter at breast height). The tree appears to be in good health and condition, though it exhibits some surface rooting. The tree is located in a five (5) foot wide planter strip. Also in the same planter strip is a water meter and three (3) additional street trees, which are spaced approximately 12 feet apart.

**Attachments:**

Attachment 1 – Application for Street Tree Removal (L 9-19)

The northern and southern-most trees of the three (3) are planted approximately six (6) feet from the existing driveway apron and approximately six (6) feet from the proposed driveway apron, respectively.

**Figure 3: Applicant's Site Plan**



The street tree requested for removal is planted in the planter strip adjacent to the property where the driveway apron for the proposed driveway would be located. A Public Works permit has been approved, granting the applicant authority to construct a second curb cut and driveway access into the property.

Once the proposed driveway apron is installed in place of the planter strip, a replacement tree could not be replanted in the same approximate location. After considering the 12 foot spacing of the nearby street trees, and applying City street tree spacing standards to the water meter and driveways, there is not sufficient room to plant a replacement street tree anywhere in the planter strip along Jade Street adjacent to the property. On the north side of the property, along Destiny Drive, the sidewalk is curb-tight and no planter strip exists. Because there is not sufficient space in the Jade Street planter strip and no planter strip exists along Destiny Drive, a replacement tree is not recommended.

## **II. CONDITIONS:**

1. That all costs and liability associated with tree removal and stump grinding shall be borne by the applicant.

Attachments:

Attachment 1 – Application for Street Tree Removal (L 9-19)

2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to stump grinding to ensure that underground utilities are not damaged during this process.
3. That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations.
4. That the applicant shall complete the tree removal within six (6) months of this approval notification, or December 26, 2019.

### **III. ATTACHMENTS:**

1. L 9-19 Application and Attachments (on file with the Planning Department)

### **IV. COMMENTS:**

#### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. The following comments have been received and incorporated into the conditions of approval:

- McMinnville Public Works:

#### **Site Review**

1. The tree in question appears to be a maple variety and is 6" DBH.
2. The tree is planted in 5 foot planter strip with non-irrigated bark as ground cover.
3. There are no overhead facility conflicts.
4. There are no tree related damages to the sidewalk or curb/gutter.
5. The tree appears healthy. There is no obvious health or structural issues that would require its removal.
6. From the application and a site visit, it appears that the reason for the request is to accommodate a proposed shop and additional driveway to the lot.

#### **Recommendations**

1. Assuming that the proposed shop and driveway is approved, staff would recommend approval of the request. Should that proposal not be approved, staff would recommend denying the request, based on the condition of the existing tree and the lack of tree related damage to the surrounding infrastructure.
2. Suggested conditions of approval:
  - a. Applicant to be responsible for all costs related to removal.
  - b. Applicant required to grind stump to a minimum of 6" below grade, and to chase roots as necessary to allow for a suitable replanting site.
  - c. Applicant to call for a utility locate prior to removal and planting. As a note, applicant should be informed that upon request, utility locates can be flagged without marking up hard surfaces.

- McMinnville Water and Light:

No comments from power or water.

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Attachments:

Attachment 1 – Application for Street Tree Removal (L 9-19)

## Public Comments

No public notice of the application was provided by the City of McMinnville, as Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the Planning Director's decision.

## V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. Rick Grenz, adjacent property owner, submitted the Street Tree Removal Permit application on April 12, 2019.
2. The application was deemed complete on April 18, 2019.
3. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
4. No public notice of the application was provided by the City of McMinnville, as Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
5. On May 13, 2019 the applicant requested the application be removed from the agenda of the May 15, 2019 Landscape Review Committee meeting, pending a revision. On May 16, 2019 the applicant subsequently requested review of the existing application at the next available Landscape Review Committee meeting without revision.
6. A public meeting was held by the Landscape Review Committee on June 26, 2019 to review the application and proposed street tree removal request.

## VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 598 NE Jade Street (Tax Lot 200, Section 22DC, T. 4. S., R. 4 W., W.M.)
2. **Size:** 10,009 sf (0.23 acres)
3. **Comprehensive Plan Map Designation:** Residential
4. **Zoning:** R-2 PD (Single-family Residential Planned Development)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** Existing single-family dwelling
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None.
  - b. **Other:** None identified.
8. **Other Features:** Five (5) foot wide planter strip adjacent to NE Jade Street with four (4) street trees, and one (1) water meter. No planter strip adjacent to NE Destiny Drive.
9. **Utilities:**

---

Attachments:

Attachment 1 – Application for Street Tree Removal (L 9-19)

- a. **Water:** The property is served by a water main in NE Jade Street. The treatment plant has sufficient treatment capacity.
  - b. **Sewer:** The property is served by an 8" sewer main in NE Jade Street. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
  - c. **Stormwater:** Storm water in NE Jade Street is conveyed by curb and gutter to a catch basin and storm drain in NE Jade Street. The proposal doesn't increase impervious site area.
  - d. **Other Services:** Overhead utilities are not present on either side of NE Jade Street.
10. **Transportation:** NE Jade Street is classified as a Local Neighborhood Street in the Transportation System Plan (TSP). The existing right-of-way is 50 feet wide. The street is improved with curb and gutter, sidewalk, and planter strip on both sides of the street. The street has two travel lanes and has on-street parking on both sides of the street, with no bike lanes.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Street Tree Removal Permit are specified in Section 17.58.050 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

### **Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

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

**GOAL V 2:** TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

*Policy 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:*

- 3. *Streets within the development and providing access to the development, improved to city standards (as required).*

**APPLICANT'S RESPONSE:** The applicant did not address this policy in the application.

**FINDING: SATISFIED.** A Public Works permit has been approved and issued for the construction of a second driveway to the subject property to provide access to new development on the site.

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*Attachments:*

*Attachment 1 – Application for Street Tree Removal (L 9-19)*



The street tree under review is located in the planter strip where the new driveway location is proposed. The removal of the subject tree in the NE Jade Street right-of-way would allow for the construction of a new, approved private driveway approach and second driveway to access proposed new development on a private residential lot. Therefore, removal of the tree is consistent with the policy to provide access to residential development that is improved to City standards.

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

*Policy 132.38.00: Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project.*

**APPLICANT'S RESPONSE:** The applicant did not address this policy in the application.

**FINDING: SATISFIED.** The removal of the subject tree in the NE Jade Street right-of-way would allow access to proposed residential development via a new driveway, providing safe and efficient movement to and from the subject property. Replacement of the street tree would not be appropriate in this location. The planter strip where the tree is currently located is being removed for the new driveway. The adjacent planter strip does not have space to accommodate a replacement street tree because of the three (3) existing street trees in that space. Therefore, the removal of the tree is consistent with the above goal and policy, and a replacement tree is not recommended.

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

*Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.*

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED.** McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

### **McMinnville Zoning Ordinance**

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) provide standards and criteria applicable to the request:

#### **17.58.040 Tree Removal/Replacement.**

**17.58.040(A).** *The removal or major pruning of a tree, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the McMinnville Planning Department. [...]*

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Attachments:

Attachment 1 – Application for Street Tree Removal (L 9-19)

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED.** The tree removal was not designated as exempt, and the applicant has filed an application for a Street Tree Removal Permit to be reviewed by the McMinnville Landscape Review Committee.

**17.58.040(B).** *Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the City. [...]*

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED WITH CONDITION #3.** A condition of approval has been included to assure that the tree removal will be performed to accepted City standards.

**17.58.040(C).** *The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.*

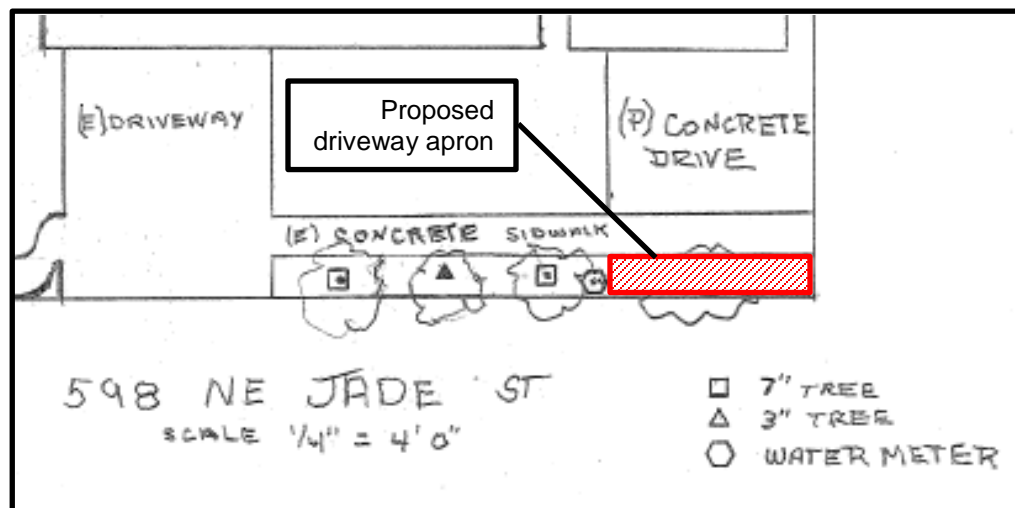
**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED WITH CONDITIONS #1, 2.** Conditions of approval have been included to assure that the applicant shall be responsible for all costs associated with the tree removal, and that steps are taken to ensure safety to individuals and public and private property.

**17.58.040(D).** *Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city [...]*

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED.** The approved street tree plan for the Berkey Estates subdivision identifies *Acer rubrum* (Red Maple) as the approved street tree for the NE Jade Street right-of-way adjacent to the subject property. However, after the proposed driveway approach is constructed, the remaining planter strip adjacent to the property would not have sufficient space for a replacement street tree. The remaining planter strip has three (3) trees spaced approximately 12 feet apart and one (1) water meter between the private driveway approaches that would border the north and south edges of the planter area.



Attachments:

Attachment 1 – Application for Street Tree Removal (L 9-19)

After applying City street tree spacing standards from the water meters (ten feet), and the bounding driveway approaches (five feet), there would be insufficient space in the planter strip for a replacement tree. The NE Destiny Drive right-of-way adjacent to the north side of the subject property, has curb-tight sidewalks, and no planter strip. Therefore, there are no planter strips adjacent to the subject property with sufficient space to accommodate a replacement tree in addition to the existing street trees. The suitability of a replacement street tree has been examined, and it has been determined that a replacement street tree in this location, or a nearby location, could not meet City street tree standards. Therefore, a replacement street tree is not required.

**17.58.040(E).** *The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.*

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED WITH CONDITION #3.** A condition of approval has been included to ensure that the applicant shall remove the tree stump and surface roots, and restore the planting strip.

**17.58.040(F).** *The applicant shall complete the tree removal, and tree replacement if required, within six months of receiving notification of the Landscape Review Committee's decision. The Landscape Review Committee may allow for additional time to complete the tree replacement to allow for planting in favorable seasons and to promote tree survivability.*

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED WITH CONDITION #4.** A condition of approval has been included to ensure that the applicant shall complete the tree removal within six (6) months of approval.

**17.58.050 Review Criteria.**

A permit for major pruning or tree removal shall be granted if any of the following criteria apply:

**17.58.050(C).** *The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is a part of a street tree improvement program.*

**APPLICANT'S RESPONSE:** New driveway.

**FINDING: SATISFIED.** The applicant has applied for a Public Works Permit to build a second driveway access to his residential property. The permit was approved by the Community Development Director. The subject street tree is located in the planter strip that would be removed to install the new driveway approach in the public right-of-way. Therefore, because the tree removal is necessary for an approved development project, and that there is no alternative due to the location of the proposed driveway and existing street tree, this criterion is met.

JF



**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128  
(503) 434-7311 Office • (503) 474-4955 Fax  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

569-19-000137-PLNG

**Office Use Only:**

File No. L-9-19

Date Received 4/12/19

Fee \$150

Receipt No. 222696

Received by RH

## Street Tree Removal

### Applicant Information

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

Applicant Name Rick Grenz Phone 503-474-6556

Contact Name \_\_\_\_\_ Phone 916-425-3848  
(If different than above)

Address 598 NE JADE ST

City, State, Zip McMinnville OR 97128

Contact Email rlaineg@yahoo.com

### Property Owner Information

Property Owner Name AS ABOVE Phone \_\_\_\_\_  
(If different than above)

Contact Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Contact Email \_\_\_\_\_

### Site Location and Description

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

Property Address 598 NE JADE ST  
(Property nearest to tree(s) for removal)

Assessor Map No. R4 422 - PC - 00200 Total Site Area 0

Subdivision Norton Estates Block \_\_\_\_\_ Lot 200

Comprehensive Plan Designation Residential Zoning Designation R-2 PD

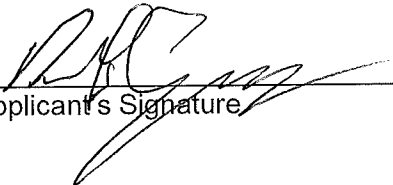
### Additional Information

1. How many trees are requested for removal? 1
2. What type (species) of tree(s) are they? DONT KNOW
3. What is the diameter of the tree(s), measured four feet above ground level? 6" ABH
4. Why are you requesting the removal of the noted tree(s)? (See "Removal Criteria" on attached Information Sheet.) Explain which of the criteria is addressed through this application. NEW DRIVEWAY  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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), showing the location of the tree(s) subject to the removal request, property lines, sidewalks, adjacent utilities (including overhead), north direction arrow, and adjacent streets.
- ☐ Arborist report, photographs, and/or other information which would help substantiate or clarify your request.

**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

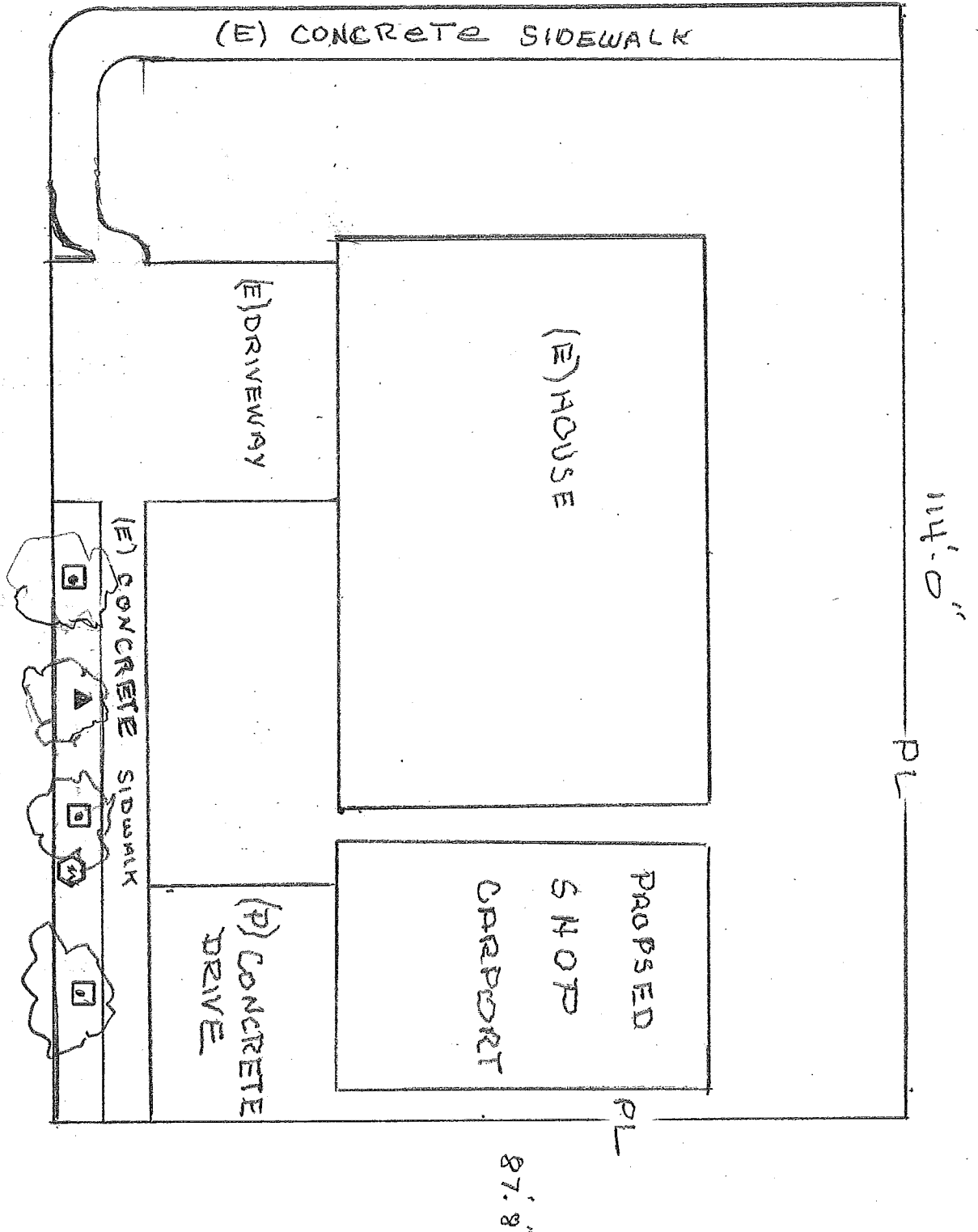
4 12 19  
Date

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date



NE DESTINY DR.

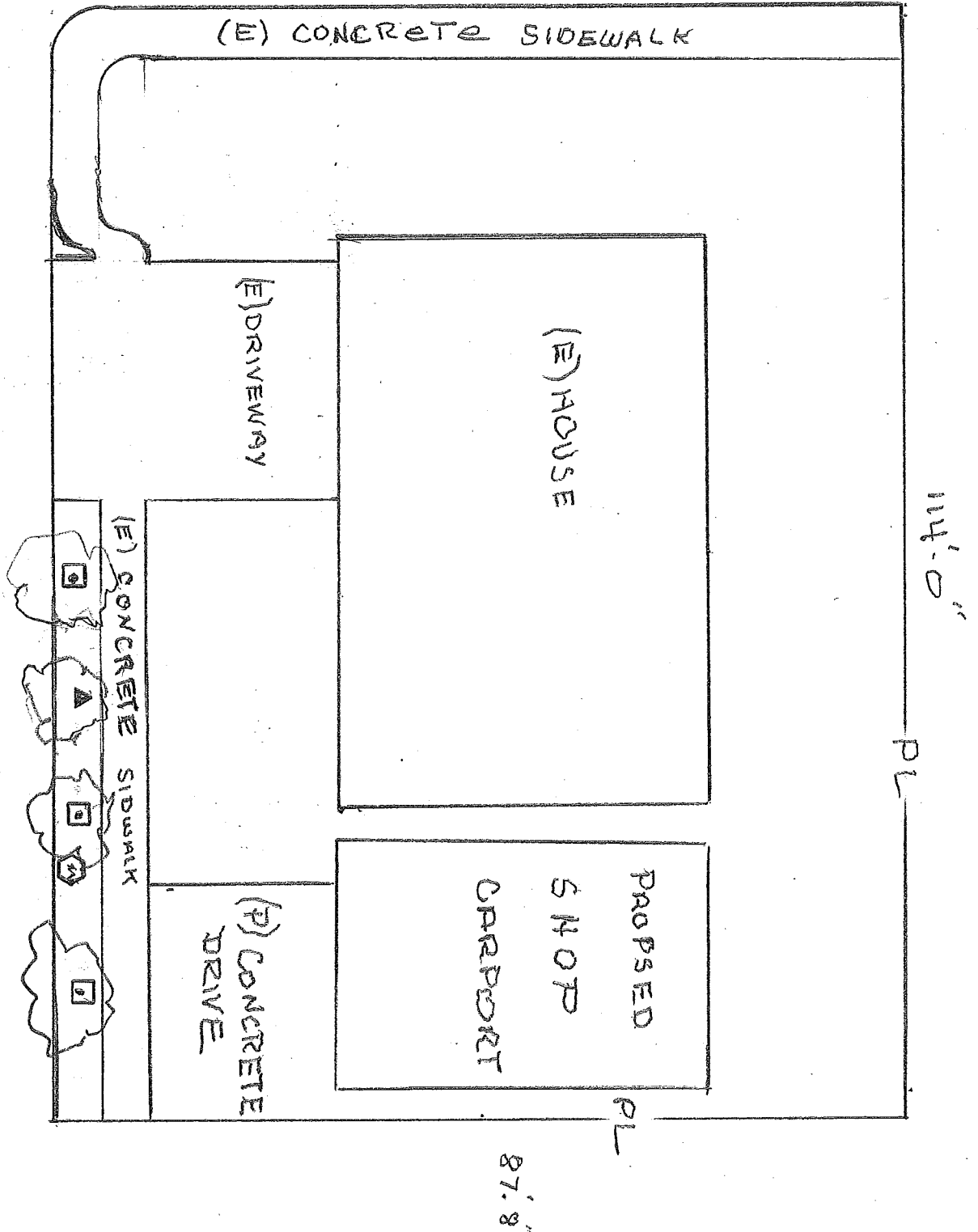


598 NE JADE ST

SCALE 1/4" = 4'-0"

- 7" TREE
- △ 3" TREE
- WATER METER

NE DESTINY DR.



















City of McMinnville  
Planning Department  
231 NE Fifth Street  
McMinnville, OR 97128  
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## EXHIBIT 4 - STAFF REPORT

DATE: June 26, 2019  
TO: Landscape Review Committee Members  
FROM: Jamie Fleckenstein, Associate Planner  
SUBJECT: Landscape Plan Review Application (L 11-19)

### STRATEGIC PRIORITY & GOAL:



### GROWTH & DEVELOPMENT CHARACTER

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

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

---

### Report in Brief:

An application for a landscape plan review (L 11-19) for the second phase of construction that will complete the site buildout of an industrial property in northeast McMinnville to be reviewed by the Landscape Review Committee.

### Background:

The applicant, Troy Haworth of Haworth, Inc., on behalf of Owyhee Properties, property owner, submitted a landscape plan associated with a building permit for the second and final phase of the Sawtooth Industrial Development at 1445 NE Miller Street. The subject property is more specifically described as Tax Lot 2100, Section 15C, T. 4. S., R. 4 W., W.M. The subject property is located on 1445 NE Miller Street between Rivergate Street and Riverside Drive. The property is zoned M-2PD (General Industrial Planned Development) and is located in the NE Industrial Area Planned Development (adopted by Ordinance 4135). **See Figure 1: Vicinity Map.**

The site currently has two industrial buildings and associated parking and access on the eastern half of the property (Phase 1 of the overall development). A previous landscape plan for Phase 1 was approved for the property in 2017 (L 34-17). **See Figure 2: Approved Landscape Plan-Phase 1 (L 34-17).** All lots adjacent to the subject site are also zoned M-2PD. South of the subject site is an off-street parking lot and loading area serving a printing company further to the south. North of the subject site is a tooling manufacturer (generally north of Phase 1) and undeveloped lots (generally north of Phase 2). East of the subject site, across NE Miller Street from Phase 1, is a food manufacturer and an undeveloped lot. West of the subject site, adjacent to the proposed Phase 2, is a metal fabrication shop and associated parking and loading areas.

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### Attachments:

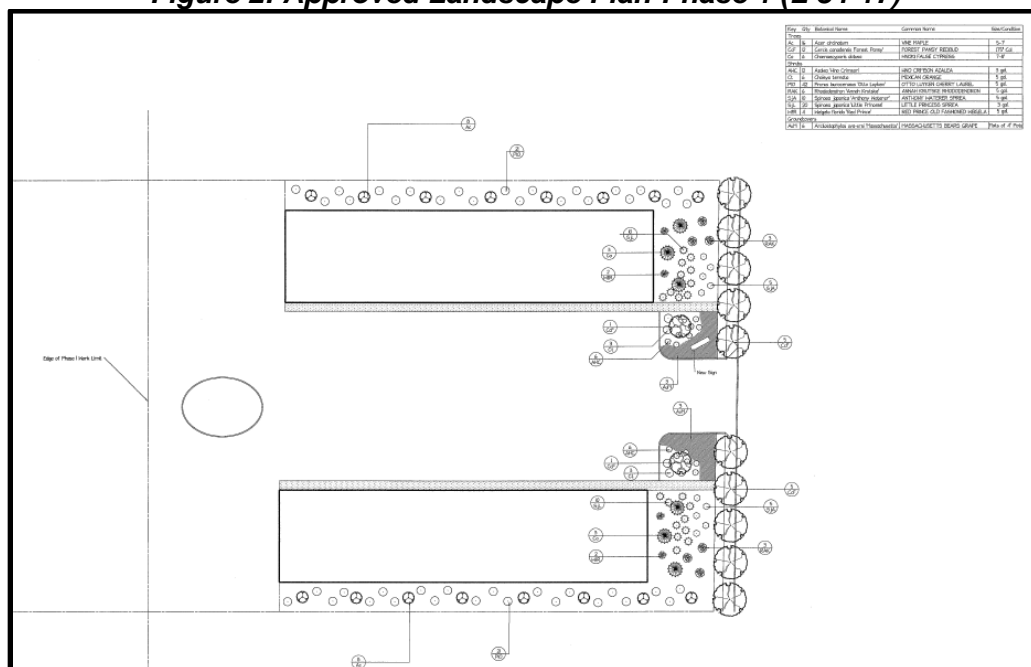
Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 1445 NE Miller Street (L 11-19)

A building permit has been applied for to complete the buildout of the site by adding two new buildings totaling 10,000 square feet and associated parking and driveway access. **See Figure 3: Site Plan.** The landscape plan addresses landscaping around the western perimeter of the site (Phase 2). **See Figure 4: Landscape Plan.**

**Figure 1: Vicinity Map**



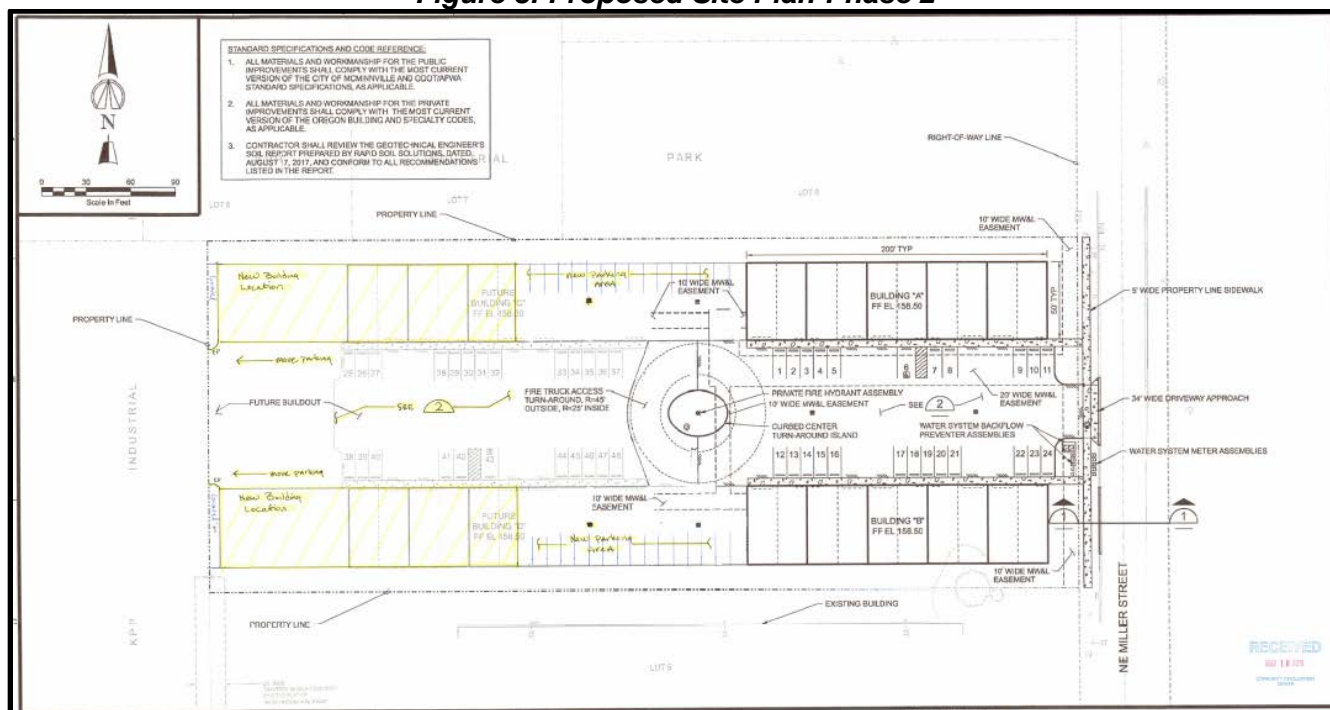
**Figure 2: Approved Landscape Plan-Phase 1 (L 34-17)**



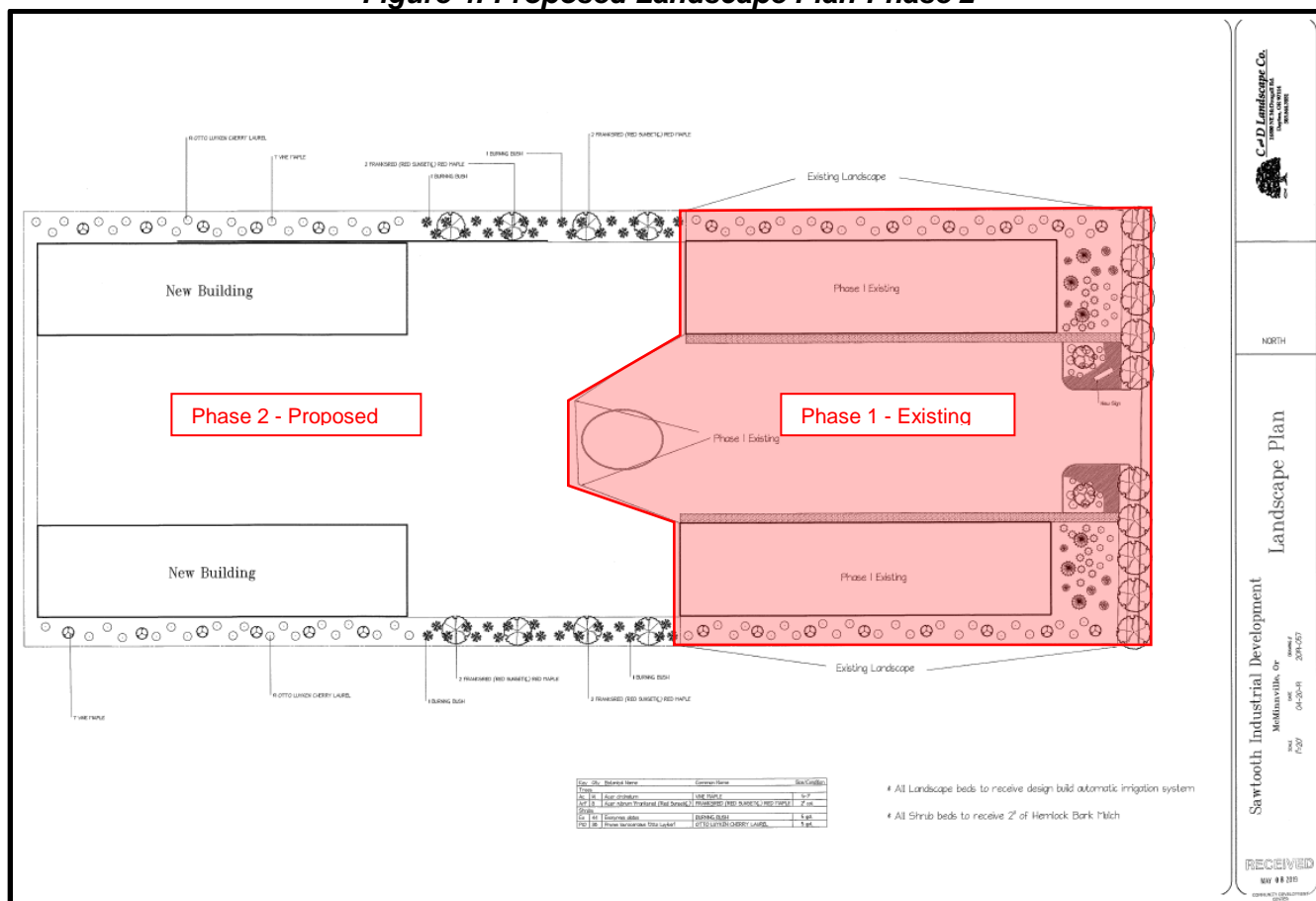
*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 1445 NE Miller Street (L 11-19)*

**Figure 3: Proposed Site Plan-Phase 2**



**Figure 4: Proposed Landscape Plan-Phase 2**



*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 1445 NE Miller Street (L 11-19)*

**Discussion:****Summary of Criteria & Issues:**

The subject site is zoned M-2PD (General Industrial Planned Development). The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of an industrial site being developed be landscaped (Section 17.57.070(A)(1) (Area Determination – Planning Factors)). The Planned Development Overlays that apply to the subject property (Ordinance 4550 and Ordinance 4135 (NE Industrial Area Planned Development Overlay)) place no further landscaping requirements on the site. Section 5(a)(4-Appearance) of Ordinance 4135 states “The City may require that the site be visually screened from neighboring residential areas through earthen berms, landscaping and/or other screening methods.” Because the proposed Phase 2 of development is on the western half of the site and would be screened by Phase 1 development and landscaping from the closest residential area, which is approximately 2,000 feet to the east of the site, no additional screening would be required.

The percentage of landscape provided in the phases is seen below:

Project	Total Area (s.f.)	Landscape Provided (s.f.)	Percentage
Phase 1 (existing)	53,110 (approx.)	8,900	16.7%
Phase 2 (proposed)	77,518 (approx.)	11,360	13.3%
Total Site	130,628	20,260	15.5%

The landscaping proposed for Phase 2 is in excess of the required seven (7) percent, as is the total landscaping that would be provided for the entire three acre site.

In reviewing a landscape plan, MMC Section 17.57.050(B) (Area Determination – Planning Factors) requires the Landscape Review Committee to consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The proposed project is the second phase of construction on an industrial parcel. The first phase developed the eastern half of the site with two (2) buildings and associated off street parking and drive aisle. Landscaping was provided between the buildings and NE Miller Street, and along the north and south property lines adjacent to each building. The proposed second phase of construction adds two (2) similar buildings and associated off-street parking and driveway access to the previously undeveloped western half of the site. Proposed landscaping would be a continuation of the Phase 1 planting along the north and south property lines.

On the north and south sides of each building, the applicant is proposing to install a continuous row of Vine Maple (*Acer circinatum*) trees. These trees are shown to be placed 25 to 30 feet apart on center, which will not provide for a continuous canopy since Vine Maples grow to about 20 to 25 feet tall and wide. To fill the space between the trees, the applicant has added 21 Otto Luyken Cherry Laurel (*Prunus laurocerasus* ‘Otto Luyken’) shrubs, placed in groups of three (3), between each of the Vine Maple trees. The Otto Luyken Cherry Laurel shrubs are a wide spreading shrub that can reach widths of up to 10 (ten) feet, and the proposed spacing of the shrubs is about 10 (ten) feet on center. This will provide for a full landscaped bed with a variety of evergreen shrubs and small deciduous trees that will provide interest between the new buildings and adjacent properties. This is a continuation of the Phase 1 planting theme adjacent to the buildings.

Between the existing Phase 1 buildings and the proposed Phase 2 buildings, the applicant has proposed off-street surface parking. The landscaping proposed in the planting area adjacent to the parking features a different plant palette and character than the landscaping adjacent to the buildings. The applicant has

**Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 1445 NE Miller Street (L 11-19)

proposed a row of Red Sunset Red Maples (*Acer rubrum* 'Franksred') spaced at 30 to 35 feet on center. Red Sunset Red Maples grow to a mature height of about 45 feet and reach a spread of 35 feet. At the proposed spacing, the Red Sunset Maples would provide full canopy coverage between the buildings, shading and screening the adjacent parking spaces. Additionally, Burning Bush (*Euonymus alatus*) is proposed to be planted underneath the Red Sunset Red Maples at a spacing of seven (7) to ten (10) feet on center. *Euonymus alatus* is a deciduous shrub growing to six (6) to ten (10) feet high and wide. At the proposed spacing, the proposed Burning Bush would grow into a continuous hedge providing additional screening of the parking from adjacent properties.

Staff finds the proposed landscaping is compatible with the proposed development and that the subject site will be compatible with surrounding and the surrounding properties.

2. Screening the proposed use by sight-obscurating, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The proposed landscaping is a combination of deciduous trees in combination with medium to large evergreen and deciduous shrubs. The spacing of the shrubs will provide for near continuous screening of the proposed building and parking. The use of shade trees adjacent to the parking area will provide further screening and buffering of the parking area between the buildings.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The site was previously in agricultural use, and the portion of the site being developed in Phase 2 does not have any existing trees or natural areas that could be retained. The site is essentially flat and the existing grade will be maintained.

4. The development and use of islands and plantings therein to break up parking areas.

The proposed project does not include the installation of landscaping islands within the proposed parking areas. The applicant has designed the site to have parking areas internal to the site, between the two buildings being proposed, similar to the conditions in Phase 1. These parking areas will be screened from view from the public right-of-way by the existing landscaping installed on the eastern portion of the site. Additional parking is proposed between the existing Phase 1 buildings and the proposed Phase 2 buildings. These parking areas would be screened from the right-of-way by the existing buildings, and landscaping has been proposed to provide screen from the properties to the north and south.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Street trees are not required in this Phase of construction since the proposed work is not immediately adjacent to a right-of-way. Street trees were previously planted along NE Miller Street in Phase 1 landscaping.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The proposed landscape plan indicates that all landscape beds are to receive a design/build automatic irrigation system.

---

*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 1445 NE Miller Street (L 11-19)*



**Fiscal Impact:**

None.

**Landscape Review Committee Options:**

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

**Staff Recommendation:**

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions specified in the attached Decision Document, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL** of the application, subject to the conditions specified in the attached Decision Document.

**Suggested Motion:**

**THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE LANDSCAPE PLAN REVIEW APPLICATION L 11-19 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.**

JF

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**Attachments:**

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 1445 NE Miller Street (L 11-19)*



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE  
APPROVAL OF A LANDSCAPE PLAN AT 1445 NE MILLER STREET**

**DOCKET:** L 11-19 (Landscape Plan)

**REQUEST:** Approval of a Landscape Plan for Sawtooth Industrial Development

**LOCATION:** 1445 NE Miller Street (Tax Lot 2100, Section 15C, T. 4. S., R. 4 W., W.M.)

**ZONING:** M-2PD (General Industrial Planned Development)

**APPLICANT:** Troy Haworth, on behalf of Owyhee Properties, property owner

**STAFF:** Jamie Fleckenstein, PLA, Associate Planner

**DATE DEEMED  
COMPLETE:** May 20, 2019

**HEARINGS BODY  
& ACTION:** McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.

**HEARING DATE  
& LOCATION:** June 26, 2019, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon

**PROCEDURE:** Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

**CRITERIA:** The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.

**APPEAL:** The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.57.170 of the McMinnville Zoning Ordinance.

**COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Their comments are provided in this document. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the Landscape Plan (L 11-19) **subject to the conditions of approval provided in this document.**

**DECISION: APPROVAL WITH CONDITIONS**

Date: June 26, 2019Date: June 26, 2019

Attachment 1 – Application for Landscape Plan Review (L 11-19)

## **I. APPLICATION SUMMARY:**

### ***Subject Property & Request***

The application requests approval of a landscape plan (L 11-19) for the second phase of construction that will complete the site buildout of an industrial property in northeast McMinnville.

The applicant, Troy Haworth of Haworth, Inc., on behalf of Owyhee Properties, property owner, submitted a landscape plan associated with a building permit for the second and final phase of the Sawtooth Industrial Development at 1445 NE Miller Street. The subject property is more specifically described as Tax Lot 2100, Section 15C, T. 4. S., R. 4 W., W.M. The subject property is located on 1445 NE Miller Street between Rivergate Street and Riverside Drive. The property is zoned M-2PD (General Industrial Planned Development) and is located in the NE Industrial Area Planned Development (adopted by Ordinance 4135). **See Figure 1: Vicinity Map.**

The site currently has two industrial buildings and associated parking and access on the eastern half of the property (Phase 1 of the overall development). A previous landscape plan for Phase 1 was approved for the property in 2017 (L 34-17). **See Figure 2: Approved Landscape Plan-Phase 1 (L 34-17).** All lots adjacent to the subject site are also zoned M-2PD. South of the subject site is an off-street parking lot and loading area serving a printing company further to the south. North of the subject site is a tooling manufacturer (generally north of Phase 1) and undeveloped lots (generally north of Phase 2). East of the subject site, across NE Miller Street from Phase 1, is a food manufacturer and an undeveloped lot. West of the subject site, adjacent to the proposed Phase 2, is a metal fabrication shop and associated parking and loading areas.

A building permit has been applied for to complete the buildout of the site by adding two new buildings totaling 10,000 square feet and associated parking and driveway access. **See Figure 3: Site Plan.** The landscape plan addresses landscaping around the western perimeter of the site (Phase 2). **See Figure 4: Landscape Plan.**

**Figure 1: Vicinity Map**



### ***Attachments:***

Attachment 1 – Application for Landscape Plan Review (L 11-19)

Figure 2: Approved Landscape Plan-Phase 1 (L 34-17)

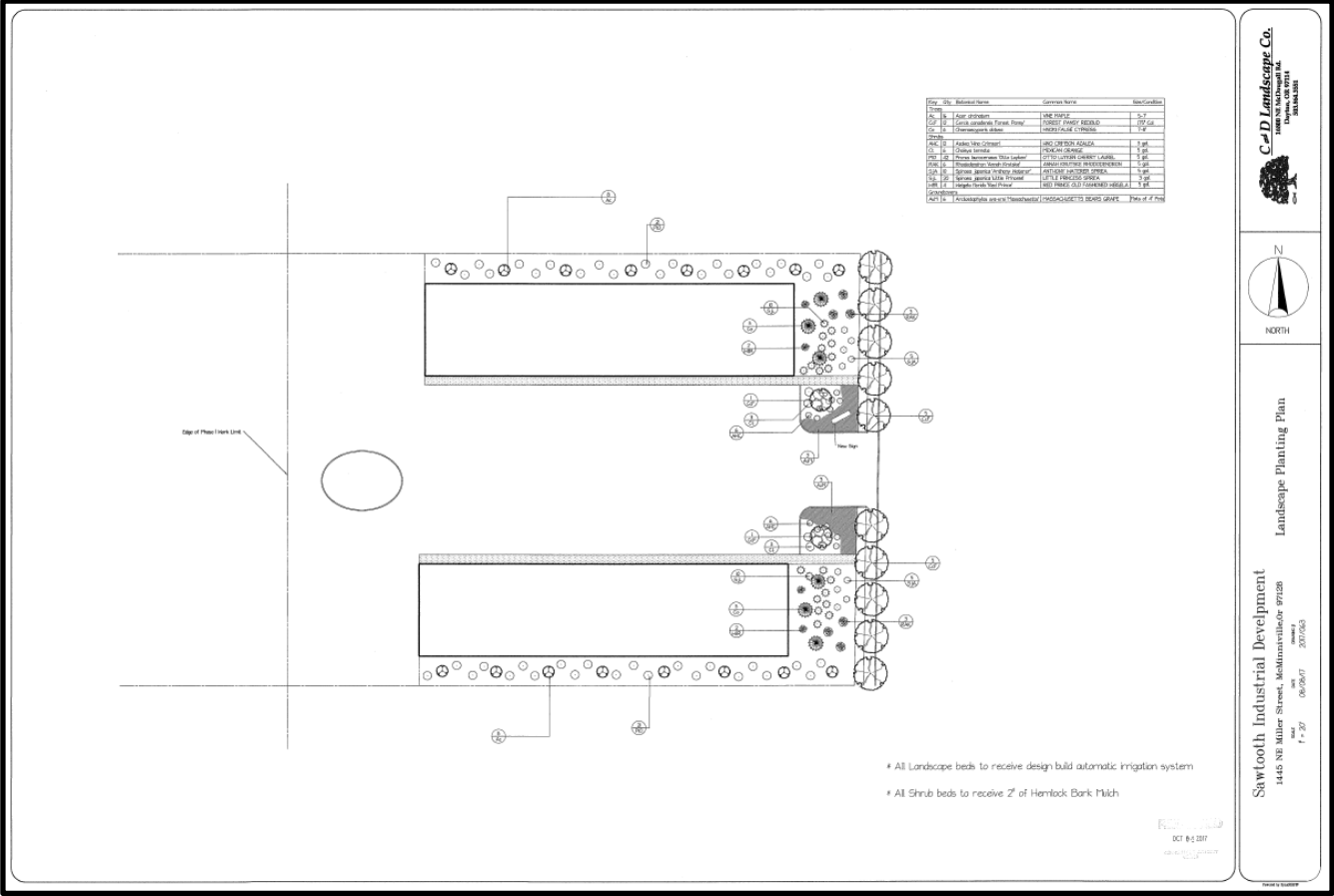
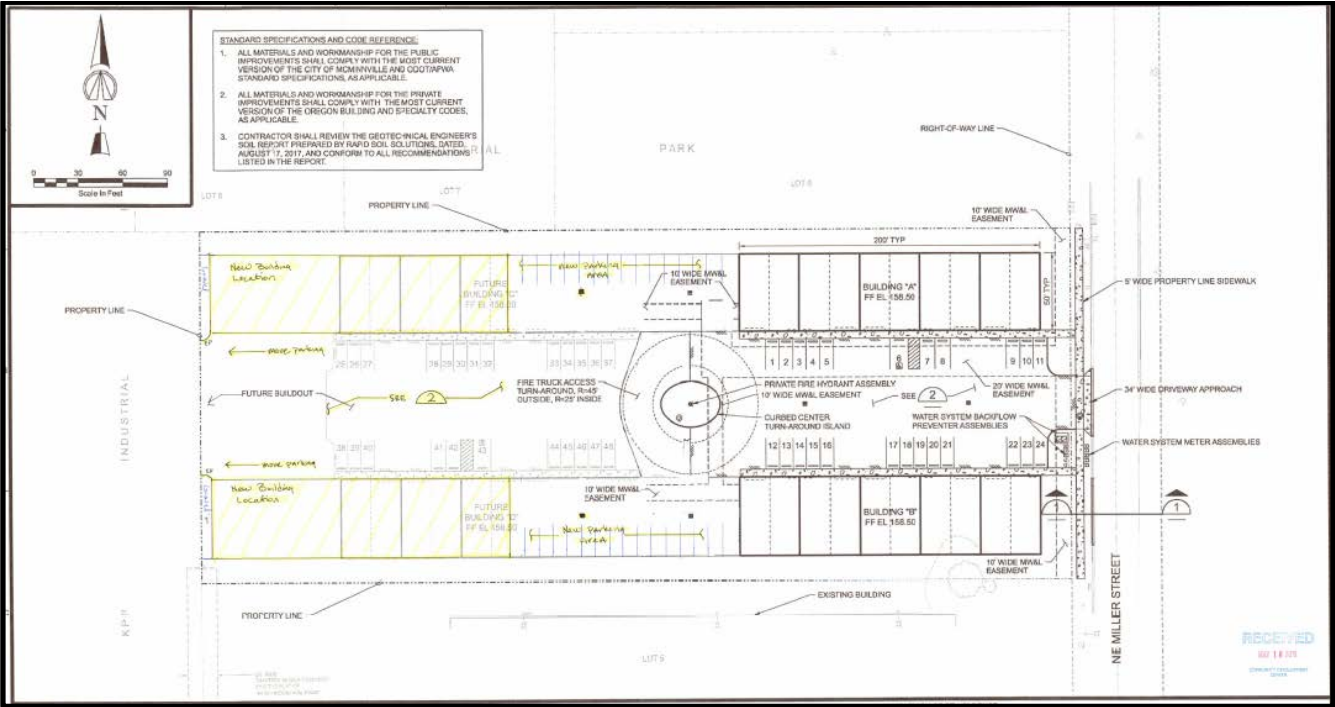
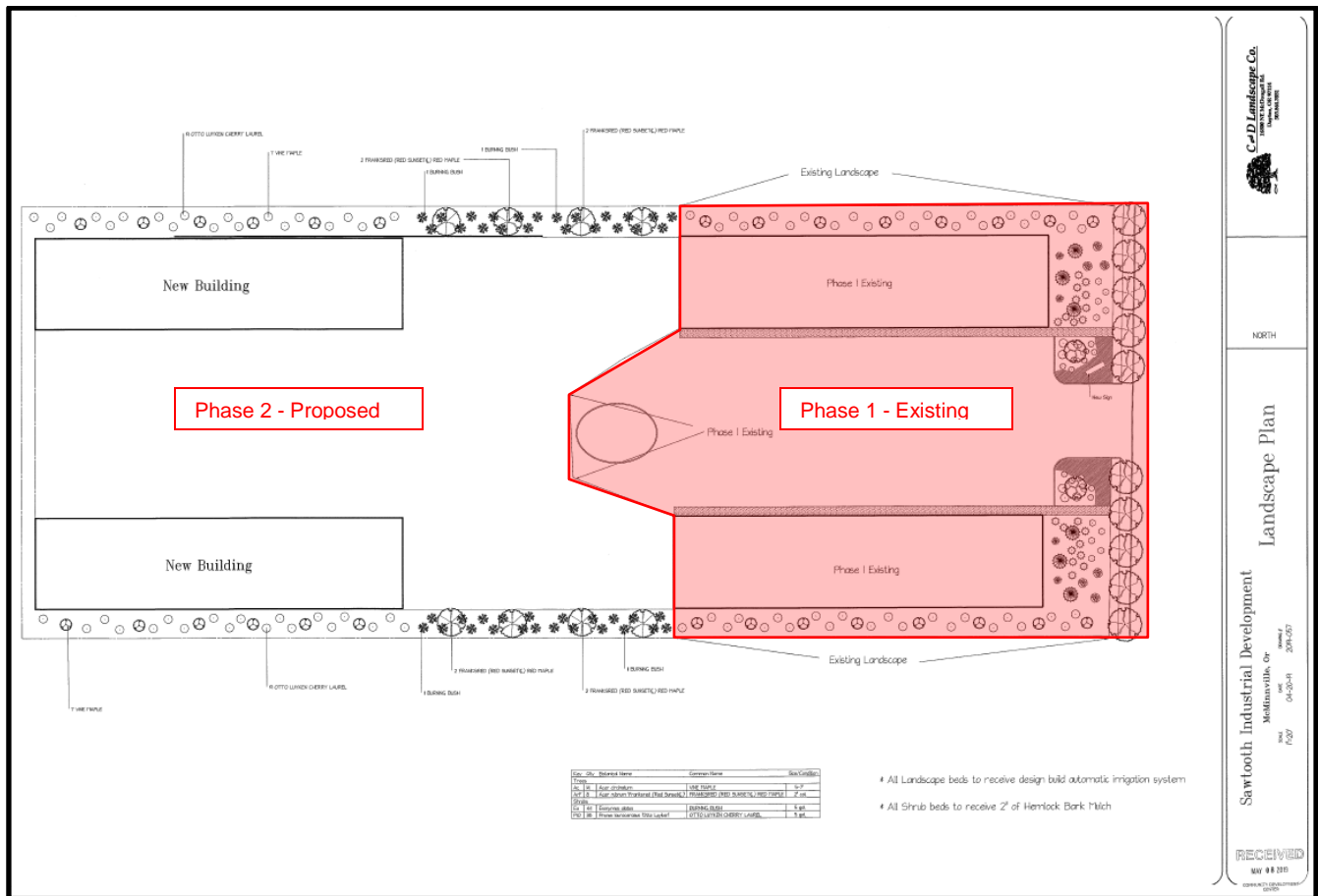


Figure 3: Proposed Site Plan-Phase 2



Attachments:  
Attachment 1 – Application for Landscape Plan Review (L 11-19)



**Figure 4: Proposed Landscape Plan-Phase 2**

### Summary of Criteria & Issues

The subject site is zoned M-2PD (General Industrial Planned Development). The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of an industrial site being developed be landscaped (Section 17.57.070(A)(1) (Area Determination – Planning Factors)). The Planned Development Overlays that apply to the subject property (Ordinance 4550 and Ordinance 4135 (NE Industrial Area Planned Development Overlay)) place no further landscaping requirements on the site. Section 5(a)(4-Appearance) of Ordinance 4135 states “The City may require that the site be visually screened from neighboring residential areas through earthen berms, landscaping and/or other screening methods.” Because the proposed Phase 2 of development is on the western half of the site and would be screened by Phase 1 development and landscaping from the closest residential area, which is approximately 2,000 feet to the east of the site, no additional screening would be required.

The percentage of landscape provided in the phases is seen below:

Project	Total Area (s.f.)	Landscape Provided (s.f.)	Percentage
Phase 1 (existing)	53,110 (approx.)	8,900	16.7%
Phase 2 (proposed)	77,518 (approx.)	11,360	13.3%
Total Site	130,628	20,260	15.5%

The landscaping proposed for Phase 2 is in excess of the required seven (7) percent, as is the total landscaping that would be provided for the entire three acre site.

### Attachments:

Attachment 1 – Application for Landscape Plan Review (L 11-19)

**II. CONDITIONS:**

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on May 8, 2019.
2. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

**III. ATTACHMENTS:**

1. L 11-19 Application and Attachments (on file with the Planning Department)

**IV. COMMENTS:****Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments regarding the proposed landscaping for Phase 2 have been received.

**Public Comments**

No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the Planning Director's decision.

**V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. Troy Haworth of Haworth Inc., on behalf of Owyhee Properties, property owner, submitted a landscape plan application on April 22, 2019.
2. The application was deemed complete on May 20, 2019.
3. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
4. No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
5. A public meeting was held by the Landscape Review Committee on June 26, 2019 to review the application and proposed landscape plan.

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**Attachments:**

Attachment 1 – Application for Landscape Plan Review (L 11-19)

## **VI. FINDINGS OF FACT - GENERAL FINDINGS**

1. **Location:** 1445 NE Miller Street (Tax Lot 2100, Section 15C, T. 4. S., R. 4 W., W.M.)
2. **Size:** 130,628 s.f. (3.00 acres)
3. **Comprehensive Plan Map Designation:** Industrial
4. **Zoning:** M-2PD (General Industrial Planned Development)
5. **Overlay Zones/Special Districts:** NE Industrial Area Planned Development Overlay (Ord. 4135)
6. **Current Use:** Industrial
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** None identified
8. **Other Features:** None
9. **Utilities:**
  - a. **Water:** The property is served by water. The treatment plant has sufficient treatment capacity.
  - b. **Sewer:** The property is served by sewer. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
  - c. **Stormwater:** Storm water is conveyed to a catch basin and storm drain in NE Miller Street.
  - d. **Other Services:** Overhead utilities not present adjacent to the site along NE Miller Street.
10. **Transportation:** NE Miller Street is classified as a local street in the McMinnville Transportation System Plan.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

### **Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

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#### **Attachments:**

Attachment 1 – Application for Landscape Plan Review (L 11-19)

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

**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.

*Policy 54.00: The City of McMinnville shall establish industrial planned development ordinances which shall be placed over the future industrial areas designated on the McMinnville Comprehensive Plan Map, the industrial reserve area, and certain existing industrially designated areas within the city limits. The overlay shall also be applied to any areas which are in the future designated for future industrial use through an amendment to the comprehensive plan map. The overlays shall provide standards to control the nuisance and negative environmental effects of industries. These controls shall cover, but not be limited to, the following areas:*

1. *Landscaping and screening*

**APPLICANT'S RESPONSE:** The applicant did not address this in the application.

**FINDING: SATISFIED.** The Comprehensive Plan states that industrial development shall be located appropriately to be compatible with surrounding uses. Landscaping is a standard that is listed in the Comprehensive Plan as one way to mitigate the effects of industrial developments. Landscaping is proposed to be installed with this industrial development, which will provide for additional screening of the proposed use resulting in the industrial development being more compatible with the surrounding properties.

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

*Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.*

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED.** McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

### **McMinnville Zoning Ordinance**

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

**17.57.010 Purpose and intent.** The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

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*Attachments:*

Attachment 1 – Application for Landscape Plan Review (L 11-19)

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

**17.57.030 Zones where required.** Landscaping shall be required in the following zones except as otherwise noted: [...]

H. M-2 (General Industrial zone).

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The subject site is zoned M-2 (General Industrial), and landscaping is being provided as required.

### **17.57.070 Area Determination – Planning Factors.**

**17.57.070(A).** Landscaping shall be accomplished within the following ranges:

1. Industrial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)

**APPLICANT'S RESPONSE:** The application material indicated that the Total Landscaped Area is 8,960 and the Percent Landscaped is 15% of Area Developed (225'x265').

**FINDING: SATISFIED.** According to measurements from the submitted site plan and landscape plan, staff finds the following Total Landscape Areas and Percent Landscaped calculations for Phase 1 (existing), Phase 2 (proposed), and the Total Site (Phase 1 + Phase 2):

Project	Total Area (s.f.)	Landscape Provided (s.f.)	Percentage
Phase 1 (existing)	53,110 (approx.)	8,900	16.7%
Phase 2 (proposed)	77,518 (approx.)	11,360	13.3%
Total Site	130,628	20,260	15.5%

Both the proposed landscaping for Phase 2 and the total combined landscaping that would be found on the entire site (including Phase 1 and Phase 2) would be considerably in excess of the required 7% minimum.

**17.57.070(B).** The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

**17.57.070(B)(1).** *Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed project is the second phase of construction on an industrial parcel. The first phase developed the eastern half of the site with two (2) buildings and associated off street parking and drive aisle. Landscaping was provided between the buildings and NE Miller Street, and along the north and south property lines adjacent to each building. The proposed second phase of construction adds two (2) similar buildings and

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*Attachments:*

Attachment 1 – Application for Landscape Plan Review (L 11-19)



associated off-street parking and driveway access to the previously undeveloped western half of the site. Proposed landscaping would be a continuation of the Phase 1 planting along the north and south property lines.

On the north and south sides of each building, the applicant is proposing to install a continuous row of Vine Maple (*Acer circinatum*) trees. These trees are shown to be placed 25 to 30 feet apart on center, which will not provide for a continuous canopy since Vine Maples grow to about 20 to 25 feet tall and wide. To fill the space between the trees, the applicant has added 21 Otto Luyken Cherry Laurel (*Prunus laurocerasus* 'Otto Luyken') shrubs, placed in groups of three (3), between each of the Vine Maple trees. The Otto Luyken Cherry Laurel shrubs are a wide spreading shrub that can reach widths of up to 10 (ten) feet, and the proposed spacing of the shrubs is about 10 (ten) feet on center. This will provide for a full landscaped bed with a variety of evergreen shrubs and small deciduous trees that will provide interest between the new buildings and adjacent properties. This is a continuation of the Phase 1 planting theme adjacent to the buildings.

Between the existing Phase 1 buildings and the proposed Phase 2 buildings, the applicant has proposed off-street surface parking. The landscaping proposed in the planting area adjacent to the parking features a different plant palette and character than the landscaping adjacent to the buildings. The applicant has proposed a row of Red Sunset Red Maples (*Acer rubrum* 'Franksred') spaced at 30 to 35 feet on center. Red Sunset Red Maples grow to a mature height of about 45 feet and reach a spread of 35 feet. At the proposed spacing, the Red Sunset Maples would provide full canopy coverage between the buildings, shading and screening the adjacent parking spaces. Additionally, Burning Bush (*Euonymus alatus*) is proposed to be planted underneath the Red Sunset Red Maples at a spacing of seven (7) to ten (10) feet on center. *Euonymus alatus* is a deciduous shrub growing to six (6) to ten (10) feet high and wide. At the proposed spacing, the proposed Burning Bush would grow into a continuous hedge providing additional screening of the parking from adjacent properties.

Staff finds the proposed landscaping is compatible with the proposed development and that the subject site will be compatible with surrounding and the surrounding properties.

**17.57.070(B)(2).** *Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed landscaping is a combination of deciduous trees in combination with medium to large evergreen and deciduous shrubs. The spacing of the shrubs will provide for near continuous screening of the proposed building and parking. The use of shade trees adjacent to the parking area will provide further screening and buffering of the parking area between the buildings.

**17.57.070(B)(3).** *The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The site was previously in agricultural use, and the portion of the site being developed in Phase 2 does not have any existing trees or natural areas that could be retained. The site is essentially flat and the existing grade will be maintained.

**17.57.070(B)(4).** *The development and use of islands and plantings therein to break up parking areas.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed project does not include the installation of landscaping islands within the proposed parking areas. The applicant has designed the site to have parking areas internal to the site, between the two buildings being proposed, similar to the conditions in Phase 1. These parking areas will be screened from view from the public right-of-way by the existing landscaping installed on the eastern portion of the site. Additional parking is proposed between the existing Phase 1 buildings and the proposed Phase 2 buildings. These parking areas would be screened from the right-of-way by the existing buildings, and landscaping has been proposed to provide screen from the properties to the north and south.

**17.57.070(B)(5).** *The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** Street trees are not required in this Phase of construction since the proposed work is not immediately adjacent to a right-of-way. Street trees were previously planted along NE Miller Street in Phase 1 landscaping.

**17.57.070(B)(6).** *Suitable watering facilities or irrigation systems must be included in or near all planted areas.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed landscape plan indicates that all landscape beds are to receive a design/build automatic irrigation system.

**17.57.070(C)** *All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED WITH CONDITION #3.** A condition of approval will require that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

JF

**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128

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

[www.ci.mcminnville.or.us](http://www.ci.mcminnville.or.us)**Office Use Only:**File No. L11-19Date Received 4/22/19Fee \$801.35Receipt No. 200454Received by RH

## Landscape Plan Review Application

**Applicant Information**Applicant is: ☐ Property Owner ☐ Contract Buyer ☐ Option Holder ☐ Agent ☒ Other GeneralApplicant Name Hawarth Inc. Phone 503-550-3272Contact Name Troy Hawarth Phone 503-472-2452  
(If different than above)Address 13500 SW Hwy 99WCity, State, Zip McMinnville OR 97128Contact Email troy@hawarthinc.net**Property Owner Information**Property Owner Name Owyhee properties Phone 503-550-0649  
(If different than above)Contact Name Tyler Stoller Phone \_\_\_\_\_Address 4101 NE Henry Creek Rd.City, State, Zip Dayton OR 97114Contact Email tyler@sawtoothcavileng.com**Site Location and Description**

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

Property Address ~~4155~~ 1445 Miller St MucAssessor Map No. R4 4 - 15C-02100 Total Site Area 59,625 SFSubdivision Rush Industrial Park Block — Lot 6Comprehensive Plan Designation Industrial Zoning Designation M-2PD

### Landscaping Information

1. Total Landscaped Area: 4480 8960
2. Percent Landscaped: 15% OF Area Developed  
225' X 265'
3. Building Floor Area:  
New Structure: 10,000 Existing Structure: \_\_\_\_\_ Addition: \_\_\_\_\_
4. Architect Name BKE Architects Phone 503-607-0486  
(Landscape Architect; Engineer; or Other Designer)  
Contact Name Bruce Kenny Phone \_\_\_\_\_  
Address 2700 SE Harrison St Suite B  
City, State, Zip Milwaukee WI 53222  
Contact Email Architect@ yahoo.com

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

- ☒ Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and [Chapter 17.57 \(Landscaping\)](#) of the Zoning Ordinance.
- ☒ Payment of the applicable review fee, which can be found on the [Planning Department](#) web page.

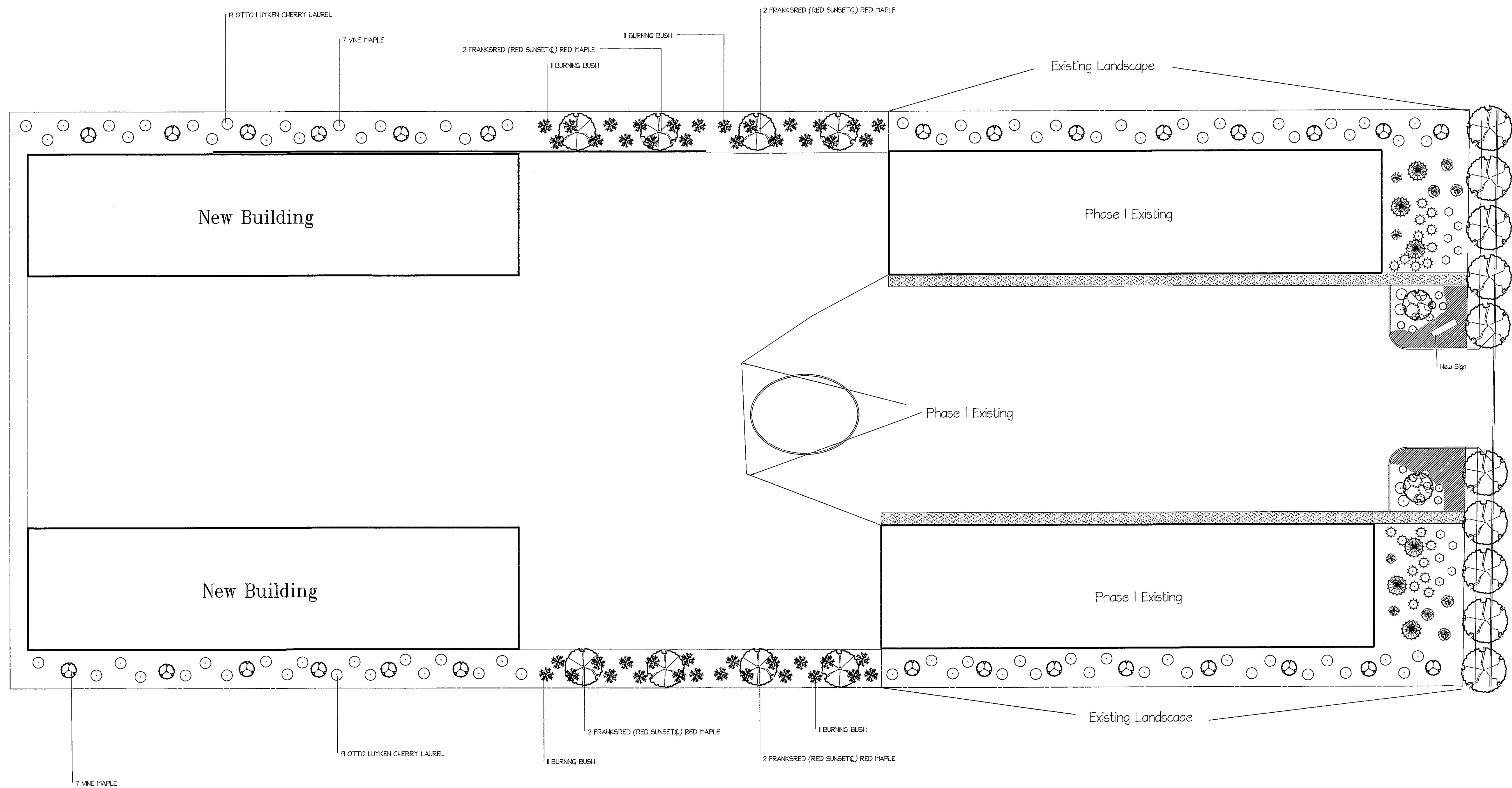
I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

[Signature]  
Applicant's Signature

4/22/19  
Date

[Signature]  
Property Owner's Signature

4-22-19  
Date



Key	Qty	Botanical Name	Common Name	Size/Condition
Trees				
Ac	14	Acer circinatum	VINE MAPLE	5-7"
ArF	8	Acer rubrum 'Franksred (Red Sunset)	FRANKSRED (RED SUNSET) RED MAPLE	2" cal.
Shrubs				
Ea	44	Euonymus alatus	BURNING BUSH	5 gal.
PIO	36	Prunus laurocerasus 'Otto Luyken'	OTTO LUYKEN CHERRY LAUREL	5 gal.

\* All Landscape beds to receive design build automatic irrigation system

\* All Shrub beds to receive 2" of Hemlock Bark Mulch

NORTH

# Landscape Plan

Sawtooth Industrial Development

McMinnville, Or  
 DATE 04-20-19  
 SCALE 1"=20'  
 DRAWING # 2019-057

**RECEIVED**  
 MAY 08 2019  
 COMMUNITY DEVELOPMENT  
 CENTER





City of McMinnville  
Planning Department  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## EXHIBIT 5 - STAFF REPORT

DATE: June 26, 2019  
TO: Landscape Review Committee Members  
FROM: Jamie Fleckenstein, Associate Planner  
SUBJECT: Landscape Plan Review Application (L 14-18)

### STRATEGIC PRIORITY & GOAL:



### GROWTH & DEVELOPMENT CHARACTER

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

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

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### Report in Brief:

The application requests approval of a landscape plan revision of a previously approved landscape plan (L 14-18) for a new barn building at the Yamhill County Fairgrounds to be reviewed by the Landscape Review Committee.

### Background:

The applicant, Jason Holveck of West End Construction, on behalf of Yamhill County Fair, property owner, submitted a revised landscape plan associated with a building permit for a new barn building at the Yamhill County Fairgrounds located at 2070 NE Lafayette Avenue. The subject property is more specifically described as Tax Lot 1600, Section 15, T. 4 S., R. 4 W., W.M. The subject property is zoned M-1 (Light Industrial) and the site of the proposed barn is located on a portion of the larger property adjacent to NE Fairgrounds Drive. **See Figure 1: Vicinity Map.**

Originally, a building permit was submitted for a new barn to replace a single barn that had been removed on the southern edge of the fairgrounds property. A landscape plan for the new barn at that location was reviewed and approved by the Landscape Review Committee in June, 2018. **See Figure 2: Previously Approved Landscape Plan (L 14-18).** The new barn has since been proposed to be relocated to a different location on the fairgrounds property, requiring a revision to the approved landscape plan. The new location is centrally located within the fairgrounds, east of the Lewis Pavilion on NE Fairgrounds Drive. Two old barns have been removed from this site to be replaced with one new barn for which building permit application has been approved. The new barn will serve as the small animal barn during the Yamhill County Fair.

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### Attachments:

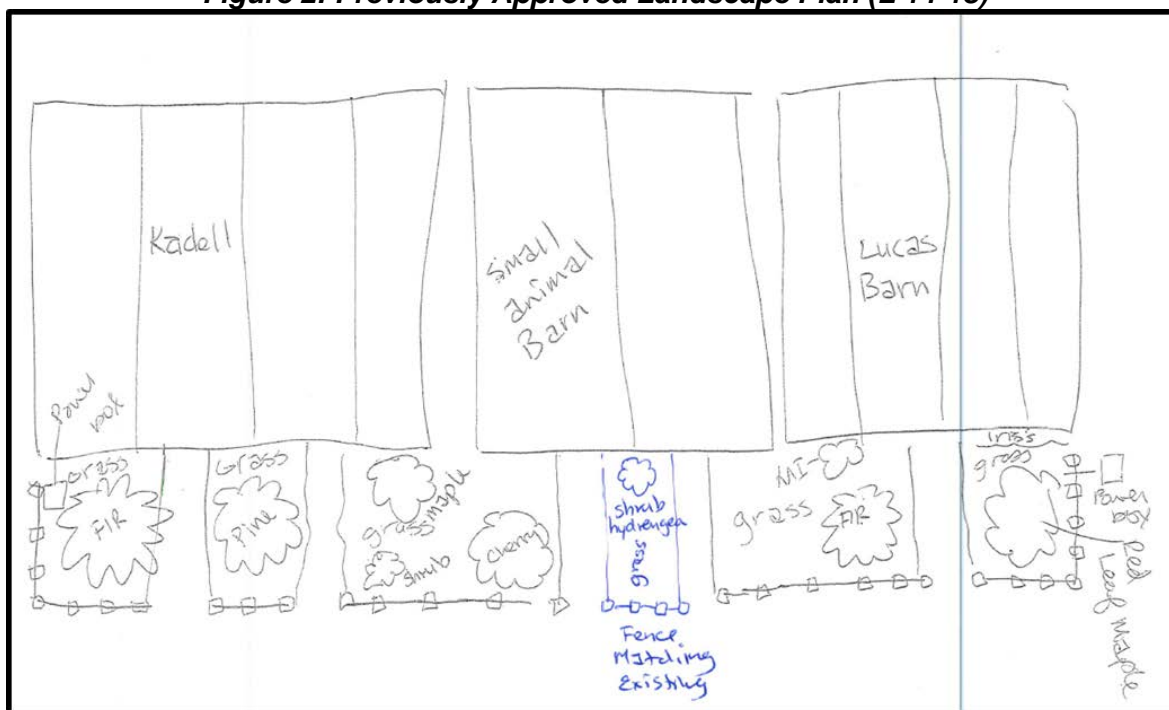
Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2070 NE Lafayette Avenue (L 14-18)

The proposed revision to the landscape plan is in response to the new location, orientation, and surroundings of the barn. **See Figures 3 and 4: Proposed Landscape Plan Revision.**

**Figure 1: Vicinity Map**

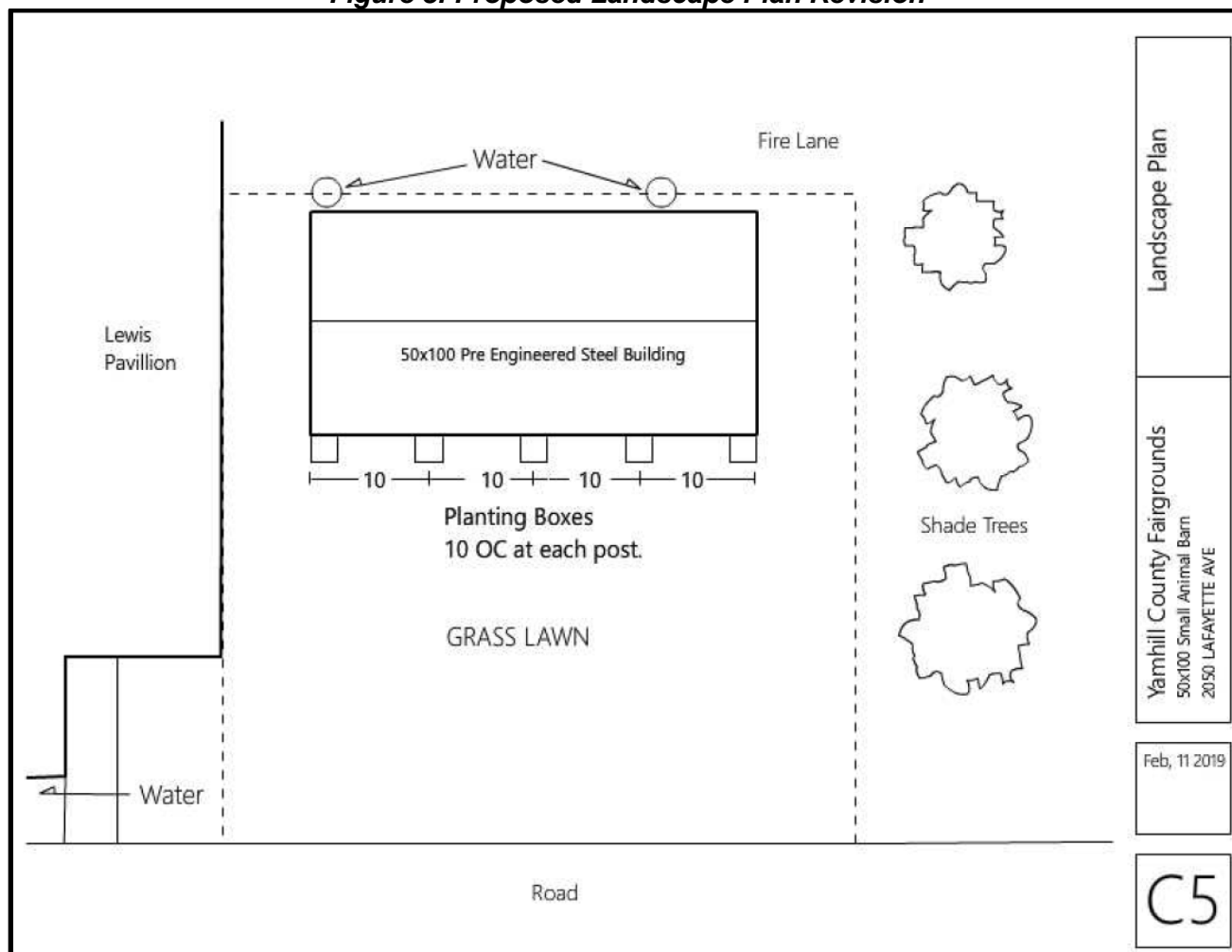


**Figure 2: Previously Approved Landscape Plan (L 14-18)**

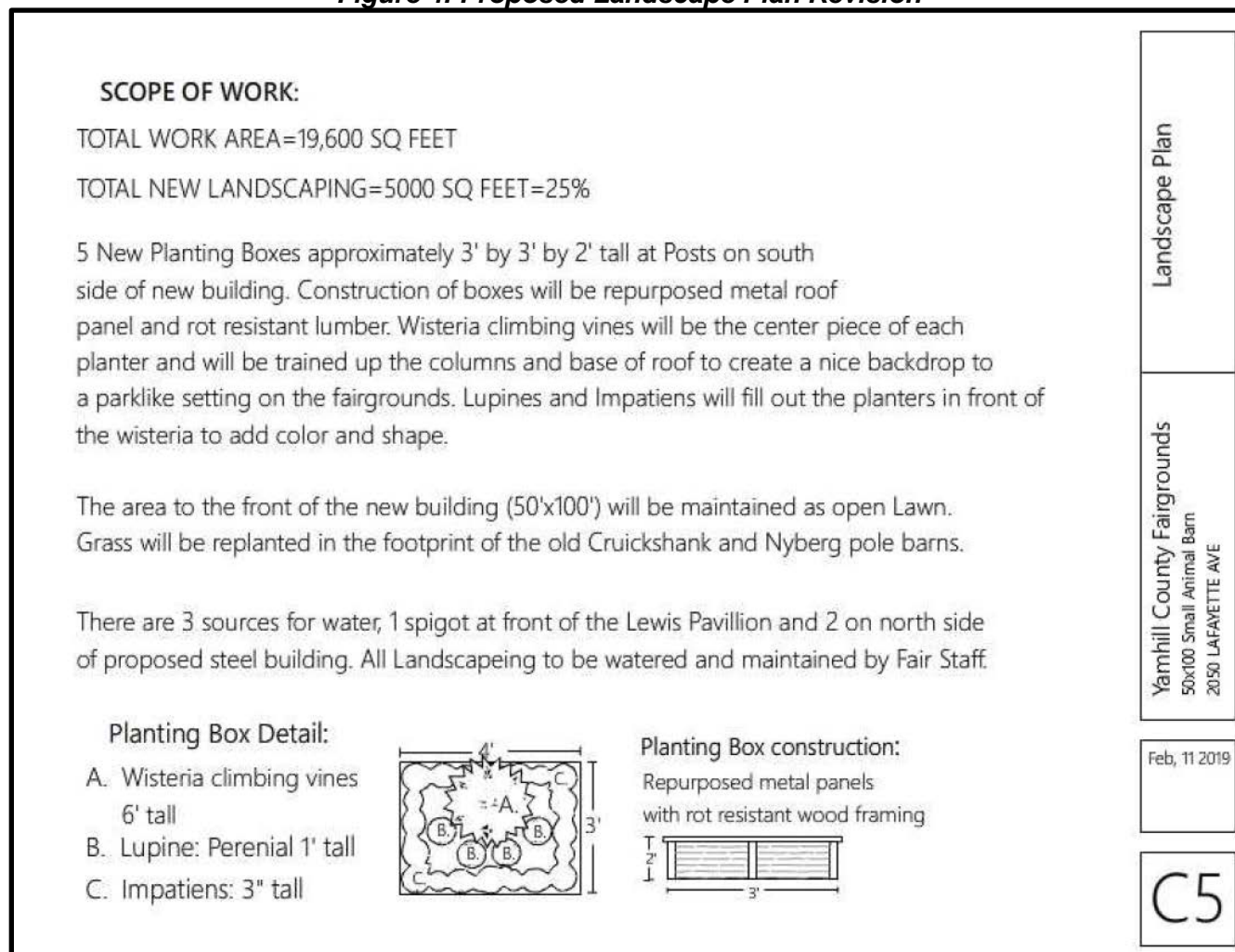


Attachments:

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2070 NE Lafayette Avenue (L 14-18)*

**Figure 3: Proposed Landscape Plan Revision****Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2070 NE Lafayette Avenue (L 14-18)

**Figure 4: Proposed Landscape Plan Revision****Discussion:****Summary of Criteria & Issues:**

The intent of the revised landscape design is to provide ornamental planting along the barn façade, and to provide open, flexible lawn space in front of the barn to allow truck access to the barn, and to accommodate vendors and pedestrian traffic during the County Fair.

The subject site is zoned M-1 (Light Industrial). The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of an industrial site being developed be landscaped (Section 17.57.070(A)(1) (Area Determination – Planning Factors)). The revised landscape plan indicates that the area being developed is a total of 19,600 square feet. 5,000 square feet of landscaping is being proposed, approximately 25 percent of the project area.

In reviewing a landscape plan, MMC Section 17.57.050(B) (Area Determination – Planning Factors) requires the Landscape Review Committee to consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

**Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2070 NE Lafayette Avenue (L 14-18)

The intent of the revised landscape design is to provide ornamental planting along the barn façade, and to provide open, flexible lawn space in front of the barn to allow truck access to the barn, and to accommodate vendors and pedestrian traffic during the County Fair.

The new small animal barn is located in the back half of the project area. The area in the front of the new barn will be lawn, replacing the building areas of the two removed barns. This lawn area will provide a driveable surface for vehicular access to the new small animal barn, as well as flexible space for vendor booths and pedestrian traffic during the Yamhill County Fair.

The applicant is proposing to build five (5) planter boxes to be placed in alignment with the barn's supporting posts along the front façade. The planter boxes would measure 4 feet by 3 feet by 2 feet in height. The material used to construct the custom planters would be reclaimed metal roofing panels and wood from the barns being removed from the project site. In each planter, the applicant is proposing wisteria vines that would be trained up the barn posts and across roof beams to provide an ornamental vegetative frame to each of the barn openings on the south side.

Around the base of the wisteria, lupine (*Lupinus sp.*) and seasonal annual color (Impatiens) are proposed. There are many Lupine species, and most are herbaceous ornamental perennials with summer blooms. Many lupines are native to the western United States, and hybrids are a popular ornamental garden plant. However, research has shown that the seeds and pods of some lupine species are toxic to livestock, namely sheep and cattle. While some lupines are more toxic than others, it appears all lupines have alkaloid compounds that can sicken animals. Large amounts of lupine would need to be consumed at once to produce toxic effects, or smaller amounts over the period of several days. It is unclear if the proposed lupine would produce enough seeds/pods or be accessible to pose a threat to livestock, or if lupine would pose a threat to animals typically housed in the small animal barn. Given that the primary use of the overall property is for the county fair where livestock would be present, staff suggests a condition that the lupine be replaced with an ornamental plant that is not toxic to livestock.

Staff finds that with the substitution of a non-toxic plant for the lupine, the proposed landscaping would be compatible with the proposed development and the surrounding uses.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The proposed development area is internal to the larger Yamhill County Fairgrounds property and not adjacent to other properties that would require screening of this use. The proposed use is consistent with those of the immediately surrounding barns and open spaces of Yamhill County Fairgrounds, and would not benefit from sight-obscuring screening from similar adjacent uses. The three (3) existing shade trees immediately east of the subject site would continue to provide shade and screening of the new barn and landscape area.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The development site previously had two (2) barns that were removed for the new small animal barn. The new barn was sited to retain three (3) mature shade trees just east of the development site. The site is essentially flat, and the existing grade would be preserved.

4. The development and use of islands and plantings therein to break up parking areas.

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*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2070 NE Lafayette Avenue (L 14-18)*



The proposed project does not include parking areas, therefore islands and parking area plantings are not required.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

There are no street trees proposed for the subject site. The portion of the site being developed with the new barn building is internal to the larger Yamhill County Fairgrounds site, and not adjacent to a public right-of-way.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The landscape plan revision indicates that all landscape beds are to be watered by Fair staff from three nearby water sources – a spigot at the front of the Lewis Pavilion west of the site, and two spigots located on the north side of the new small animal barn.

**Fiscal Impact:**

None.

**Landscape Review Committee Options:**

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

**Staff Recommendation:**

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions specified in the attached Decision Document, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL** of the application, subject to the conditions specified in the attached Decision Document.

**Suggested Motion:**

**THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE LANDSCAPE PLAN REVIEW APPLICATION L 14-18 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.**

JF

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**Attachments:**

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2070 NE Lafayette Avenue (L 14-18)*



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE  
APPROVAL OF A REVISED LANDSCAPE PLAN FOR A NEW BUILDING AT THE YAMHILL  
COUNTY FAIRGROUNDS**

**DOCKET:** L 14-18 (Landscape Plan)

**REQUEST:** Approval of a revised Landscape Plan for a new barn building at the Yamhill County Fairgrounds.

**LOCATION:** 2070 NE Lafayette Avenue (Tax Lot 1600, Section 15, T. 4 S., R. 4 W., W.M.)

**ZONING:** M-1 (Light Industrial)

**APPLICANT:** Jason Holveck, on behalf of Yamhill County Fair, property owner

**STAFF:** Jamie Fleckenstein, PLA, Associate Planner

**DATE DEEMED  
COMPLETE:** June 10, 2019

**HEARINGS BODY  
& ACTION:** McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.

**HEARING DATE  
& LOCATION:** June 26, 2019, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon

**PROCEDURE:** Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

**CRITERIA:** The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.

**APPEAL:** The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.57.170 of the McMinnville Zoning Ordinance.

**COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Their comments are provided in this document. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

## DECISION

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the Landscape Plan (L 14-18) **subject to the conditions of approval provided in this document.**

**DECISION: APPROVAL WITH CONDITIONS**

Planning Staff: \_\_\_\_\_  
 Jamie Fleckenstein, Associate Planner

Date: June 26, 2019

Planning Department: \_\_\_\_\_  
Heather Richards, Planning Director

Date: June 26, 2019

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*Attachments:*

Attachment 1 – Application for Landscape Plan Review (L 14-18)

## **I. APPLICATION SUMMARY:**

### ***Subject Property & Request***

The application requests approval of a landscape plan revision of a previously approved landscape plan (L 14-18) for a new barn building at the Yamhill County Fairgrounds.

The applicant, Jason Holveck of West End Construction, on behalf of Yamhill County Fair, property owner, submitted a revised landscape plan associated with a building permit for a new barn building at the Yamhill County Fairgrounds located at 2070 NE Lafayette Avenue. The subject property is more specifically described as Tax Lot 1600, Section 15, T. 4 S., R. 4 W., W.M. The subject property is zoned M-1 (Light Industrial) and the site of the proposed barn is located on a portion of the larger property adjacent to NE Fairgrounds Drive. **See Figure 1: Vicinity Map.**

Originally, a building permit was submitted for a new barn to replace a single barn that had been removed on the southern edge of the fairgrounds property. A landscape plan for the new barn at that location was reviewed and approved by the Landscape Review Committee in June, 2018. **See Figure 2: Previously Approved Landscape Plan (L 14-18).** The new barn has since been proposed to be relocated to a different location on the fairgrounds property, requiring a revision to the approved landscape plan. The new location is centrally located within the fairgrounds, east of the Lewis Pavilion on NE Fairgrounds Drive. Two old barns have been removed from this site to be replaced with one new barn for which building permit application has been approved. The new barn will serve as the small animal barn during the Yamhill County Fair.

The proposed revision to the landscape plan is in response to the new location, orientation, and surroundings of the barn. **See Figures 3 and 4: Proposed Landscape Plan Revision.**

**Figure 1: Vicinity Map**



### ***Attachments:***

Attachment 1 – Application for Landscape Plan Review (L 14-18)

Figure 2: Previously Approved Landscape Plan (L 14-18)

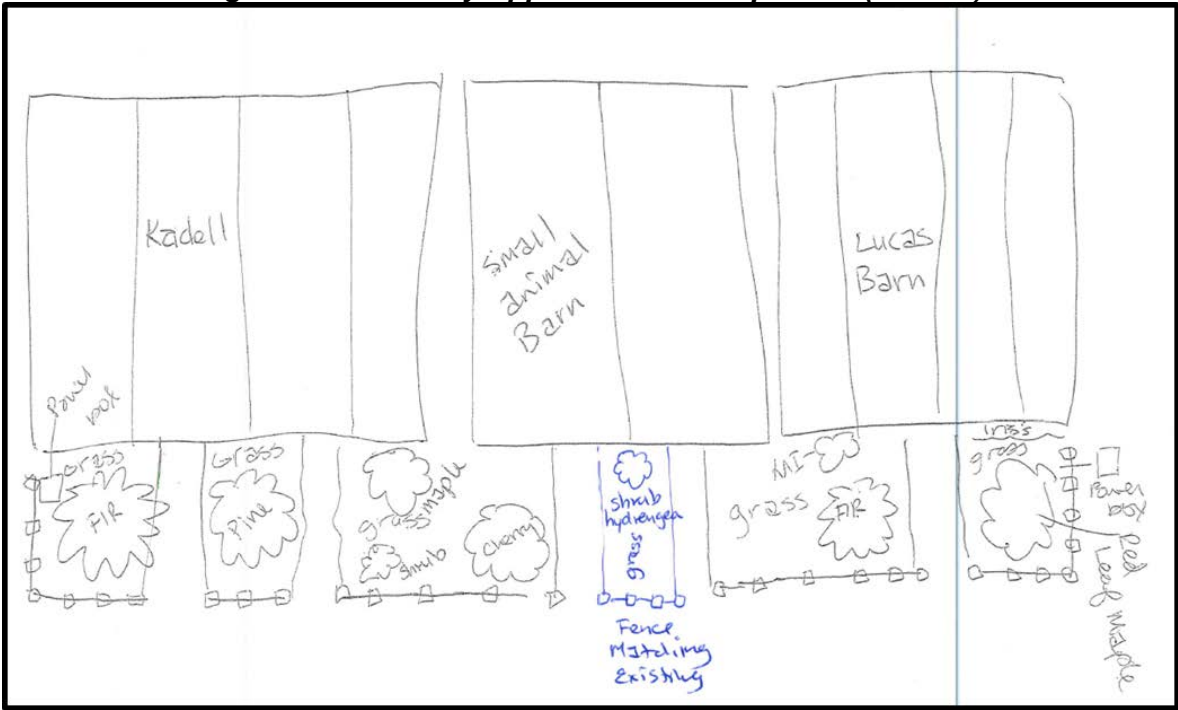
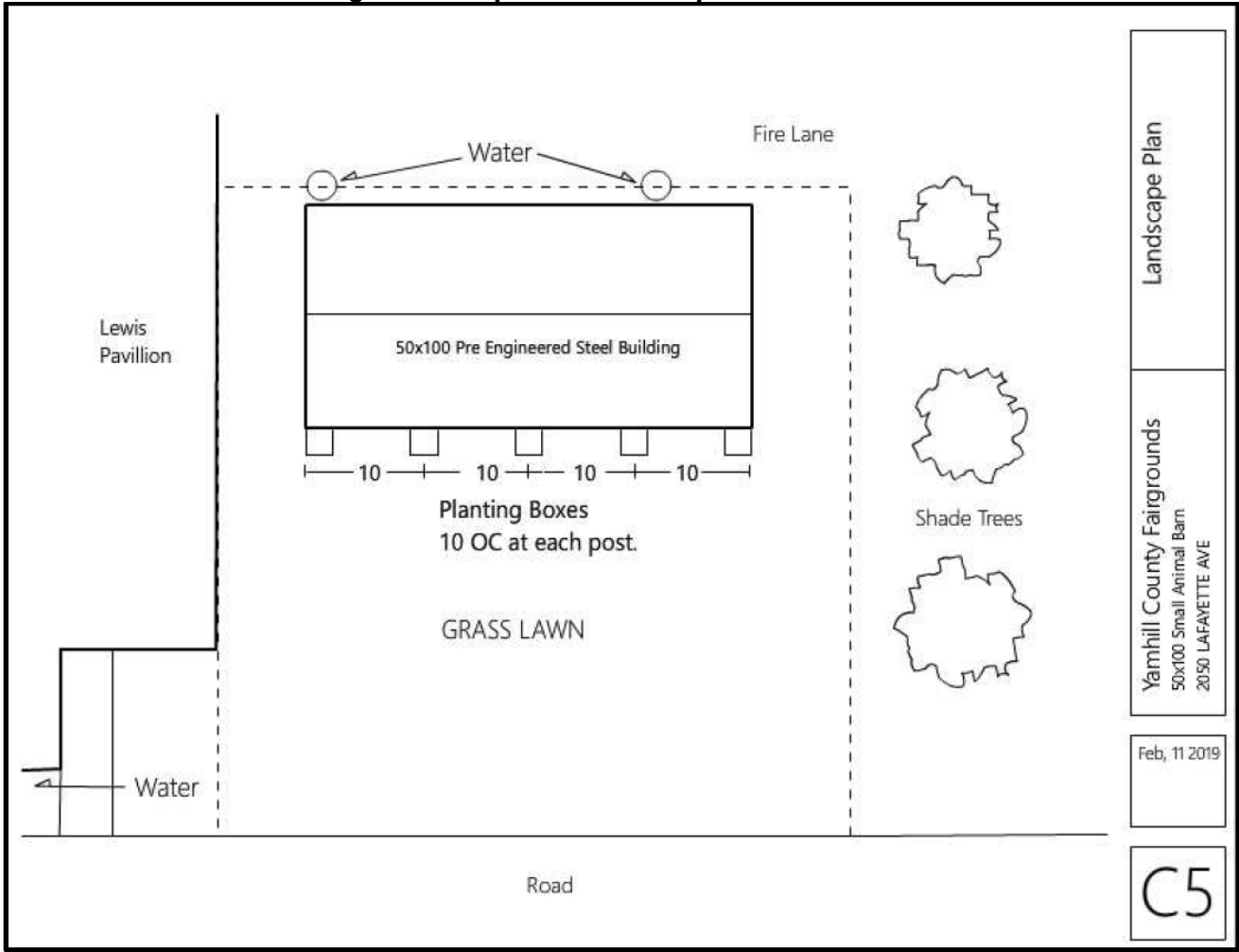
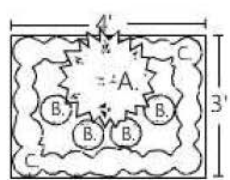



Figure 3: Proposed Landscape Plan Revision





**Figure 4: Proposed Landscape Plan Revision**

<p><b>SCOPE OF WORK:</b></p> <p>TOTAL WORK AREA=19,600 SQ FEET</p> <p>TOTAL NEW LANDSCAPING=5000 SQ FEET=25%</p>	<p>5 New Planting Boxes approximately 3' by 3' by 2' tall at Posts on south side of new building. Construction of boxes will be repurposed metal roof panel and rot resistant lumber. Wisteria climbing vines will be the center piece of each planter and will be trained up the columns and base of roof to create a nice backdrop to a parklike setting on the fairgrounds. Lupines and Impatiens will fill out the planters in front of the wisteria to add color and shape.</p>	Landscape Plan	
<p>The area to the front of the new building (50'x100') will be maintained as open Lawn. Grass will be replanted in the footprint of the old Cruickshank and Nyberg pole barns.</p>	<p>There are 3 sources for water, 1 spigot at front of the Lewis Pavillion and 2 on north side of proposed steel building. All Landscaping to be watered and maintained by Fair Staff</p>		
<p><b>Planting Box Detail:</b></p> <p>A. Wisteria climbing vines 6' tall</p> <p>B. Lupine: Perennial 1' tall</p> <p>C. Impatiens: 3" tall</p>		<p><b>Planting Box construction:</b></p> <p>Repurposed metal panels with rot resistant wood framing</p> 	Yamhill County Fairgrounds 50x100 Small Animal Barn 2050 LAFAYETTE AVE
Feb, 11 2019			
C5			

### Summary of Criteria & Issues

The intent of the revised landscape design is to provide ornamental planting along the barn façade, and to provide open, flexible lawn space in front of the barn to allow truck access to the barn, and to accommodate vendors and pedestrian traffic during the County Fair.

The subject site is zoned M-1 (Light Industrial). The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of an industrial site being developed be landscaped (Section 17.57.070(A)(1) (Area Determination – Planning Factors)). The revised landscape plan indicates that the area being developed is a total of 19,600 square feet. 5,000 square feet of landscaping is being proposed, approximately 25 percent of the project area.

## II. CONDITIONS:

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on May 30, 2019.
2. That the proposed Lupine (*Lupinus sp.*) be replaced with an ornamental plant that is non-toxic to livestock.

### Attachments:

Attachment 1 – Application for Landscape Plan Review (L 14-18)

3. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

### **III. ATTACHMENTS:**

1. L 14-18 Application and Attachments (on file with the Planning Department)

### **IV. COMMENTS:**

#### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments regarding the proposed landscaping for Phase 2 have been received.

#### **Public Comments**

No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the Planning Director's decision.

### **V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. Jason Holveck of West End Construction, on behalf of Yamhill County Fair, property owner, submitted a landscape plan revision on May 30, 2019.
2. The application was deemed complete on June 10, 2019.
3. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
4. No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
5. A public meeting was held by the Landscape Review Committee on June 26, 2019 to review the application and proposed landscape plan.

### **VI. FINDINGS OF FACT - GENERAL FINDINGS**

1. **Location:** 2070 NE Lafayette Avenue (Tax Lot 1600, Section 15, T. 4 S., R. 4 W., W.M.)
2. **Size:** 19,500 square feet
3. **Comprehensive Plan Map Designation:** Industrial
4. **Zoning:** M-1 (Light Industrial)
5. **Overlay Zones/Special Districts:** None

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#### **Attachments:**

Attachment 1 – Application for Landscape Plan Review (L 14-18)

6. **Current Use:** Yamhill County Fairground
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** None identified
8. **Other Features:** None
9. **Utilities:**
  - a. **Water:** The property is served by water. The treatment plant has sufficient treatment capacity.
  - b. **Sewer:** The property is served by sewer. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
  - c. **Stormwater:** Storm water is conveyed to a catch basin in the northeast corner of the project area.
  - d. **Other Services:** Overhead utilities are present adjacent to the project site along NE Fairgrounds Drive.
10. **Transportation:** NE Fairgrounds Drive is classified as a local street in the McMinnville Transportation System Plan, but is county-owned and has not been dedicated as public-right-of-way.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

### **Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

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

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

*Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of*

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### **Attachments:**

Attachment 1 – Application for Landscape Plan Review (L 14-18)

*information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.*

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED.** McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

### **McMinnville Zoning Ordinance**

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

**17.57.010 Purpose and intent.** The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

**17.57.030 Zones where required.** Landscaping shall be required in the following zones except as otherwise noted: [...]

G. M-1 (Light Industrial zone).

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The subject site is zoned M-1 (Light Industrial), and landscaping is being provided as required.

### **17.57.070 Area Determination – Planning Factors.**

**17.57.070(A).** Landscaping shall be accomplished within the following ranges:

1. Industrial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)

**APPLICANT'S RESPONSE:** The application material indicated that the Total Work Area is 19,600 square feet and the Total New Landscaping is 5,000 square feet, or approximately 25 percent.

**FINDING: SATISFIED.** The landscape plan revision as proposed exceed the minimum landscaping percentage requirements for industrial zoned property. The project area where two barns were removed and replaced with one barn is approximately 19,600 square feet, and the landscaping and lawn area is approximately 5,000 square feet.

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#### **Attachments:**

Attachment 1 – Application for Landscape Plan Review (L 14-18)



**17.57.070(B).** The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

**17.57.070(B)(1).** *Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED WITH CONDITION #2.** The intent of the revised landscape design is to provide ornamental planting along the barn façade, and to provide open, flexible lawn space in front of the barn to allow truck access to the barn, and to accommodate vendors and pedestrian traffic during the County Fair.

The new small animal barn is located in the back half of the project area. The area in the front of the new barn will be lawn, replacing the building areas of the two removed barns. This lawn area will provide a driveable surface for vehicular access to the new small animal barn, as well as flexible space for vendor booths and pedestrian traffic during the Yamhill County Fair.

The applicant is proposing to build five (5) planter boxes to be placed in alignment with the barn's supporting posts along the front façade. The planter boxes would measure 4 feet by 3 feet by 2 feet in height. The material used to construct the custom planters would be reclaimed metal roofing panels and wood from the barns being removed from the project site. In each planter, the applicant is proposing wisteria vines that would be trained up the barn posts and across roof beams to provide an ornamental vegetative frame to each of the barn openings on the south side.

Around the base of the wisteria, lupine (*Lupinus sp.*) and seasonal annual color (Impatiens) are proposed. There are many Lupine species, and most are herbaceous ornamental perennials with summer blooms. Many lupines are native to the western United States, and hybrids are a popular ornamental garden plant. However, research has shown that the seeds and pods of some lupine species are toxic to livestock, namely sheep and cattle. While some lupines are more toxic than others, it appears all lupines have alkaloid compounds that can sicken animals. Large amounts of lupine would need to be consumed at once to produce toxic effects, or smaller amounts over the period of several days. It is unclear if the proposed lupine would produce enough seeds/pods or be accessible to pose a threat to livestock, or if lupine would pose a threat to animals typically housed in the small animal barn. Given that the primary use of the overall property is for the county fair where livestock would be present, staff suggests a condition that the lupine be replaced with an ornamental plant that is not toxic to livestock.

Staff finds that with the substitution of a non-toxic plant for the lupine, the proposed landscaping would be compatible with the proposed development and the surrounding uses.

**17.57.070(B)(2).** *Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed development area is internal to the larger Yamhill County Fairgrounds property and not adjacent to other properties that would require screening of this use. The proposed use is consistent with those of the immediately surrounding barns and open spaces of Yamhill County Fairgrounds, and would not benefit from sight-obscuring screening from similar adjacent uses. The three (3) existing shade trees immediately east of the subject site would continue to provide shade and screening of the new barn and landscape area.

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*Attachments:*

Attachment 1 – Application for Landscape Plan Review (L 14-18)

**17.57.070(B)(3).** *The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The development site previously had two (2) barns that were removed for the new small animal barn. The new barn was sited to retain three (3) mature shade trees just east of the development site. The site is essentially flat, and the existing grade would be preserved.

**17.57.070(B)(4).** *The development and use of islands and plantings therein to break up parking areas.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed project does not include parking areas, therefore islands and parking area plantings are not required.

**17.57.070(B)(5).** *The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** There are no street trees proposed for the subject site. The portion of the site being developed with the new barn building is internal to the larger Yamhill County Fairgrounds site, and not adjacent to a public right-of-way.

**17.57.070(B)(6).** *Suitable watering facilities or irrigation systems must be included in or near all planted areas.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The landscape plan revision indicates that all landscape beds are to be watered by Fair staff from three nearby water sources – a spigot at the front of the Lewis Pavilion west of the site, and two spigots located on the north side of the new small animal barn.

**17.57.070(C)** *All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED WITH CONDITION #3.** A condition of approval will require that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

JF

## SCOPE OF WORK:

TOTAL WORK AREA=19,600 SQ FEET

TOTAL NEW LANDSCAPING=5000 SQ FEET=25%

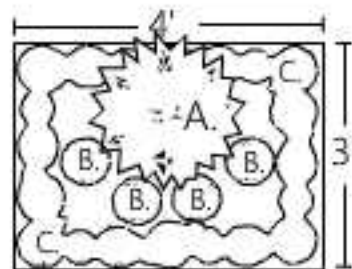
5 New Planting Boxes approximately 3' by 3' by 2' tall at Posts on south side of new building. Construction of boxes will be repurposed metal roof panel and rot resistant lumber. Wisteria climbing vines will be the center piece of each planter and will be trained up the columns and base of roof to create a nice backdrop to a parklike setting on the fairgrounds. Lupines and Impatiens will fill out the planters in front of the wisteria to add color and shape.

The area to the front of the new building (50'x100') will be maintained as open Lawn. Grass will be replanted in the footprint of the old Cruickshank and Nyberg pole barns.

There are 3 sources for water, 1 spigot at front of the Lewis Pavillion and 2 on north side of proposed steel building. All Landscaping to be watered and maintained by Fair Staff.

### Planting Box Detail:

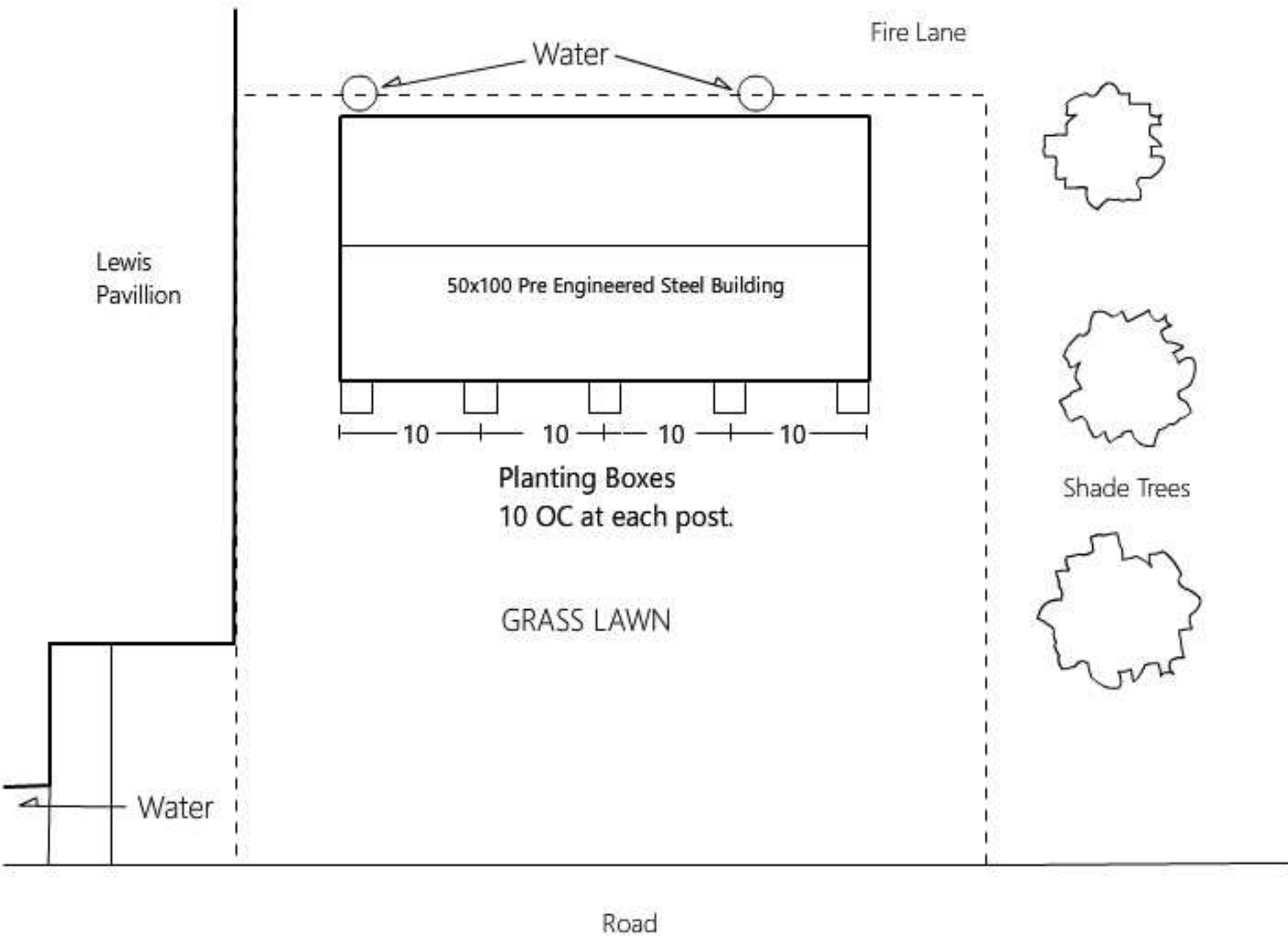
- A. Wisteria climbing vines  
6' tall
- B. Lupine: Perennial 1' tall
- C. Impatiens: 3" tall



### Planting Box construction:

Repurposed metal panels  
with rot resistant wood framing





Landscape Plan
Yamhill County Fairgrounds 50x100 Small Animal Barn 2050 LAFAYETTE AVE

Feb, 11 2019

C5





**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128

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

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**Office Use Only:**

File No. L14-18

Date Received 5-7-18

Fee 145.00

Receipt No. 1880344

Received by gls

## Landscape Plan Review Application

### Applicant Information

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

Applicant Name Yamhill County Fair Phone \_\_\_\_\_

Contact Name Gary Wentz Phone 503 434 7524  
(If different than above)

Address 2070 Lafayette Ave NE

City, State, Zip McMinnville OR 97128

Contact Email \_\_\_\_\_

### Property Owner Information

Property Owner Name Yamhill County Phone \_\_\_\_\_  
(If different than above)

Contact Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Contact Email \_\_\_\_\_

### Site Location and Description

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

Property Address 2070 Lafayette Ave NE

Assessor Map No. R4 115 - 1600 Total Site Area 8400

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation Com1 Zoning Designation Industrial C-3

### **Landscaping Information**

1. Total Landscaped Area: 1800 square feet
2. Percent Landscaped: 50%
3. Building Floor Area:  
New Structure: X Existing Structure: \_\_\_\_\_ Addition: \_\_\_\_\_
4. Architect Name NA Phone \_\_\_\_\_  
(Landscape Architect; Engineer; or Other Designer)  
Contact Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Contact Email \_\_\_\_\_

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

- ☒ Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.
- ☒ Payment of the applicable review fee, which can be found on the Planning Department web page.

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

  
Applicant's Signature

5-7-18  
Date

  
Property Owner's Signature

5-7-18  
Date





City of McMinnville  
Planning Department  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## EXHIBIT 6 - STAFF REPORT

DATE: June 26, 2019  
TO: Landscape Review Committee Members  
FROM: Jamie Fleckenstein, Associate Planner  
SUBJECT: Landscape Plan Review Application (L 30-18)

### STRATEGIC PRIORITY & GOAL:



### GROWTH & DEVELOPMENT CHARACTER

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

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

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### Report in Brief:

The application requests approval of a landscape plan (L 30-18) for the construction of a single family residence to meet a condition of ZC 2-17.

### Background:

The applicant, Mike Riddle of Mike Riddle Construction, on behalf of Jae Chon, property owner, submitted a landscape plan associated with a building permit for a single family residence at 2790 NE Waggoner Drive. The subject site is more specifically described as Tax Lot 5003, Section 16AA, T. 4. S., R. 4 W., W.M. The property is zoned R-1 (Single Family Residential). It was previously undeveloped, with a drainage creek bisecting the site. The eastern portion of the site is wooded. The adjacent property to the south is zoned C-3 General Commercial, and is the site of Jae's Landing, a sports bar. To the east is a commercial complex, with multiple businesses and services with associated parking. West and north of the subject site are residential properties. **See Figure 1: Vicinity Map.**

Docket MP 7-16 partitioned a parcel at 2121 NE 27<sup>th</sup> Street to create a new parcel (2790 NE Waggoner Drive). Both parcels were subsequently rezoned through the approval of Dockets CPA 1-17, ZC 1-17, and ZC 2-17. The southern parcel, 2121 NE 27<sup>th</sup> Street, was rezoned to C-3 (General Commercial) and the northern parcel, 2790 NE Waggoner Drive, was rezoned to R-1. Condition of Approval #4 of ZC 2-17 reads:

4. Prior to any future building permit permits being issued for the northern parcel to be zoned R-1 Single Family Residential, the applicant shall install landscaping on the west property line of the southern parcel, to be zoned C-3 General Commercial, to provide for additional

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### Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2790 NE Waggoner Drive (L 30-18)



screening and buffering between the commercial activities and the surrounding residential uses, as required by Comprehensive Plan Policy 32.00. At such time, the applicant shall submit a landscape plan to be reviewed and approved by the Landscape Review Committee subject to the provisions in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance.

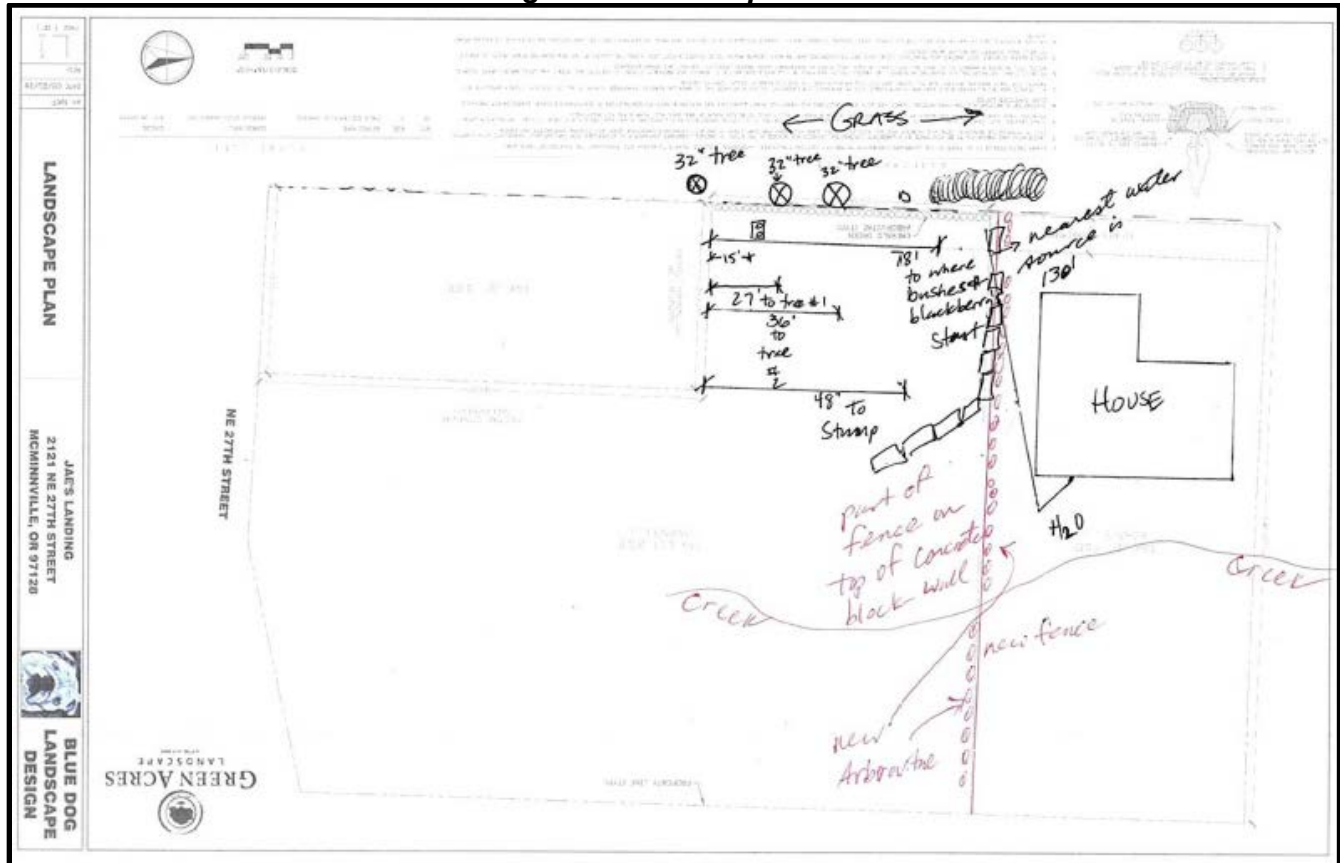
The proposed landscape plan addresses the screening and buffering requirements placed on the C-3 General Commercial property that were required as a condition of development of the R-1 Single Family Residential property. **See Figure 2: Landscape Plan.**

**Figure 1: Vicinity Map**



**Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2790 NE Waggoner Drive (L 30-18)

**Figure 2: Landscape Plan****Discussion:****Summary of Criteria & Issues:**

Policy 32.00 of the McMinnville Comprehensive Plan states, "Where necessary, landscaping and/or other visual and sound barriers shall be required to screen commercial activities from residential areas."

Condition of Approval #4 of ZC 2-17 requires additional screening and buffering of the C-3 zoned property at 2121 NE 27<sup>th</sup> Street:

Prior to any future building permit permits being issued for the northern parcel to be zoned R-1 Single Family Residential, the applicant shall install landscaping on the west property line of the southern parcel, to be zoned C-3 General Commercial, to provide for additional screening and buffering between the commercial activities and the surrounding residential uses, as required by Comprehensive Plan Policy 32.00. At such time, the applicant shall submit a landscape plan to be reviewed and approved by the Landscape Review Committee subject to the provisions in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance.

The proposed landscape plan responds to the requirement through the provision of an evergreen hedge and new fencing to provide the required screening and buffering of the adjacent residential areas from the commercial activities at 2121 NE 27<sup>th</sup> Street.

In reviewing a landscape plan, MMC Section 17.57.050(B) (Area Determination – Planning Factors) requires the Landscape Review Committee to consider the following factors:

**Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2790 NE Waggoner Drive (L 30-18)

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The landscape proposes additional planting and screening along the north and westernmost property lines of the commercially zoned lot at 2121 NE 27<sup>th</sup> Street. Along the west property line adjacent to Tax Lot 1701, an evergreen hedge of arborvitae (*Thuja occidentalis*) is proposed for the length of the property line between Tax Lots 1701 and 5003. Four (4) mature fir trees along the property line would remain to continue to provide screening between the uses. The application indicates that the height of the arborvitae at installation would be six (6) feet and they would be spaced to provide a solid hedge and screen.

Along the north property line of the commercially zoned lot, the applicant has proposed a continuation of the arborvitae hedge and a new fence for the length of the property line. West of the creek, the arborvitae hedge would be on the north side of the fence, and east of the creek the hedge would be on the south side of the fence. Again the plan indicates that height of the arborvitae hedge at installation would be six (6) feet and the spacing will provide a solid hedge and screen. Staff notes that the landscaping and screening along the north property line was not a requirement of ZC 2-17.

Staff finds the proposed landscaping is compatible with the proposed project and the surrounding properties and uses.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The proposed landscaping is a solid, tall evergreen hedge (arborvitae) along the westernmost property line that would effectively screen the commercial use from the adjacent residential use to the west. Additionally, the four (4) mature fir trees along the western property line provide screening and buffering between the uses. The addition of a solid fence along the north property line will provide additional screening of the commercial use from the adjacent residential use to the north.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The existing fir trees along the western property line are retained and incorporated into the plan to provide screening and buffering between uses. The existing grade along the property lines would not be altered with the addition of the arborvitae hedge and fence.

4. The development and use of islands and plantings therein to break up parking areas.

The proposed project does not include the modification of existing parking on the commercially zoned property, and is not required. The addition of parking lot islands/landscaping was not a requirement of ZC 2-17.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Street trees are not required since the subject site (Tax Lot 5003) is not adjacent to a public right-of-way.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

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*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2790 NE Waggoner Drive (L 30-18)*

The landscape plan indicates that a hose bib is located at the rear of the house on Tax Lot 5003 to use as a water source during the period of establishment.

**Fiscal Impact:**

None.

**Landscape Review Committee Options:**

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

**Staff Recommendation:**

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions specified in the attached Decision Document, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL** of the application, subject to the conditions specified in the attached Decision Document.

**Suggested Motion:**

**THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE LANDSCAPE PLAN REVIEW APPLICATION L 30-18 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.**

JF

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**Attachments:**

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 2790 NE Waggoner Drive (L 30-18)*





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

503-434-7311  
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**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN AT 2790 NE WAGGONER DRIVE**

**DOCKET:** L 30-18 (Landscape Plan)

**REQUEST:** Approval of a Landscape Plan required by ZC 1-17

**LOCATION:** 2790 NE Waggoner Drive (Tax Lot 5003, Section 16AA, T. 4. S., R. 4 W., W.M.)

**ZONING:** R-1 (Single Family Residential)

**APPLICANT:** Mike Riddle of Mike Riddle Construction, on behalf of Jae Chon, property owner

**STAFF:** Jamie Fleckenstein, PLA, Associate Planner

**DATE DEEMED COMPLETE:** June 10, 2019

**HEARINGS BODY & ACTION:** McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.

**HEARING DATE & LOCATION:** June 26, 2019, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon

**PROCEDURE:** Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

**CRITERIA:** The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.

**APPEAL:** The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.57.170 of the McMinnville Zoning Ordinance.

**COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Their comments are provided in this document. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the Landscape Plan (L 30-18) **subject to the conditions of approval provided in this document.**

**DECISION: APPROVAL WITH CONDITIONS**

Date: June 26, 2019Date: June 26, 2019

Attachment 1 – Application for Landscape Plan Review (L 30-18)

## **I. APPLICATION SUMMARY:**

### ***Subject Property & Request***

The application requests approval of a landscape plan (L 30-18) for the construction of a single family residence to meet a condition of ZC 2-17.

The applicant, Mike Riddle of Mike Riddle Construction, on behalf of Jae Chon, property owner, submitted a landscape plan associated with a building permit for a single family residence at 2790 NE Waggoner Drive. The subject site is more specifically described as Tax Lot 5003, Section 16AA, T. 4. S., R. 4 W., W.M. The property is zoned R-1 (Single Family Residential). It was previously undeveloped, with a drainage creek bisecting the site. The eastern portion of the site is wooded. The adjacent property to the south is zoned C-3 General Commercial, and is the site of Jae's Landing, a sports bar. To the east is a commercial complex, with multiple businesses and services with associated parking. West and north of the subject site are residential properties. **See Figure 1: Vicinity Map.**

Docket MP 7-16 partitioned a parcel at 2121 NE 27<sup>th</sup> Street to create a new parcel (2790 NE Waggoner Drive). Both parcels were subsequently rezoned through the approval of Dockets CPA 1-17, ZC 1-17, and ZC 2-17. The southern parcel, 2121 NE 27<sup>th</sup> Street, was rezoned to C-3 (General Commercial) and the northern parcel, 2790 NE Waggoner Drive, was rezoned to R-1. Condition of Approval #4 of ZC 2-17 reads:

4. Prior to any future building permit permits being issued for the northern parcel to be zoned R-1 Single Family Residential, the applicant shall install landscaping on the west property line of the southern parcel, to be zoned C-3 General Commercial, to provide for additional screening and buffering between the commercial activities and the surrounding residential uses, as required by Comprehensive Plan Policy 32.00. At such time, the applicant shall submit a landscape plan to be reviewed and approved by the Landscape Review Committee subject to the provisions in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance.

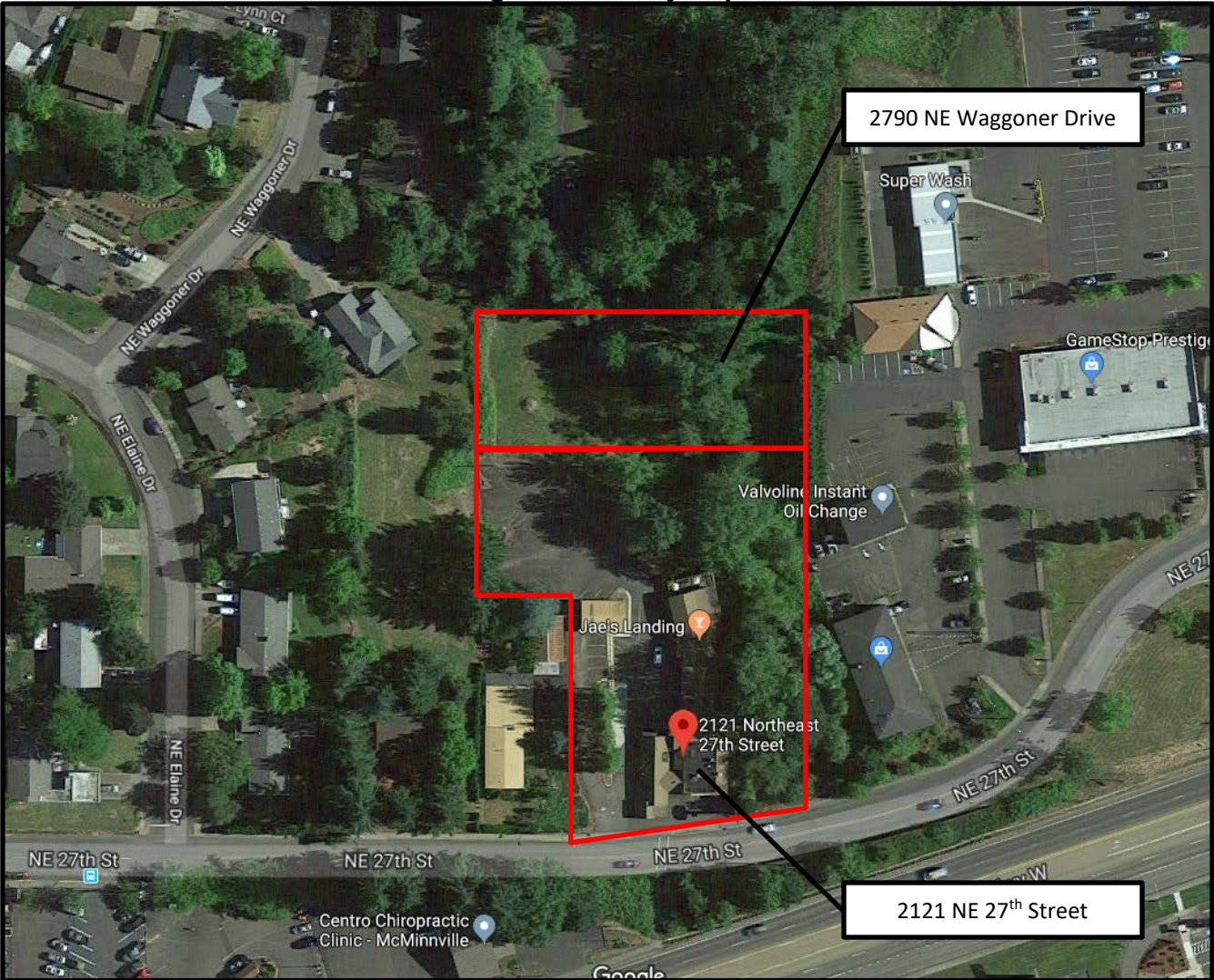
The proposed landscape plan addresses the screening and buffering requirements placed on the C-3 General Commercial property that were required as a condition of development of the R-1 Single Family Residential property. **See Figure 2: Landscape Plan.**

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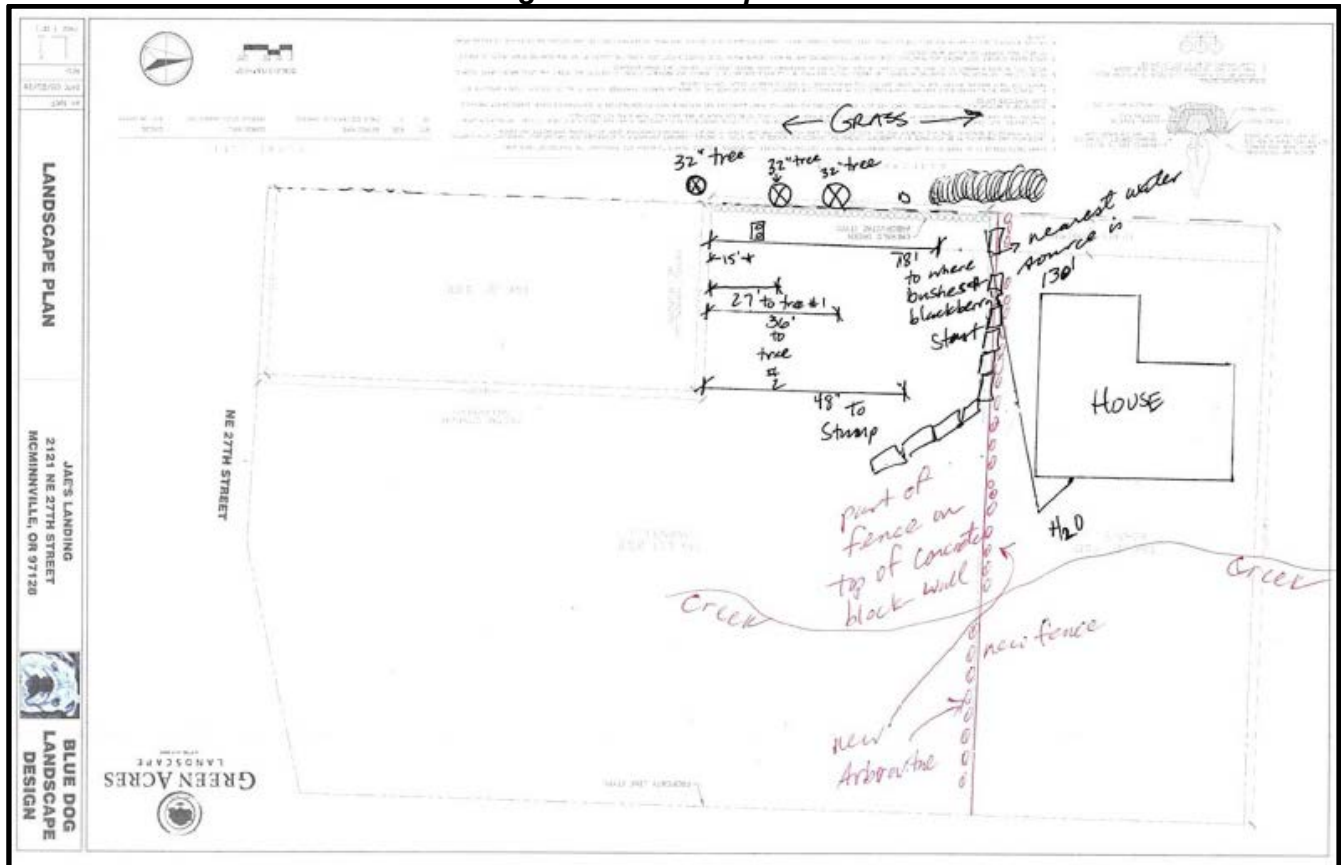
### ***Attachments:***

Attachment 1 – Application for Landscape Plan Review (L 30-18)

Figure 1: Vicinity Map





**Figure 2: Landscape Plan**

### **Summary of Criteria & Issues**

Policy 32.00 of the McMinnville Comprehensive Plan states, "Where necessary, landscaping and/or other visual and sound barriers shall be required to screen commercial activities from residential areas."

Condition of Approval #4 of ZC 2-17 requires additional screening and buffering of the C-3 zoned property at 2121 NE 27<sup>th</sup> Street:

Prior to any future building permit permits being issued for the northern parcel to be zoned R-1 Single Family Residential, the applicant shall install landscaping on the west property line of the southern parcel, to be zoned C-3 General Commercial, to provide for additional screening and buffering between the commercial activities and the surrounding residential uses, as required by Comprehensive Plan Policy 32.00. At such time, the applicant shall submit a landscape plan to be reviewed and approved by the Landscape Review Committee subject to the provisions in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance.

The proposed landscape plan responds to the requirement through the provision of an evergreen hedge and new fencing to provide the required screening and buffering of the adjacent residential areas from the commercial activities at 2121 NE 27<sup>th</sup> Street.

### **II. CONDITIONS:**

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on May 29, 2019.

#### **Attachments:**

Attachment 1 – Application for Landscape Plan Review (L 30-18)

2. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side and ten (10) feet from the front of a transformer, within one (1) foot of water meters, or within three (3) feet of a street light pole. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

### **III. ATTACHMENTS:**

1. L 30-18 Application and Attachments (on file with the Planning Department)

### **IV. COMMENTS:**

#### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments regarding the proposed landscaping have been received.

- McMinnville Water & Light

Transformer needs a minimum 3' of clearance all around and 10' of clearance on the front side. Street light pole must have a minimum clearance of 3' around the base.

#### **Public Comments**

No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the Planning Director's decision.

### **V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. Mike Riddle of Mike Riddle Construction, on behalf of Jae Chon, property owner, submitted a landscape plan application on August 6, 2018.
2. The application was deemed incomplete on August 17, 2018 and additional information was requested.
3. The applicant submitted requested information on May 29, 2019. The application was deemed complete on June 10, 2019.
4. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
5. No public notice of the application was provided by the City of McMinnville, as Landscape Plan applications are reviewed by the process described in Section 17.57.050 of the McMinnville

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*Attachments:*

Attachment 1 – Application for Landscape Plan Review (L 30-18)

Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.

6. A public meeting was held by the Landscape Review Committee on June 26, 2019 to review the application and proposed landscape plan.

## **VI. FINDINGS OF FACT - GENERAL FINDINGS**

1. **Location:** 2790 NE Waggoner Drive (Tax Lot 5003, Section 16AA, T. 4. S., R. 4 W., W.M.)
2. **Size:** 29,001 s.f. (0.67 acres)
3. **Comprehensive Plan Map Designation:** Residential
4. **Zoning:** R-1 (Single Family Residential)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** None identified
8. **Other Features:** A drainage creek leading to the North Yamhill River bisects Tax Lot 5003.
9. **Utilities:**
  - a. **Water:** The property is served by water. The treatment plant has sufficient treatment capacity.
  - b. **Sewer:** The property is served by sewer. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
  - c. **Stormwater:** Storm water is conveyed to the drainage creek on site.
  - d. **Other Services:** Overhead utilities not present.
10. **Transportation:** Tax Lot 5003 is accessed via access easement through an adjacent property to the west. NE Waggoner Drive is classified as a local residential street in McMinnville's Transportation System Plan.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

### **Comprehensive Plan Volume II:**

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#### **Attachments:**

Attachment 1 – Application for Landscape Plan Review (L 30-18)

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

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

**GOAL IV 3:** TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

*Policy 32.00: Where necessary, landscaping and/or other visual and sound barriers shall be required to screen commercial activities from residential areas.*

**APPLICANT'S RESPONSE:** The applicant provided the following response in the application:

This is a unique property with multiple situations going on. Please allow me to explain briefly what we are proposing:

1. Parcel #2 (Tax lot 5002) is zoned Commercial. In order to allow Parcel #1 (Tax lot 5002) to be re-zoned residential, some requirements were placed on Parcel #2 in order for the zoning to be approved. 1 of those requirements was to provide some type of visual screening for the neighbors to the West of Parcel #2 also known as Tax lot 1701.
2. Tax lot 1701: We are proposing to install 6' tall Arborvitae along the Western property line of Parcel #2 (see plan for placement). Since we will be installing these in the Winter or Spring, we are not proposing an irrigation system. There are 4 existing very large Fir trees on this property line currently and we do not intend on removing them.
3. Tax lot 5000: We are not proposing any type of landscape screening on the East and North property line of tax lot 5000 for 2 reasons. 1) After speaking to the neighbor, she was adamant she does not want any screening to be done near her property. 2) The asphalt surfaces that are on Parcel #2 go all the way to Tax lot # 5000's East and North property lines. In addition, access to Tax lot 5000 is gained by going over the asphalt surface and there is no way to provide screening without blocking access or negatively altering the aesthetics of Tax lot 5000.

**FINDING: SATISFIED.** A condition of approval in ZC 2-17 required landscaping along the western property line of a commercially zoned property to provide additional screening and buffering of the commercial use from adjacent residential properties in accordance with Policy 32.00. The proposed landscape plan utilizes an evergreen hedge made from six (6) foot tall Arborvitae and a new fence to provide a visual and sound barrier between the commercial use on Tax Lot 5002 and the adjacent residential property to the west (Tax Lot 1701) and to the north (Tax Lot 5003). The applicant has indicated that additional landscaping or barriers is not necessary to screen the commercial activity from the adjacent residential property west of the C-3 zoned parcel on NE 27<sup>th</sup> Street. The applicant further states that the property owner of that adjacent residential lot (Tax Lot 5000) does not consider perimeter landscaping/barriers for screening necessary since it would negatively impact the access and appearance of the lot.

Staff finds that the proposed landscaping satisfies Policy 32.00, and therefore the Condition of Approval of ZC 2-17 requiring the landscaping between the commercial use and adjacent residential uses.



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

*Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.*

**APPLICANT'S RESPONSE:** The applicant did not provide a response in the application.

**FINDING: SATISFIED.** McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

### **McMinnville Zoning Ordinance**

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

**17.57.010 Purpose and intent.** The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

### **17.57.070 Area Determination – Planning Factors.**

**17.57.070(B).** The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

**17.57.070(B)(1).** *Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The landscape proposes additional planting and screening along the north and westernmost property lines of the commercially zoned lot at 2121 NE 27<sup>th</sup> Street. Along the west property line adjacent to Tax Lot 1701, an evergreen hedge of arborvitae (*Thuja occidentalis*) is proposed for the length of the property line between Tax Lots 1701 and 5003. Four (4) mature fir trees along the property line would remain to continue to provide screening between the uses. The application indicates that the height of the arborvitae at installation would be six (6) feet and they would be spaced to provide a solid hedge and screen.

Along the north property line of the commercially zoned lot, the applicant has proposed a continuation of the arborvitae hedge and a new fence for the length of the property line. West of the creek, the arborvitae hedge would be on the north side of the fence, and east of the creek the hedge would be on the south side of the fence. Again the plan indicates that height of the arborvitae hedge at installation would be six (6) feet and the spacing will provide a solid hedge and screen. Staff notes that the landscaping and screening along the north property line was not a requirement of ZC 2-17.

Staff finds the proposed landscaping is compatible with the proposed project and the surrounding properties and uses.

**17.57.070(B)(2).** *Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed landscaping is a solid, tall evergreen hedge (arborvitae) along the westernmost property line that would effectively screen the commercial use from the adjacent residential use to the west. Additionally, the four (4) mature fir trees along the western property line provide screening and buffering between the uses. The addition of a solid fence along the north property line will provide additional screening of the commercial use from the adjacent residential use to the north.

**17.57.070(B)(3).** *The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.*

**APPLICANT'S RESPONSE:** There are 4 existing very large Fir trees on this [western] property line currently and we do not intend on removing them.

**FINDING: SATISFIED.** The existing fir trees along the western property line are retained and incorporated into the plan to provide screening and buffering between uses. The existing grade along the property lines would not be altered with the addition of the arborvitae hedge and fence.

**17.57.070(B)(4).** *The development and use of islands and plantings therein to break up parking areas.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** The proposed project does not include the modification of existing parking on the commercially zoned property, and is not required. The addition of parking lot islands/landscaping was not a requirement of ZC 2-17.

**17.57.070(B)(5).** *The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED.** Street trees are not required since the subject site (Tax Lot 5003) is not adjacent to a public right-of-way.

**17.57.070(B)(6).** *Suitable watering facilities or irrigation systems must be included in or near all planted areas.*

**APPLICANT'S RESPONSE:** Since we will be installing these in the Winter or Spring, we are not proposing an irrigation system.

**FINDING: SATISFIED.** The landscape plan indicates that a hose bib is located at the rear of the house on Tax Lot 5003 to use as a water source during the period of establishment.

**17.57.070(C)** *All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.*

**APPLICANT'S RESPONSE:** The applicant did not provide a written response in the application.

**FINDING: SATISFIED WITH CONDITION #3.** A condition of approval will require that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

JF



**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128  
(503) 434-7311 Office • (503) 474-4955 Fax  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**Office Use Only:**

File No. L30-18  
Date Received 8-6-18  
Fee 145.00  
Receipt No. 18mclw  
Received by SP

## Landscape Plan Review Application

### Applicant Information

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

Applicant Name Mike Riddle Construction Phone 971-241-4291

Contact Name Mike Riddle Phone \_\_\_\_\_  
(If different than above)

Address 1271 N Hwy 97W #431

City, State, Zip McMinnville, OR 97128

Contact Email becky@mikeriddleconstruction.com

### Property Owner Information

Property Owner Name Jae + Aylis Chon Phone \_\_\_\_\_  
(If different than above)

Contact Name Jae Chon Phone 503-503-8906

Address 2756 NW Zinfandel Ct.

City, State, Zip McMinnville, OR 97128

Contact Email \_\_\_\_\_

### Site Location and Description

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

Property Address 2790 NE Waggoner Dr.

Assessor Map No. R4 - - Total Site Area \_\_\_\_\_

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation Res Zoning Designation R-1



## Landscaping Information

1. Total Landscaped Area: \_\_\_\_\_

2. Percent Landscaped: Required by city per zoning change.

3. Building Floor Area:

New Structure: \_\_\_\_\_ Existing Structure: \_\_\_\_\_ Addition: \_\_\_\_\_

4. Architect Name Green Acres Phone 503-399-8066  
(Landscape Architect; Engineer; or Other Designer)

Contact Name Rich Kanski Phone \_\_\_\_\_

Address 1900 Front St. NE

City, State, Zip Salem, OR 97301

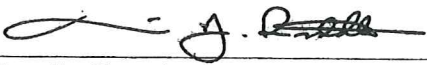
Contact Email \_\_\_\_\_

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

☐ Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.

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

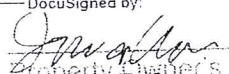
I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

  
Applicant's Signature

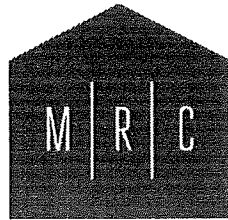
8/6/18  
Date

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date

DocuSigned by:  
  
Property Owner's Signature

\_\_\_\_\_  
Date



MIKE RIDDLE  
CONSTRUCTION

CCB#194115

8-6-18

To Whom it May Concern,

This is a unique property with multiple situations going on. Please allow me to explain briefly what we are proposing:

1. Parcel #2 (Tax lot 5002) is zoned Commercial. In order to allow Parcel #1 (Tax lot 5002) to be re-zoned residential, some requirements were placed on Parcel #2 in order for the zoning to be approved. 1 of those requirements was to provide some type of visual screening for the neighbors to the West of Parcel #2 also known as Tax lot 1701.
2. Tax lot 1701: We are proposing to install 6' tall Arborvitae along the Western property line of Parcel #2 (see plan for placement). Since we will be installing these in the Winter or Spring, we are not proposing an irrigation system. There are 4 existing very large Fir trees on this property line currently and we do not intend on removing them.
3. Tax lot 5000: We are not proposing any type of landscape screening on the East and North property line of tax lot 5000 for 2 reasons. 1) After speaking to the neighbor, she was adamant she does not want any screening to be done near her property. 2) The asphalt surfaces that are on Parcel #2 go all the way to Tax lot # 5000's East and North property lines. In addition, access to Tax lot 5000 is gained by going over the asphalt surface and there is no way to provide screening without blocking access or negatively altering the aesthetics of Tax lot 5000.

Please let us know if you have any questions or concerns,

Mike Riddle

Owner-Mike Riddle Construction llc

971-237-3445

[Mike@mikeriddleconstruction.com](mailto:Mike@mikeriddleconstruction.com)

MIKE RIDDLE CONSTRUCTION LLC  
1271 N. Highway 99W, #431, McMinnville, OR 97128  
Telephone 971-237-3445



**GREEN ACRES**  
LANDSCAPE

1cd #7388, ccd #188925

**BLUE DOG  
LANDSCAPE  
DESIGN**



**JAE'S LANDING  
2121 NE 27TH STREET  
MCMINNVILLE, OR 97128**

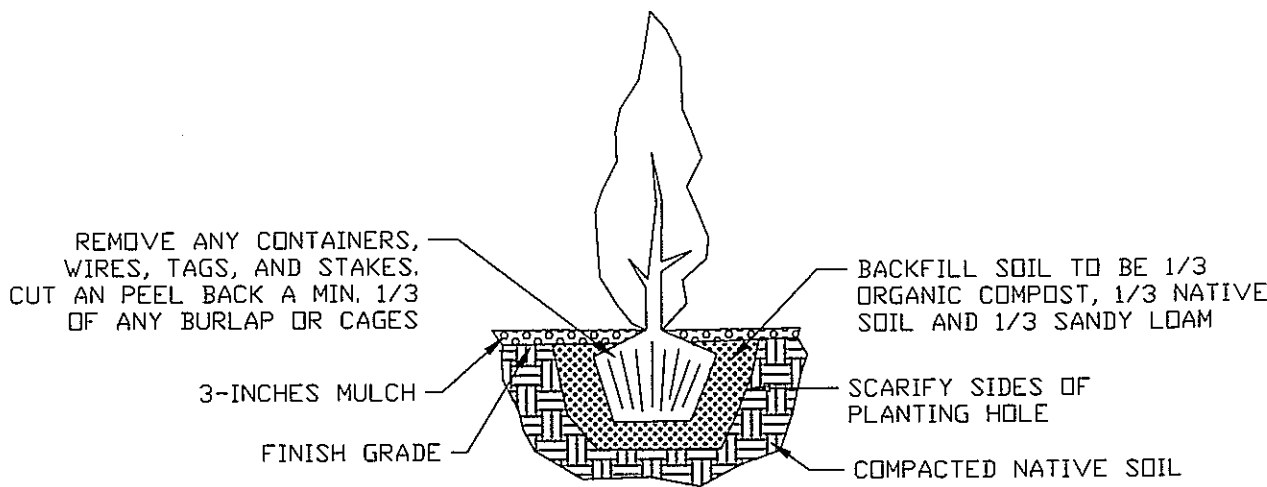
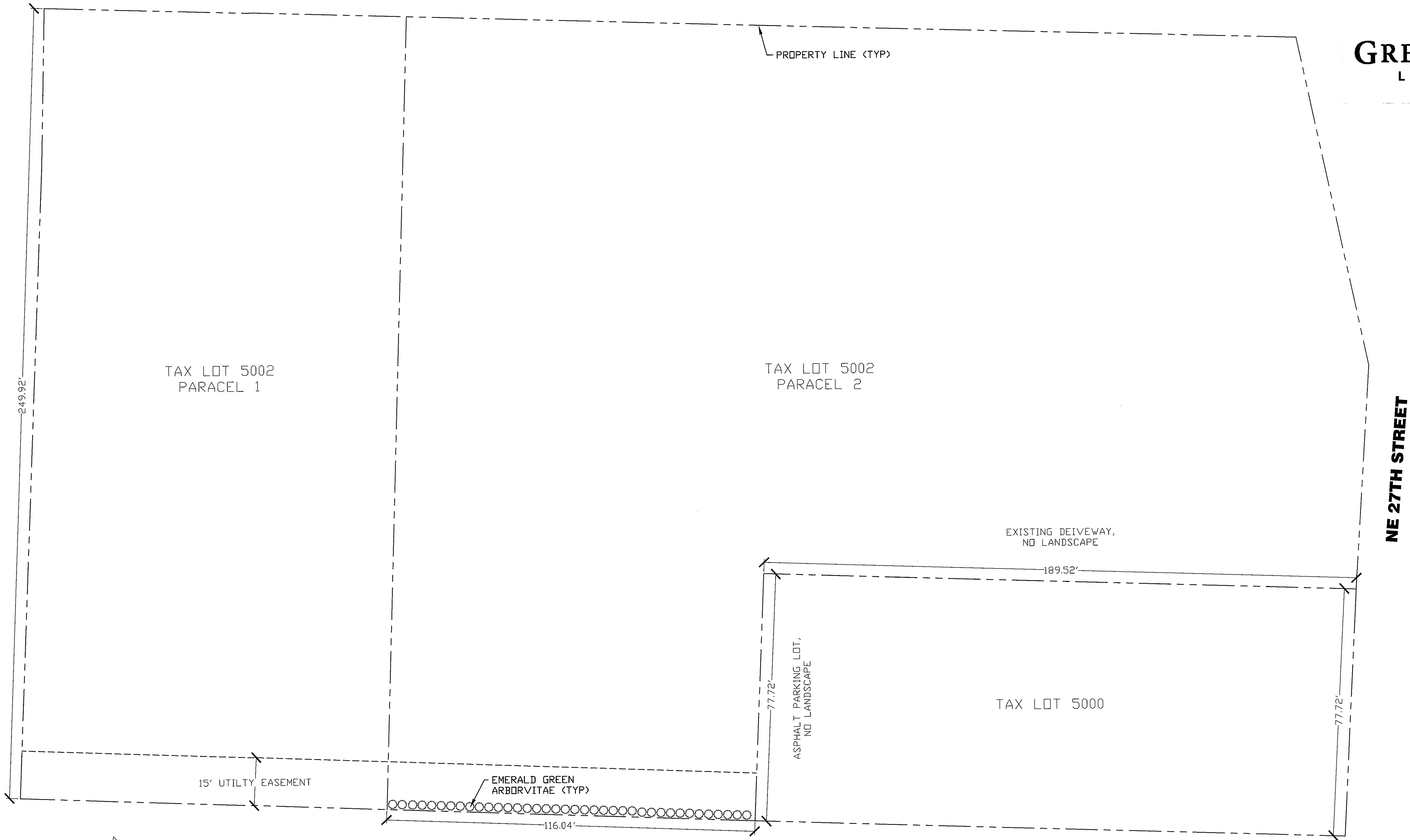
**LANDSCAPE PLAN**

BY: NKP

DATE: 08/05/18

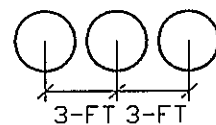
REV:

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PAGE 1 OF 1



**SHRUB PLANTING DETAIL**

1. WATER SETTLE PLANTING HOLES PRIOR TO APPLYING MULCH.
2. TAKE CARE NOT TO COVER LEAVES OR ROOT CROWN.
3. PLANT SPACING TO BE 3- FEET ON CENTER.



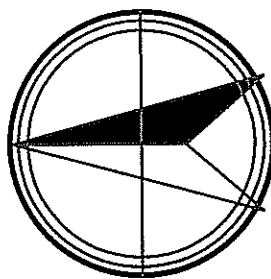
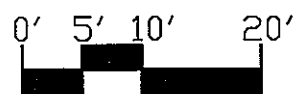
**LANDSCAPE NOTES**

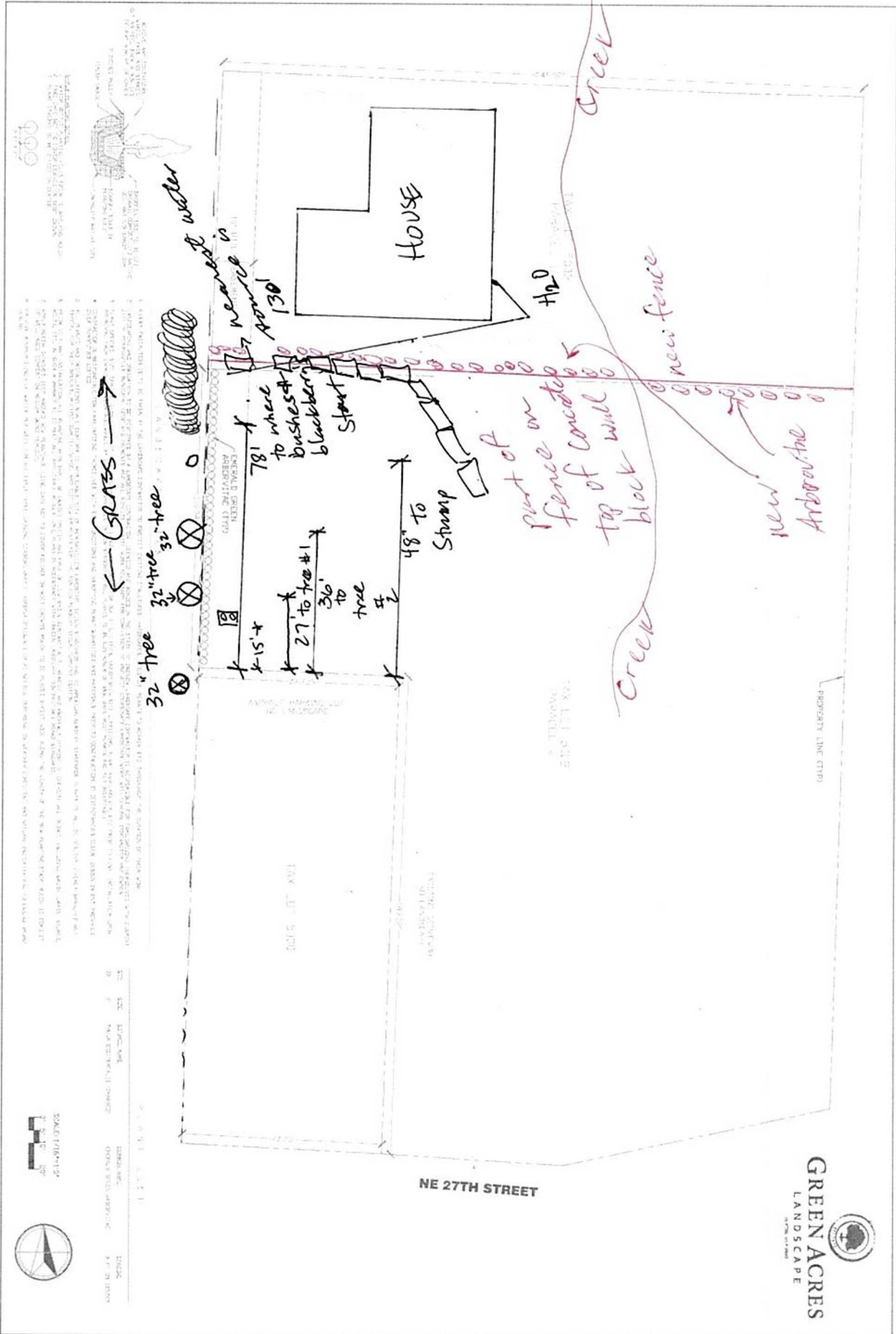
1. EVERY PRECAUTION IS TO BE TAKEN BY THE LANDSCAPE CONTRACTOR TO PROTECT EXISTING STRUCTURES, HARDSCAPES, UTILITIES, PLANTS TO REMAIN, ETC. THROUGHOUT THE DURATION OF THEIR WORK.
2. LANDSCAPING AND IRRIGATION TO BE PERFORMED BY A LANDSCAPE CONTRACTOR LICENSED AND BONDED IN THE STATE OF OREGON. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FAMILIARIZING THEMSELVES WITH CURRENT CITY OF MCMINNVILLE MUNICIPAL CODE REQUIREMENTS AND ALL ASPECTS OF SITE WORK NECESSARY FOR COMPLETION OF PROJECT. COORDINATE LANDSCAPE WORK WITH GENERAL CONTRACTOR AND OWNER.
3. PLANT SPECIES, SIZE, SPACING, QUANTITIES, ETC. MAY BE CHANGED BY THE LANDSCAPE CONTRACTOR DUE TO UTILITIES, UNFORESEEN SITE CONDITIONS, PLANT AVAILABILITY, ETC. PRIOR TO FINAL INSTALLATION UPON APPROVAL FROM OWNER AND WHEN ALLOWABLE BY CITY OF MCMINNVILLE DESIGN STANDARDS. ALL PLANTS TO BE CONTAINER OR B&B, BARE ROOT PLANTS ARE NOT ACCEPTABLE.
4. CONTRACTOR IS RESPONSIBLE FOR FAMILIARIZING THEMSELVES WITH SITE CONDITIONS AND VERIFYING PLANT QUANTITIES AND MATERIALS PRIOR TO CONSTRUCTION. IF DISCREPANCIES OCCUR, DESIGN INTENT PREVAILS OVER QUANTITIES LISTED.
5. ALL PLANTS AND INSTALLATIONS SHALL CONFORM TO APPLICABLE CITY OF MCMINNVILLE'S LANDSCAPE DESIGN STANDARDS AND TO AMERICAN NURSERY STANDARDS. PLANTS TO ALL BE HEALTHY, EVENLY BRANCHED AND TYPICAL FOR THEIR SPECIES, MEETING QUALITY, GRADE, AND SIZE REQUIREMENTS FOR THE ASN FOR NURSERY STOCK, CURRENT EDITION.
6. PRIOR TO PLANT INSTALLATION, ALL PLANTING BEDS SHALL BE GRADED SMOOTH AND FREE OF LOW SPOTS. CONTRACTOR TO REMOVE AND PROPERLY DISPOSE OF OFF-SITE ALL DEBRIS, INCLUDING BRUSH, GRASS, STUMPS, ROOTS, ETC. IN SUCH A MANNER AS TO MEET ALL APPLICABLE REGULATIONS, PLANT IN ACCORDANCE WITH OREGON LANDSCAPE CONTRACTOR'S BOARD STANDARDS.
7. APPLY MULCH 3-INCHES DEEP AROUND NEW PLANTINGS, USING CARE NOT TO COVER FOLIAGE OR ROOT CROWNS. MULCH TO BE PLACED 3- FEET WIDE ALONG THE LENGTH OF THE NEW PLANTING STRIP. MULCH TO CONSIST OF WELL AGED COMPOST OR MEDIUM GRIND HEMLOCK.
8. PROVIDE MINIMUM 1-INCH OF WATER PER WEEK FOR THE FIRST THREE GROWING SEASONS (MAY 1 THROUGH OCTOBER 1 OR AS NEEDED, DEPENDING ON WEATHER CONDITIONS AND NATURAL PRECIPITATION, TO ENSURE PLANT HEALTH.

**PLANT LIST**

QTY	SIZE	BOTANIC NAME	COMMON NAME	SPACING
38	4'	THUJA OCCIDENTALIS 'SMARAGD'	EMERALD GREEN ARBORVITAE	3 FT ON CENTER

SCALE: 1/16"=1'0"





**LANDSCAPE PLAN**

REV: 08/02/10

DATE: 08/02/10

BY: [Signature]

**JAE'S LANDING**  
 2121 NE 27TH STREET  
 MCMINNVILLE, OR 97128

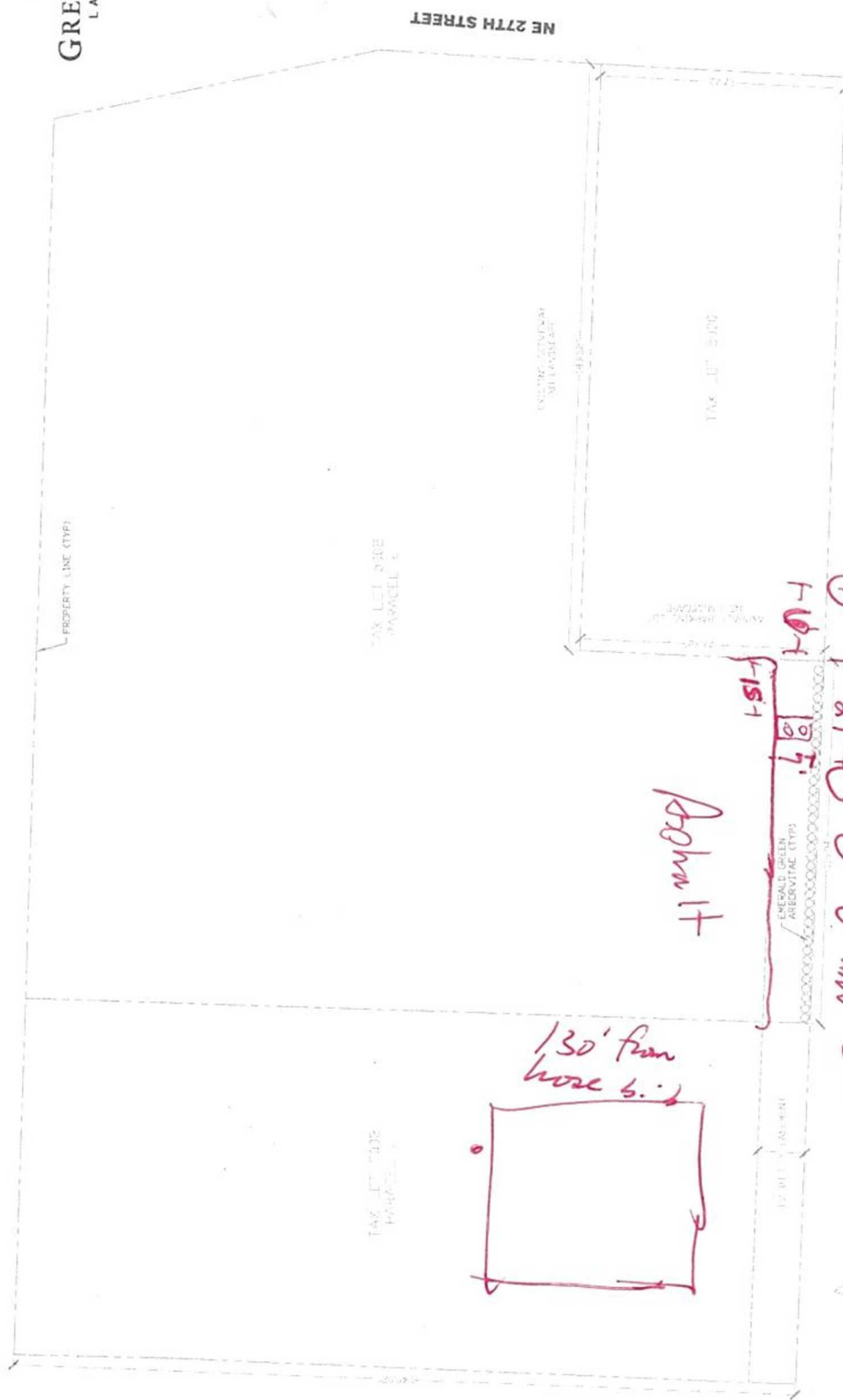
**BLUE DOG LANDSCAPE DESIGN**







GREEN ACRES  
LANDSCAPE



*(Handwritten notes on the back of the document)*

Grand  
32 32 32 @ 48"  
Shut

See +  
Lubbers