



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

www.mcminnvilleoregon.gov

Landscape Review Committee
Community Development Center, 231 NE 5th Street
March 18, 2020
12:00 PM

Committee Members	Agenda Items
<p>Rob Stephenson Chair</p> <p>Sharon Gunter Vice-Chair</p> <p>Josh Kearns</p> <p>Tim McDaniel</p> <p>John Hall</p>	<ol style="list-style-type: none">1. Call to Order2. Citizen Comments3. Approval of Minutes<ol style="list-style-type: none">A. September 18, 2019 (Exhibit 1)4. Action Items<ol style="list-style-type: none">A. L 32-19 – Landscape Plan Revision (Exhibit 2) 2019 NE Highway 99WB. L 33-19 – Landscape Plan Review (Exhibit 3) 2445 NE Cumulus Avenue5. Discussion Items<ol style="list-style-type: none">A. Revision of Landscape ChapterB. Arbor Day event6. Old/New Business7. Committee Member Comments8. Staff Comments9. Adjournment

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.

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EXHIBIT 1 - MINUTES

September 18, 2019
Landscape Review Committee
Regular Meeting

12:00 pm
Community Development Center
McMinnville, Oregon

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

1. Call to Order

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

2. Citizen Comments

None

3. Approval of Minutes

None

4. Action/Docket Item (repeat if necessary)

A. L 18-19 – Street Tree Removal - 605 N Adams Street

Associate Planner Fleckenstein reviewed the street tree removal request on N Adams Street. They were two Walnut trees that were in poor and declining health and were pushing up the sidewalk. There were overhead utilities in that location, and staff was recommending they be replaced with two trees from the small street tree list. There was a condition of approval for repair and replacement of the sidewalk.

Committee Member Kearns moved to approve L 18-19 with the recommended conditions. The motion was seconded by Committee Member Gunter and passed 4-0.

B. L 19-19 – Street Tree Removal - 1673 NE Hoffman Drive

Associate Planner Fleckenstein explained the street tree removal request on NE Hoffman Drive. This was a flag lot and there was no space in the right-of-way for a replacement tree. This was a

prohibited tree, a Sweet Gum, and it was right next to the water meters and would impact the driveway if not removed. Staff recommended approval of the removal and because of the spacing between the driveway and water meters, a replacement would not be required.

Committee Member Gunter moved to approve L 19-19. The motion was seconded by Committee Member Caughran and passed 4-0.

C. L 23-18 – Landscape Plan Review - 609 NE Baker Street

Associate Planner Fleckenstein discussed the Landscape Plan for the new commercial construction on NE Baker Street. This would be a two story building for professional offices. For the Adams Street streetfront there was a combination of low evergreen and deciduous shrubs and a Japanese Maple in a pot. He explained the plants surrounding the Japanese Maple. As they moved down in front of the parking spaces, Crimson Century Maple trees would be planted for shade as well as Eastern Red Bud. There would be boulders throughout the site as well.

Harold Washington, representing the applicant, answered questions about the plan and the Committee made suggested changes.

There was consensus to replace the Ceanothus along the south property line with Hameln grasses and on the north side to replace the Ceanothus with Otto Luyken Laurels and Vine Maple trees to buffer the adjacent house.

Associate Planner Fleckenstein said the outdoor area for employees would have fragrant plants. Staff thought the Leland Cypress on Adams Street at the entrance and exit to the adjacent parking lot to the south was too big for the space and would obstruct the clear vision. He had included a condition that it be replaced with a plant that remained three feet or less or could be limbed up to eight feet to maintain a clear vision. There were Red Buds in the tree islands. One of the comments from McMinnville Water and Light was about a power pole that had overhead lines in the corner of the lot and they recommended the Japanese Maple in the pot at that corner needed to be moved.

The Committee did not think the Japanese Maple would conflict and it should not be included in the conditions.

Associate Planner Fleckenstein said the other issue was the Cypress in the corner that would obstruct the clear vision to the driveway. There was a condition that it be relocated outside of the clear vision triangle. One other condition was for the applicant to provide an automatic irrigation system.

The conditions that were discussed included: the Leland Cypress would be substituted with a plant that remained at three foot height or less repeating from the palette along Adams Street, the Ceanothus along the south property line was to be Hameln grass, the Ceanothus along the north property line adjacent to the home was to be Otto Luyken Laurels with 5 Vine Maple trees, the condition to change the location of the potted Japanese Maple due to overhead lines would be deleted, and the planting in front of the parking on the northern parcel would be Crimson Century trees and Hameln grass or other durable groundcover.

Committee Member Kearns moved to approve L 23-18 with the conditions as discussed. The motion was seconded by Committee Member Caughran and passed 4-0.

5. Discussion Items

A. Landscape Review Committee Role and Responsibilities

Associate Planner Fleckenstein reviewed the Committee's role and responsibilities. The Committee was to review all of the landscape applications for new construction as required by the zoning ordinance.

There was discussion regarding making a legislative change to the code so that the Committee would also review the landscaping for City projects.

Committee Member Gunter moved to direct staff to start the process for a legislative change to allow the Landscape Review Committee to review upcoming City projects that had landscaping components. The motion was seconded by Committee Member Caughran and passed 4-0.

6. Old/New Business

None

7. Committee Comments

None

8. Staff Comments

None

9. Adjournment

Chair Stephenson adjourned the meeting at 1:05 p.m.



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EXHIBIT 2 - STAFF REPORT

DATE: March 18, 2020
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 4B – Landscape Plan Revision Request (L 32-19)

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:

A request to revise an approved landscape plan (L 32-19) and condition of approval to be reviewed by the Landscape Review Committee.

Background:

At the February 19, 2020 meeting of the Landscape Review Committee, Landscape Plan Review application L 32-19, a landscape plan for the development of a new commercial shell building on NE Highway 99W in northeast McMinnville, was reviewed and approved. **See Figure 1 (Landscape Plan) and Figure 2 (Plant Schedule).**

In review of the landscape planning factors in MMC Section 17.57.070, the Landscape Review Committee discussed the lack of landscaping internal to the parking lot, the stature of landscaping and trees around the perimeter of the parking lot, and the impact of internal landscape islands and planting. The committee approved the following finding and Condition of Approval:

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #3. Although plantings and landscape areas at the endcaps of the parking aisles provide some relief of the heat island effect created by a paved parking area on the south side of a building, there are no internal parking lot islands that break up the parking area. The northern parking aisle has 12 consecutive parking spaces. Provision

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2019 NE Highway 99W

of a parking island and plantings therein would break up the long parking aisle. There appears to be room at the eastern end to expand the parking to mitigate the accommodation of an internal parking island without the loss of a parking space. Therefore, a condition of approval is recommended to require an internal parking lot island and planting therein in the northern parking aisle.

CONDITION FOR FINDING: That a parking lot island internal to the northern parking aisle and plantings therein shall be provided. Such landscaped islands shall have raised curbs, be a minimum five (5) feet in width, and shall contain at least one (1) deciduous tree.

Following the Committee's approval of the Landscape Plan with conditions, it came to staff's attention that the dimensions of the parking spaces, and therefore the parking lot, as shown on the building permit submittal and landscape plan were smaller than required by code. Expansion of the parking lot was required to provide 8'-6" wide parking stalls instead of the 8'-0" wide parking stalls indicated on building plans. Because the parking lot would necessarily expand into the adjacent landscaping areas, inclusion of an internal parking lot island would likely require the loss of one parking stall. The site plan shows 18 parking stalls. Based on the size of the commercial structure, 17 parking stalls are required, though specific commercial tenants and uses are unknown at this time.

Out of a concern for preserving off-street parking for future commercial tenants, the applicant, Linda Cameron of Moore Architecture + Design, LLC, on behalf of Hanish and Jessie Basra, property owners, is proposing a revision to the landscape plan to increase the size of trees around the perimeter of the parking lot and removal of Condition of Approval #3 requiring an internal parking lot island.

The approved landscape plan provides planting around the perimeter of the parking lot, including two (2) *Prunus serrulata* 'Kwanzan' (Kwanzan Cherry) trees immediately adjacent to the parking lot. An additional Kwanzan Cherry tree is located south of the parking area in the southwest corner of the site near Highway 99W. **See Figure 3 (Parking Lot Landscaping).** Kwanzan Cherry trees grow to approximately 25 feet tall and 20 feet wide. The applicant is proposing to substitute a larger shade tree species that would provide more shade and benefit to the adjacent parking areas, thereby eliminating the need for an internal parking island.

Figure 1: L 32-19 Approved Landscape Plan

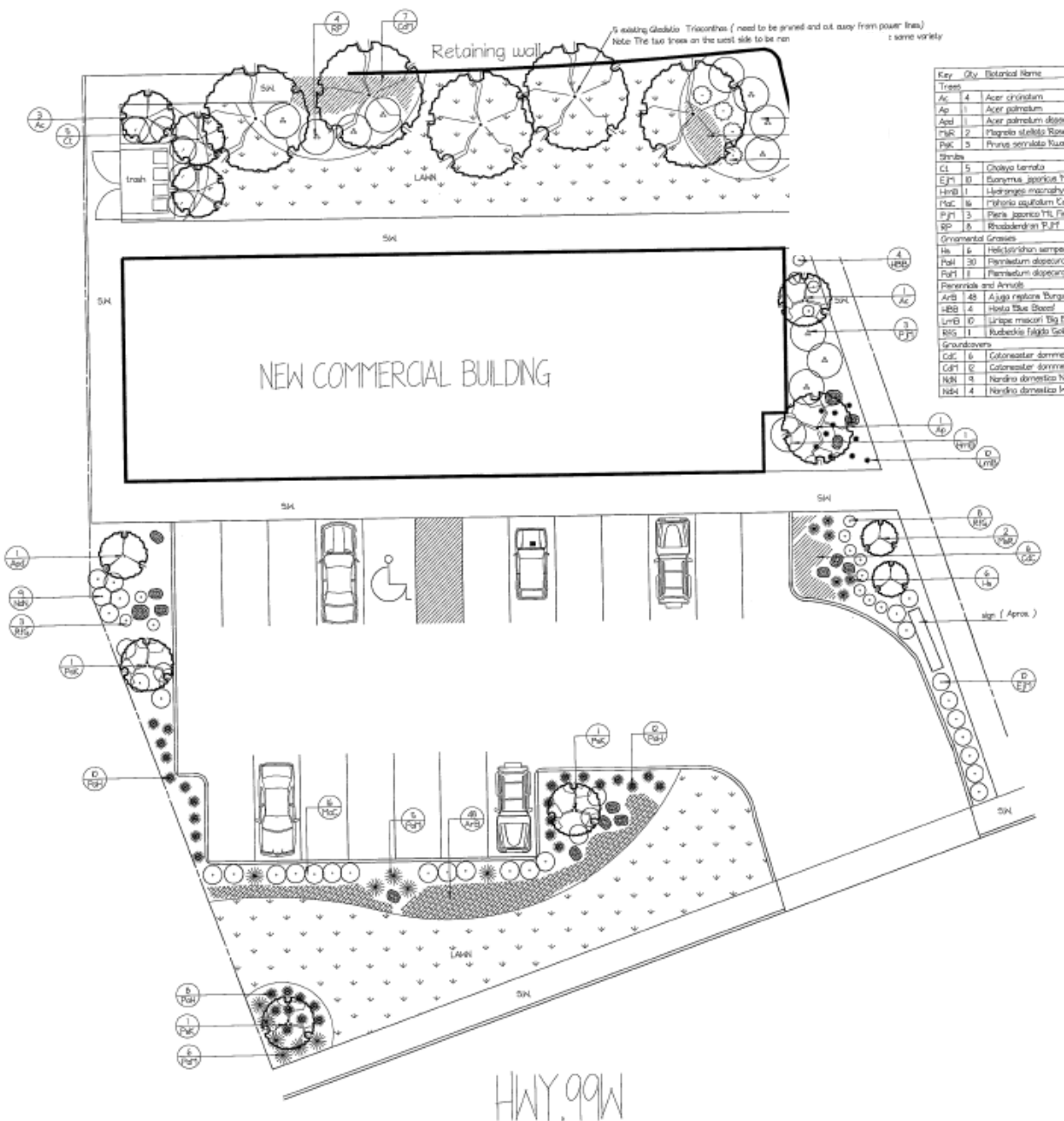


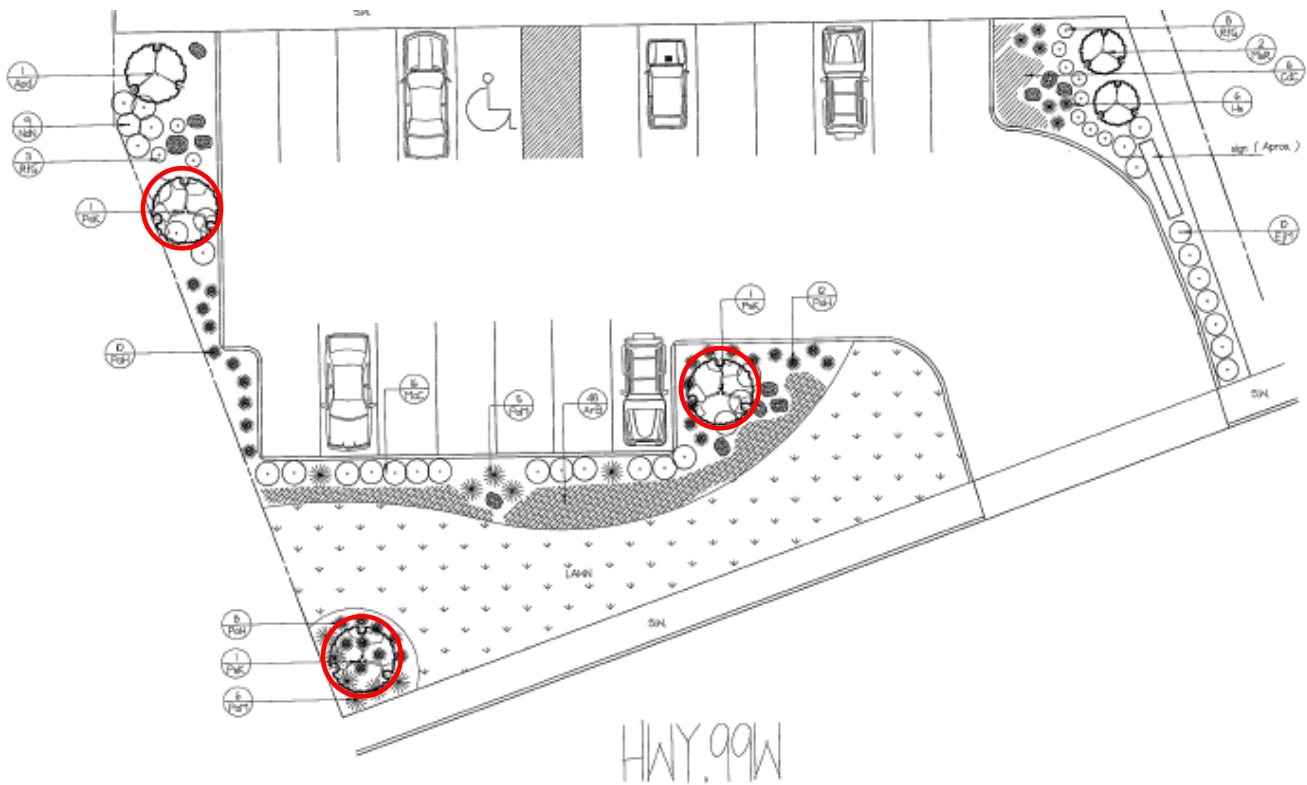
Figure 2: Plant Schedule

Key	Qty	Botanical Name	Common Name	Remarks
Trees				
Ac	4	Acer circinatum	VINE MAPLE	8-10' multi-stem
Ap	1	Acer palmatum	JAPANESE MAPLE Green	8-10'
Apd	1	Acer palmatum dissectum 'Crimson Queen'	CRIMSON QUEEN JAPANESE THREADLEAF MAPLE	24-36"
M&R	2	Magnolia stellata 'Rosea'	ROSEA STAR MAGNOLIA	4-5'
P&K	3	Prunus serrulata 'Kwanzan'	KWANZAN JAPANESE FLOWERING CHERRY	2' Cal.

Figure 3: Parking Lot Landscaping

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2019 NE Highway 99W



Discussion:

Decisions and/or recommendations for both land-use applications are dependent upon whether or not the applications meet state regulations, the McMinnville Comprehensive Plan and the McMinnville Municipal Code (MMC). The application can either meet these criteria as proposed, or a condition of approval can be provided that either outlines what needs to occur to meet the criteria or when something needs to occur to meet the criteria. Attached is the decision document that provides the Findings of Fact and Conclusionary Findings for the revised landscape plan. This document outlines the legal findings on whether or not the revised plan meets the applicable criteria and whether or not there are conditions of approval that if achieved put the application in compliance with the criteria.

Applicable Review Criteria

The subject site is zoned C-3 (General Commercial). Section 17.57.030 of the McMinnville Municipal Code (MMC) requires landscaping in the C-3 zone, therefore landscaping is required in accordance with requirements of MMC Chapter 17.57-Landscaping.

The Landscape Plan (L 32-19) revision request concerns Section 17.57.070(B)(4) of the MMC, which requires consideration of the following by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010:

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

MMC Sections 17.57.010(A)(1) and (4) provide relevant purposes of parking lot landscaping:

1. Reduce soil erosion and the volume and rate of discharge of storm water runoff.
4. Provide parking lot landscaping to reduce the harmful effects of heat, noise, and glare associated with motor vehicle use.

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2019 NE Highway 99W

Analysis of Landscape Plan Revision Request

Currently, the two (2) Kwanzan Cherry trees on the approved landscape plan provide some benefit to a limited portion of the parking area because of their relatively small height and spread. The third Kwanzan Cherry tree in the southwest corner of the property is not providing any benefit to the parking area because of the size and location of the tree.

Substitution of the Kwanzan Cherry for a larger tree species that grows taller and wider would provide substantially more benefit to the parking area. Benefits of a larger tree species would include increased shade that would help reduce the harmful effects of heat and glare associated with motor vehicle use, and increased canopy over the parking lot that would help reduce the rate of discharge of storm water runoff by capturing rain water before it can fall on impervious surface.

The Landscape Review Committee has previously approved landscape plans proposing larger stature trees adjacent to parking lots in lieu of internal parking lot islands if it was determined the size of the trees and location would provide benefit equal to or greater than a planting island within the parking area.

Staff-Suggested Findings (Revised)

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The proposed parking area for the commercial development is a single drive aisle with 12 parking stalls on the north side and 6 parking stalls on the south side. The north and south parking aisles have end caps with landscaping, and a large landscape area is adjacent to the southern parking aisle. Although the site plan for the proposed commercial development and off-street parking area does not provide internal landscape islands and planting therein, consideration was given to the landscape areas adjacent to the parking to provide planting that would provide benefit similar to or greater than an internal landscape island. The landscape plan indicates that three (3) shade trees are to be located south and west of the proposed parking area. Benefits of these shade trees around the parking area include increased shading that would help reduce the harmful effects of heat and glare associated with motor vehicle use, and increased canopy over the parking lot that would help reduce the rate of discharge of storm water runoff by capturing rain water before it can fall on impervious surface, achieving the purpose and intent of the Landscape chapter of the Zoning Ordinance.

Staff-Suggested Conditions of Approval (Revised)

(Language added is underlined, language removed is in ~~strike through~~)

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on December 23, 2019, and as revised on March 18, 2020.
2. That if any of the five (5) existing *Gleditsia triacanthos* (Honeylocust) trees are removed, they shall be replaced with a tree species from the McMinnville Street Tree List – Recommended Small Tree Species approved for planting under overhead wires.
3. ~~That a parking lot island internal to the northern parking aisle and plantings therein shall be provided. Such landscaped islands shall have raised curbs, be a minimum five (5) feet in width, and shall contain at least one (1) deciduous tree.~~

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2019 NE Highway 99W

4. That landscaping be provided around a third side of the trash and recycling enclosure. Climbing vines and screening shrubs are appropriate, and plant material must be a minimum of three (3) feet in height at the time of planting.
5. 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.
6. 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.

Fiscal Impact:

None.

Landscape Review Committee Options:

- 1) **APPROVE** the landscape plan revision, per the revised findings of fact and conditions of approval.
- 2) **APPROVE** the landscape plan revision with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the landscape plan revision, requesting the applicant to submit more information or details for review.
- 4) **DENY** the landscape plan revision, providing findings of fact for the denial in the motion to deny.

Staff Recommendation:

Staff has reviewed the landscape plan revision for consistency with the applicable criteria. Staff finds that the request submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL** of the landscape plan revision.

Suggested Motion:

THAT BASED ON THE REVISED FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE REVISED LANDSCAPE PLAN L 32-19 REVISION SUBJECT TO THE CONDITIONS SPECIFIED IN THE REVISED DECISION DOCUMENT.

JF

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2019 NE Highway 99W



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DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN REVIEW AT 2019 NE HIGHWAY 99W

DOCKET: L 32-19 (Landscape Plan)

REQUEST: Approval of a Landscape Plan for a Commercial Building

LOCATION: 2019 NE Highway 99W (Tax Lot 1803, Section 16AA, T. 4. S., R. 4 W., W.M.)

ZONING: C-3 (General Commercial)

APPLICANT: Linda Cameron, Moore Architecture + Design, LLC, on behalf of Hanish and Jessie Basra, property owners

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: January 21, 2019

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

HEARING DATE & LOCATION: March 18, 2020, Community Development Center, 231 NE 5th 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 32-19) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Date: March 18, 2020Date: March 18, 2020

I. APPLICATION SUMMARY:

Subject Property & Request

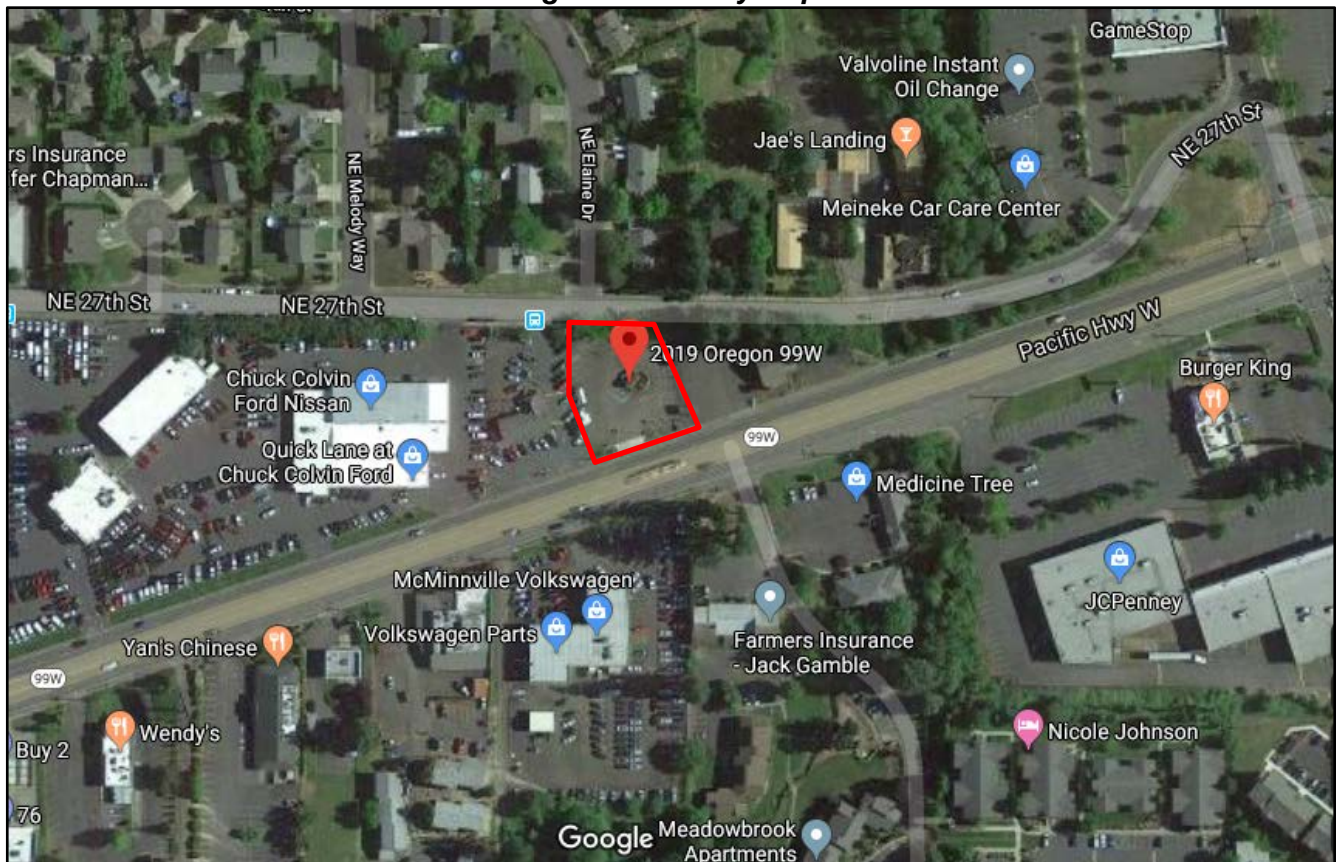
The application requests approval of a landscape plan (L 32-19) for the development of a new commercial shell building on NE Highway 99W in northeast McMinnville.

The applicant, Linda Cameron of Moore Architecture + Design, LLC, on behalf of Hanish and Jessie Basra, property owners, submitted a landscape plan associated with a building permit for development of a new commercial shell building located at 2019 NE Highway 99W. The subject property is more specifically described as Tax Lot 1803, Section 16AA, T. 4. S., R. 4 W., W.M. **See Figure 1 (Vicinity Map).** The property is zoned C-3 (General Commercial).

The site is undeveloped with permanent structures, but has been paved to serve as a parking lot. Adjacent properties to the east (a medical office building) and west (a restaurant) are zoned C-3 (General Commercial). The adjacent property to the south across Highway 99W (a car dealership) is zoned C-3 (General Commercial) as well. To the north, across NE 27th Street is a residential neighborhood zoned R-1 (Single-Family Residential). **See Figure 2 (Zoning Map).** The subject site is relatively flat. A retaining wall along the north property line holds the grade of the site while the adjacent right-of-way begins to slope down to the east. Several mature deciduous trees are present along the northern property line. **See Figures 3 & 4 (Existing Conditions).**

A building permit has been applied for to develop a new commercial shell building and associated off-street parking and a trash enclosure. The landscape plan addresses landscaping for the entire site. **See Figure 5 (Landscape Plan) and Figure 6 (Plant Schedule).**

Figure 1: Vicinity Map



Attachments:

Attachment 1 – Application and Attachments

Figure 2: Zoning Map

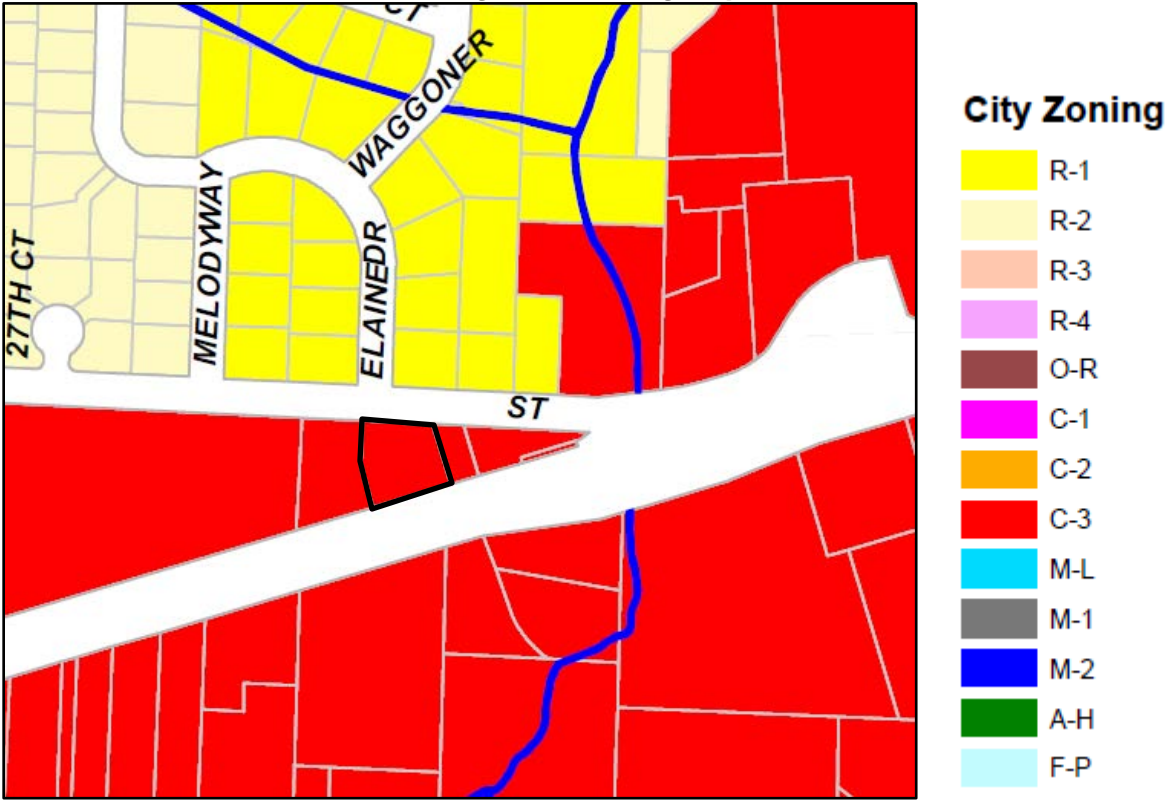


Figure 3: Existing Conditions (looking N from Highway 99W)

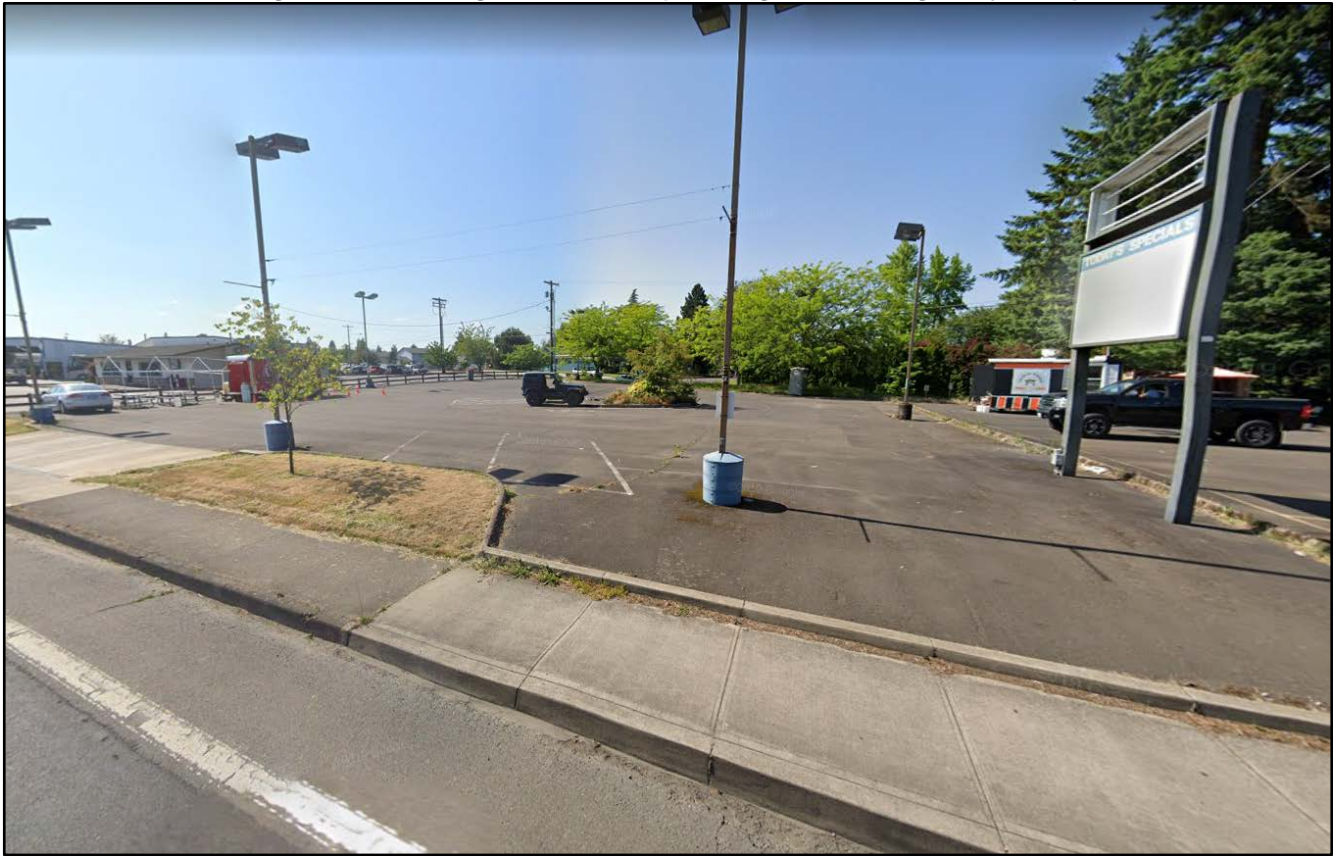


Figure 4: Existing Conditions (looking S from NE 27th Street)



Attachments:

Attachment 1 – Application and Attachments

Figure 5: Proposed Landscape Plan

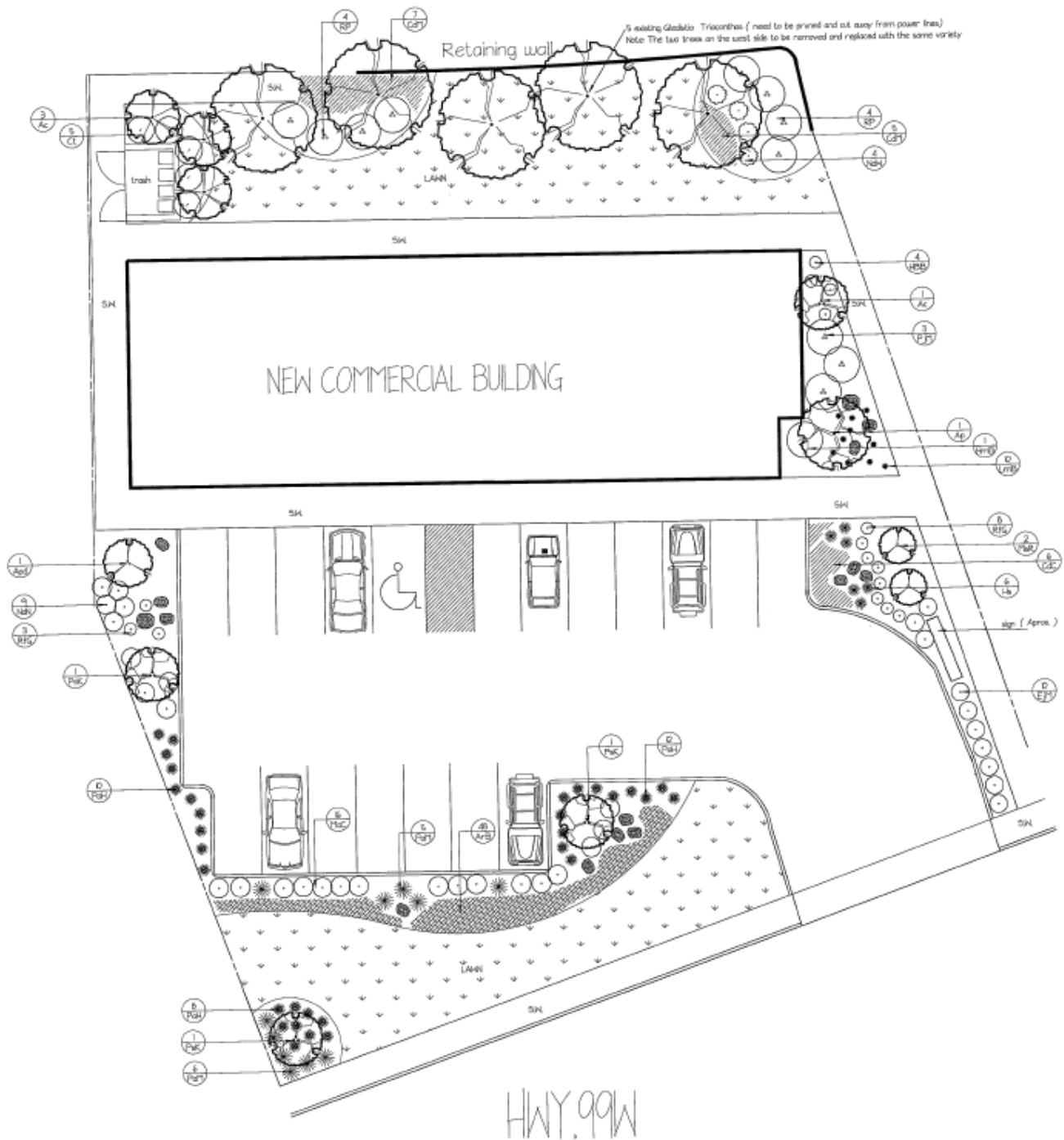


Figure 6: Proposed Plant Schedule

Key	Qty	Botanical Name	Common Name	Remarks
Trees				
Ac	4	<i>Acer circinatum</i>	VINE MAPLE	8-10' multi-stem
Ap	1	<i>Acer palmatum</i>	JAPANESE MAPLE Green	8-10'
Apd	1	<i>Acer palmatum dissectum 'Crimson Queen'</i>	CRIMSON QUEEN JAPANESE THREADLEAF MAPLE	24-36"
MsR	2	<i>Magnolia stellata 'Rosea'</i>	ROSEA STAR MAGNOLIA	4-5'
PsK	3	<i>Prunus serrulata 'Kwanzan'</i>	KWANZAN JAPANESE FLOWERING CHERRY	2' Cal.
Shrubs				
Ct	5	<i>Choisya ternata</i>	MEXICAN ORANGE	2-3 Gal.
EJM	10	<i>Euonymus japonicus 'Microphyllus'</i>	MICROPHYLLUS EVERGREEN EUONYMUS	2-3 Gal.
HmB	1	<i>Hydrangea macrophylla 'Blue Wave'</i>	BLUE WAVE FLORISTS HYDRANGEA	2-3 Gal.
MaC	16	<i>Mohonia aquifolium 'Compactum'</i>	COMPACTUM OREGON HOLLY	2-3 Gal.
PJM	3	<i>Pieris japonica 'Mt. Fire'</i>	MT. FIRE JAPANESE PIERIS	2-3 Gal.
RP	8	<i>Rhododendron 'PJM'</i>	PJM RHODODENDRON	2-3 Gal.
Ornamental Grasses				
Hs	6	<i>Helictotrichon sempervirens</i>	BLUE OATGRASS	1 Gal.
PaH	30	<i>Pennisetum alopecuroides 'Hamelin'</i>	HAMELIN FOUNTAIN GRASS	1 Gal.
PaM	11	<i>Pennisetum alopecuroides 'Maudry'</i>	MOUDRY FOUNTAIN GRASS	1 Gal.
Perennials and Annuals				
ArB	48	<i>Ajuga reptans 'Burgundy Glow'</i>	BURGUNDY GLOW BUGLE CARPET	1 Gal.
HBB	4	<i>Hosta 'Blue Blazes'</i>	BLUE BLAZES HOSTA	1 Gal.
LmB	10	<i>Liriope muscari 'Big Blue'</i>	BIG BLUE LILY TURF	1 Gal.
RfG	1	<i>Rudbeckia fulgida 'Goldsturm'</i>	GOLDSTURM BLACK-EYED SUSAN	1 Gal.
Groundcovers				
CdC	6	<i>Cotoneaster dammeri 'Coral Beauty'</i>	CORAL BEAUTY COTONEASTER	1 Gal.
CdM	12	<i>Cotoneaster dammeri 'Mooncreeper'</i>	MOONCREEPER COTONEASTER	1 Gal.
NdN	9	<i>Nandina domestica 'Nana Purpurea'</i>	NANA PURPUREA HEAVENLY BAMBOO	2-3 Gal.
NdW	4	<i>Nandina domestica 'Woods Red'</i>	WOODS RED HEAVENLY BAMBOO	2-3 Gal.

Summary of Criteria & Issues

The subject site is zoned C-3 (General Commercial). Section 17.57.030 of the McMinnville Municipal Code (MMC) requires landscaping in the C-3 zone, therefore landscaping is required in accordance with requirements of MMC Chapter 17.57-Landscaping.

MMC Section 17.58.080 requires street trees to be planted at all new commercial development which has a designated curb-side planting strip. The sidewalk along Highway 99W is curb-tight, so there is no curb-side planting strip in the Highway 99W right-of-way. A sidewalk adjacent along NE 27th Street adjacent to the site is also curb-tight, but ends when the NE 27th Street right-of-way begins to slope down. A retaining wall replaces the sidewalk, so there is no curb-side planting strip along NE 27th Street. Therefore, street trees are not required.

II. CONDITIONS:

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on December 23, 2019, and as revised on March 18, 2020.
2. That if any of the five (5) existing *Gleditsia triacanthos* (Honeylocust) trees are removed, they shall be replaced with a tree species from the McMinnville Street Tree List – Recommended Small Tree Species approved for planting under overhead wires.
3. That landscaping be provided around a third side of the trash and recycling enclosure. Climbing vines and screening shrubs are appropriate, and plant material must be a minimum of three (3) feet in height at the time of planting.

Attachments:

Attachment 1 – Application and Attachments

4. 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.
5. 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 32-19 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:

- McMinnville Water and Light:



Removed trees must be replaced by approved options suitable for planting underneath power and communication lines.

- McMinnville Public Works Department:

Attachments:

Attachment 1 – Application and Attachments

Site Review

1. The existing site is located in NE McMinnville with frontage along Hwy 99, which is under ODOT jurisdiction. The north side has curbside sidewalk adjacent to developed properties.
2. There are no overhead power and communication facility conflicts on the north side of Hwy 99 at this location.

Submittal Review

1. The submitted landscaping plan appears to show all landscaping improvements on private property, with no trees planted in the adjacent right of way. That would be consistent with the surrounding area, and is acceptable to Public Works. Any improvements in the right of way would have to be approved by ODOT.
2. Given that the plantings appear to be on private property, and as such are not within our purview, Public Works would have no comments.

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. Linda Cameron of Moore Architecture + Design, LLC, on behalf of Hanish and Jessie Basra, property owners, submitted a landscape plan review application on December 23, 2019.
2. The application was deemed complete on January 21, 2020.
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 February 19, 2020 to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 2019 NE Highway 99W (Tax Lot 1803, Section 16AA, T. 4. S., R. 4 W., W.M.)
2. **Size:** 17,577 square feet (0.40 acres)
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** None

Attachments:

Attachment 1 – Application and Attachments

6. **Current Use:** Undeveloped
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None identified
8. **Other Features:**
 - a. **Slope:** The site is relatively flat. The NE 27th Street right-of-way slopes down to the east adjacent to the property, and a large retaining wall is present on the site to accommodate the grade change.
 - b. **Trees:** A row of existing mature deciduous trees is present along the northern property line.
9. **Utilities:**
 - a. **Water:** Water service is available to the subject site.
 - b. **Electric:** Power service is available to the subject site. Overhead power lines are present along the north property line along the south side of the NE 27th Street right-of-way.
 - c. **Sewer:** Sanitary sewer service is available to the subject site.
 - d. **Stormwater:** Storm sewer service is available to the subject site.
 - e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.
10. **Transportation:** The site is adjacent to NE Highway 99W to the south, which is classified as a major arterial in the McMinnville Transportation System Plan, and is under Oregon Department of Transportation jurisdiction. The site is also adjacent to NE 27th Street to the north, which is classified as a minor collector 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.

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

- 1. Major, minor arterials
–Landscaping should be encouraged along public rights-of-way.*
- 2. Major, minor collectors
–Landscaping should be encouraged along public rights-of-way.*

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. Landscaping is proposed along the Highway 99W and NE 27th Street public rights-of-way adjacent to the subject site.

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: None.

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:

Chapter 17.57 Landscaping

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

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The landscape plan as proposed and with any required conditions would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed generally 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: None.

FINDING: SATISFIED. The subject site is zoned C-3 (General Commercial), 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:

2. Commercial, 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: None.

FINDING: SATISFIED. The application indicates the following Total Landscape Areas and Percent Landscaped for the proposed multiple-family development:

	Total Area (s.f.)	Landscape Provided (s.f.)	Percentage
Proposed Development	17,577	4,343	24%

The proposed landscaping exceeds the seven (7) percent minimum landscaping requirement for commercial development.

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

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITIONS #2. The proposed project is the development of a commercial shell building in the Highway 99W commercial corridor. Adjacent properties to the east, west, and south are commercially developed. Adjacent properties to the north are residentially developed. ***See Figure 7 (Vicinity Map Enlargement).***

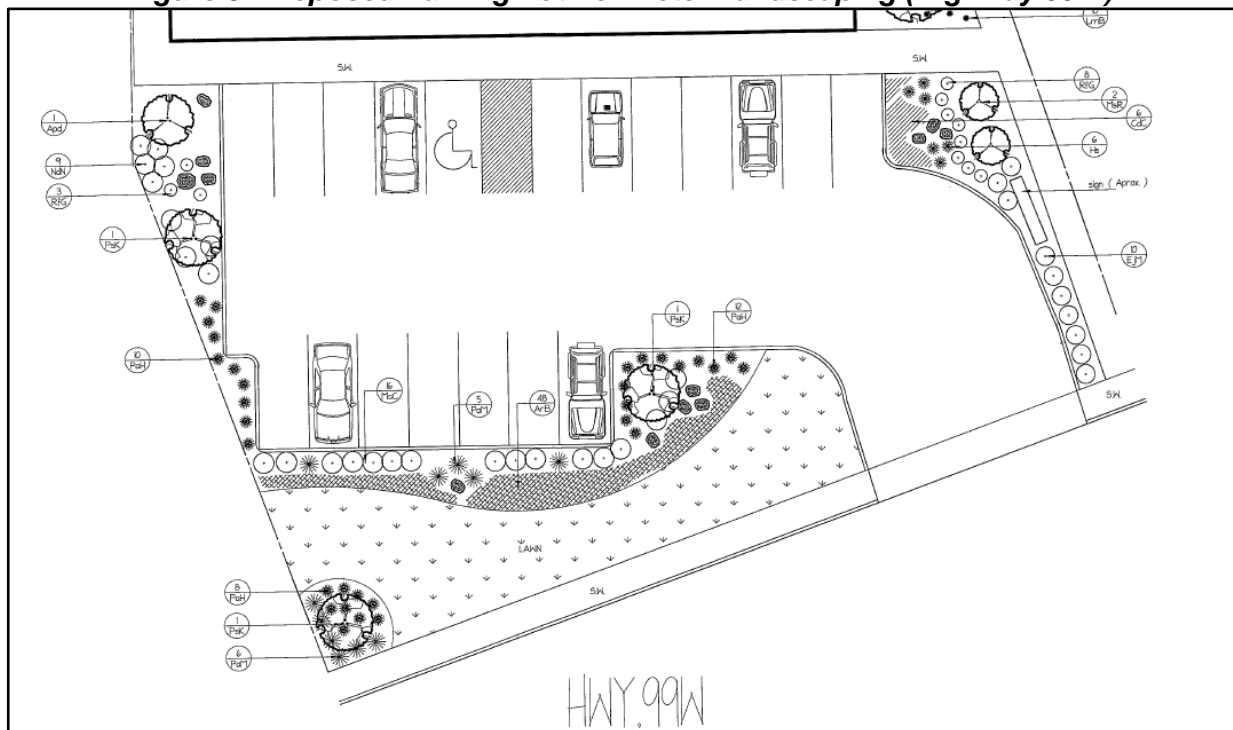
The landscape plan indicates a centrally located commercial building on the site, with an off-street parking lot on the south side of the property, accessed from Highway 99W. The solid waste and recycling enclosure is located in the northwest corner of the site, accessed by a walkway that surrounds the new building and connects to the sidewalks in the adjacent rights-of-way.

The proposed landscape plan features parking lot perimeter planting (**Figure 8**), perimeter planting around portions of the proposed commercial building (**Figure 9**), the retention of most of the mature trees along the northern property line, and supplemental plantings (**Figure 10**).

Figure 7: Vicinity Map Enlargement



Figure 8: Proposed Parking Lot Perimeter Landscaping (Highway 99W)



Landscaping is proposed around the east, south, and west sides of the off-street parking lot. To the south along Highway 99W, a large lawn area is proposed. A planting island in the southwestern corner of the lawn is proposed with a shade tree and several ornamental grasses. Adjacent to the parking lot, the landscape area features ornamental landscape boulders, native evergreen *Mahonia aquifolium* 'Compacta' (Compact Oregon Grape) shrubs, ornamental *Pennisetum alopecuroides* 'Hameln' and 'Maudry' (Hameln and Moudry Fountain Grass) grasses, *Ajuga reptans* 'Burgundy Glow' (Burgundy Glow Carpet Bugle) groundcover, and another shade tree.

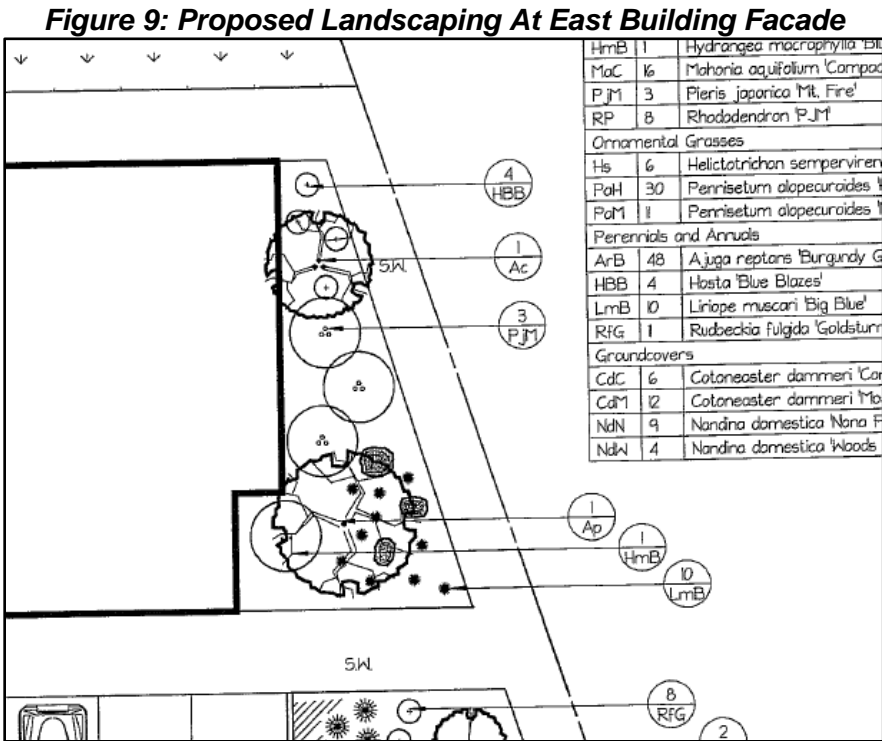
Attachments:

Attachment 1 – Application and Attachments

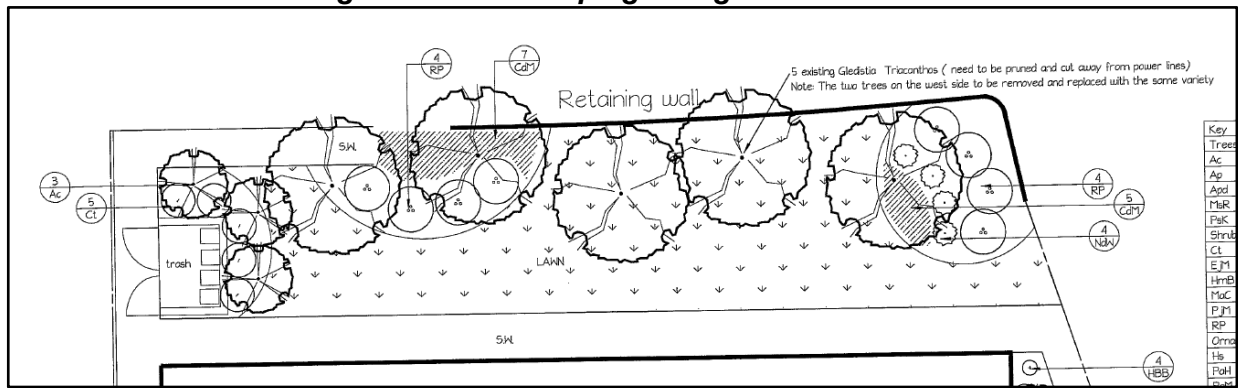
West of the parking lot are more of the same ornamental grasses and landscape boulders and another shade tree. Additionally, clusters of evergreen *Nandina domestica* ‘Purpurea’ (Purpurea Heavenly Bamboo) shrubs and flowering perennials are interspersed in the planter. An *Acer palmatum dissectum* ‘Crimson Queen’ (Crimson Queen Japanese Maple) is also proposed in this area.

East of the parking lot and driveway, a planting area is proposed that continues the planting theme. Ornamental grasses, lowering perennials, groundcover, and evergreen *Euonymus japonicas* ‘Microphyllus’ (Boxleaf Euonymus) are proposed in addition to two small *Magnolia stellata* ‘Rosea’ (Rosea Star Magnolia) trees.

The landscaping is strategically placed around the parking area to provide evergreen plants where screening headlights from cars would be appropriate. The variety of plant material would provide seasonal interest, and the shade trees proposed balance the screening and shading of the paved parking lot with visibility of the commercial building frontage.



Between the proposed commercial building and the adjacent property to the east, a large landscape area is proposed. *Acer palmatum* (Green Japanese Maple) and *Acer circinatum* (Vine Maple) deciduous trees are proposed with an understory of evergreen *Pieris japonica* ‘Mt. Fire’ (Mt. Fire Japanese Pieris) shrubs, flowering perennials, ornamental grasses, and landscape boulders. The variety of plant material would provide seasonal interest, and the small trees are appropriate for the size of the planting area.

Figure 10: Landscaping Along NE 27th Street

North of the commercial building, landscaping is proposed adjacent to NE 27th Street. There are five (5) existing deciduous *Gleditsia triacanthos* (Honeylocust) trees underneath power lines that run along the NE 27th Street right-of-way. The proposed trash enclosure is also located in this area. The three eastern Honeylocust trees are to be retained, and the landscape plan calls for replacing the two western Honeylocusts in-kind. Below the Honeylocusts, evergreen *Rhododendron* 'PJM' (PJM Rhododendron) and *Nandina domestica* 'Woods Red' (Woods Red Heavenly Bamboo) shrubs are proposed with evergreen groundcover. On two sides of the trash enclosure, evergreen *Choisya ternata* (Mexican Mock Orange) shrubs and *Acer circinatum* (Vine Maple) trees are proposed. The landscaping around the trash enclosure is addressed in more detail below. The remainder of the landscape area is a proposed turf lawn. The proposed planting will continue to provide and enhance the buffer between the commercially zoned subject site and the residential neighborhood to the north.

Honeylocust trees can grow to 30 to 70 feet tall depending on the specific variety. The variety of the existing trees is unknown. Honeylocust are generally not planted under power lines because of their mature height and growth characteristics. Continued maintenance would be required to keep the trees clear of the overhead utilities, and such maintenance is noted on the landscape plan. Because of this, replacement trees appropriate for planting under overhead utility lines is recommended to make the landscaping compatible with the utilities. A condition of approval is included to require that any of the existing *Gleditsia triacanthos* (Honeylocust) trees that are removed be replaced with a tree species from the McMinnville Street Tree List – Recommended Small Tree Species that is approved for planting under overhead wires.

Overall, with suggested conditions of approval, staff finds that the proposed landscaping is compatible with the proposed project and the surrounding and abutting properties and their uses.

CONDITION FOR FINDING: That if any of the five (5) existing *Gleditsia triacanthos* (Honeylocust) trees under the overhead utilities are removed, they shall be replaced with a tree species from the McMinnville Street Tree List – Recommended Small Tree Species approved for planting under overhead wires.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The use of small deciduous trees and evergreen shrubs strategically around the parking lot will provide screening of the parking lot and associated glare from the Highway 99W right-of-way and adjacent properties to the east and west. Retention of the existing mature trees along the NE 27th Street right-of-way, and the provision additional small trees and

evergreen shrubs will provide screening of the proposed commercial use from the surrounding residential neighborhood.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. Three (3) of the five (5) existing mature *Gleditsia triacanthos* (Honeylocust) trees found on the property along NE 27th Street are to be retained, and replacement trees for the two (2) to be removed will be planted. The existing trees are provided with a large surrounding landscape area to be provided with water.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The proposed parking area for the commercial development is a single drive aisle with 12 parking stalls on the north side and 6 parking stalls on the south side. The north and south parking aisles have end caps with landscaping, and a large landscape area is adjacent to the southern parking aisle. Although the site plan for the proposed commercial development and off-street parking area does not provide internal landscape islands and planting therein, consideration was given to the landscape areas adjacent to the parking to provide planting that would provide benefit similar to or greater than an internal landscape island. The landscape plan indicates that three (3) shade trees are to be located south and west of the proposed parking area. Benefits of these shade trees around the parking area include increased shading that would help reduce the harmful effects of heat and glare associated with motor vehicle use, and increased canopy over the parking lot that would help reduce the rate of discharge of storm water runoff by capturing rain water before it can fall on impervious surface, achieving the purpose and intent of the Landscape chapter of the Zoning Ordinance.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. MMC Section 17.58.080 requires street trees to be planted at all new commercial development which has a designated curb-side planting strip. The sidewalk along Highway 99W is curb-tight, so there is no curb-side planting strip in the Highway 99W right-of-way. A sidewalk adjacent along NE 27th Street adjacent to the site is also curb-tight, but ends when the NE 27th Street right-of-way begins to slope down. A retaining wall replaces the sidewalk, so there is no curb-side planting strip along NE 27th Street. Therefore, street trees are not required because curb-side planting strips are not present adjacent to the subject site.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The proposed landscape plan indicates that all landscape beds are to receive a fixed spray 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: None.

FINDING: SATISFIED WITH CONDITION #5. 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.

Chapter 17.61 Solid Waste and Recycling Enclosure Plan

17.61.030(C) Any trash or recycling enclosure which is visible from the street must provide landscaping around three (3) sides of the structure. Climbing vines and screening shrubs or hedges are appropriate and landscaping must be a minimum of three-feet (3) in height at the time of planting.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #3. The trash and recycling enclosure is located at the northwest corner of the property, visible from the NE 27th Street right-of-way. The landscape plan indicates proposed planting on the north and east sides, the sides most visible from the adjacent right of way. Evergreen *Choisya ternata* (Mexican Mock Orange) shrubs and *Acer circinatum* (Vine Maple) trees are proposed. Access gates are located on the west side of the enclosure, and the south side of the enclosure is tight to the adjacent sidewalk, with no proposed landscaping. Therefore, a condition of approval is included to require landscaping be provided around a third side of the trash and recycling enclosure. Climbing vines and screening shrubs are appropriate, and plant material must be a minimum of three (3) feet in height at the time of planting.

CONDITION FOR FINDING: That landscaping be provided around a third side of the trash and recycling enclosure. Climbing vines and screening shrubs are appropriate, and plant material must be a minimum of three (3) feet in height at the time of planting.

JF



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

EXHIBIT 3 - STAFF REPORT

DATE: March 18, 2020
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 4B – Landscape Plan Review Application (L 33-19)

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 33-19) for landscaping for a proposed eye clinic in the Three Mile Lane area of northeast McMinnville to be reviewed by the Landscape Review Committee.

Background:

The application requests approval of a landscape plan (L 33-19) for the development of the new McMinnville Eye Clinic in the Three Mile Lane area of northeast McMinnville.

The applicant, Zach Pelz, AICP, of AKS Engineering & Forestry, LLC, on behalf of M2HB, LLC, property owner, submitted a landscape plan concurrently with Planned Development Amendment PDA 3-19 and Three Mile Lane Design Review TML 4-19 for the development of a medical clinic located at 2445 NE Cumulus Avenue. The subject property is more specifically described as Tax Lot 1800, Section 22CD, T. 4. S., R. 4 W., W.M. **See Figure 1 (Vicinity Map).**

The site is zoned C-3PD (General Commercial Planned Development) and is currently undeveloped. The site is north of Highway 18 and the frontage road, Cumulus Avenue. Adjacent properties to the east (hotel and a welding supply store), west (medical clinic), and north (Housing Authority of Yamhill County) are zoned C-3PD (General Commercial Planned Development). The property is subject to the Three Mile Lane Development Overlay (Ordinance Nos. 4131 and 4572) and Planned Development Ordinance No. 4719. **See Figure 2 (Zoning Map).** The subject site is relatively flat. One (1) mature deciduous tree is present along the western property line. **See Figures 3 & 4 (Existing Conditions).**

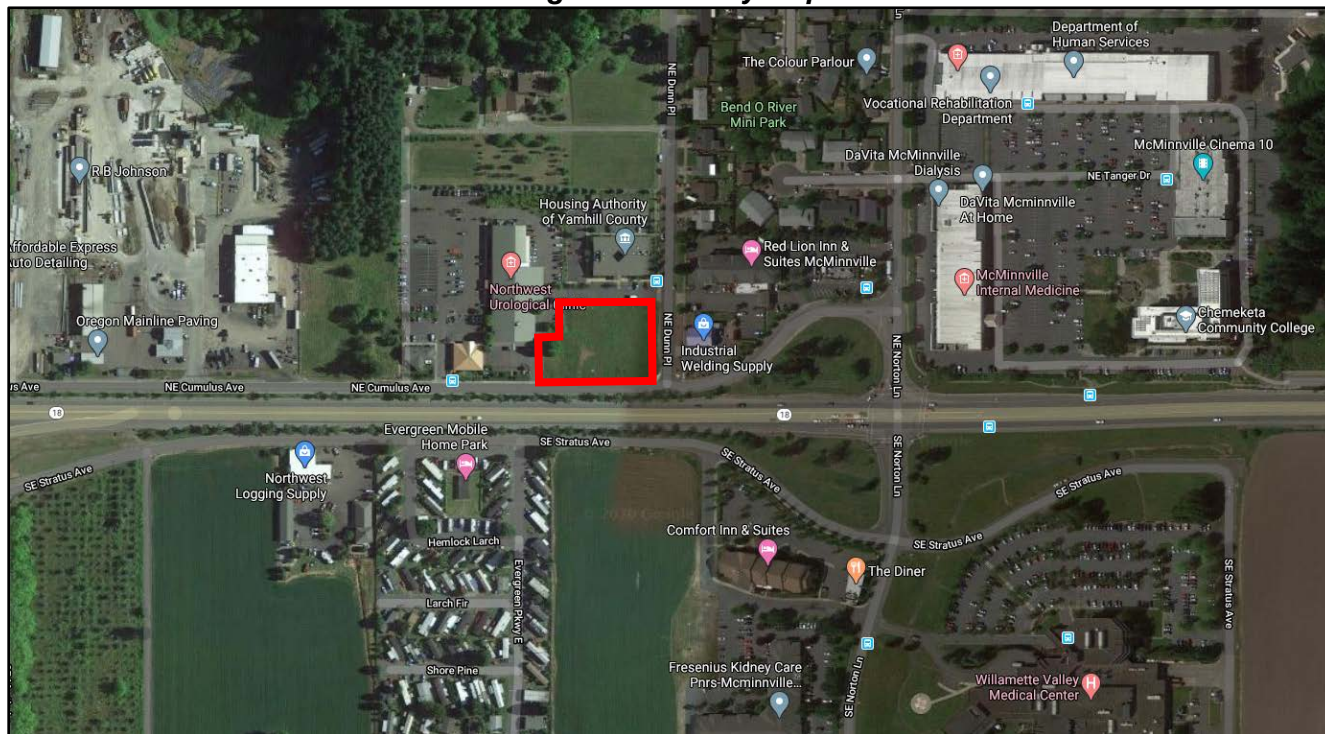
Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2445 NE Cumulus Avenue

Attachment B – Application Materials

In compliance with Planned Development Ordinance 4719, detailed plans for the proposed commercial development have been submitted for Three Mile Lane Design Review, including the proposed landscape. The landscape plan addresses landscaping for the entire site and street trees along the site's frontages. **See Figure 5 (Proposed Landscape Plan), Figure 5 (Landscape Plan Enlargement), and Figure 7 (Plant Schedule).**

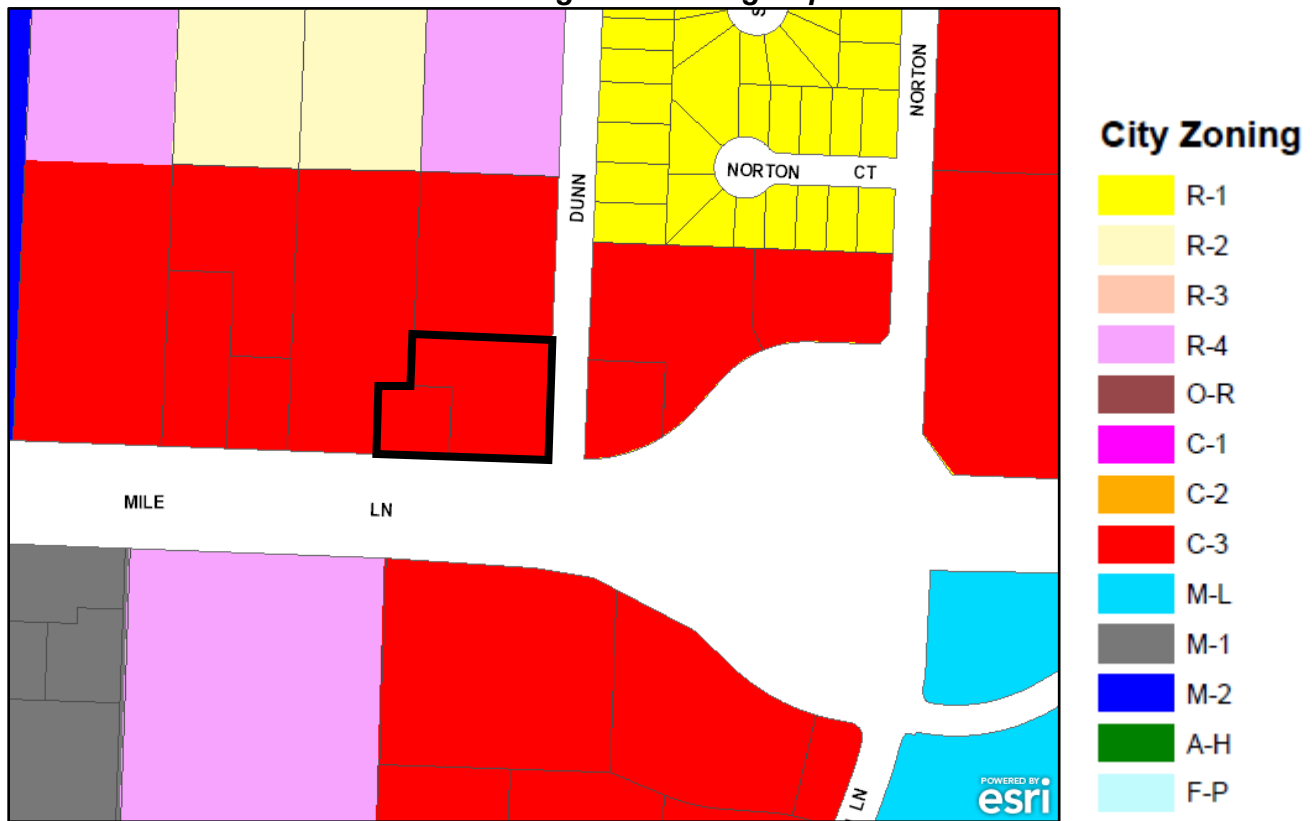
Figure 1: Vicinity Map



Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2445 NE Cumulus Avenue

Attachment B – Application Materials

Figure 2: Zoning Map**Figure 3: Existing Conditions (looking NE from NE Cumulus Avenue)****Attachments:**

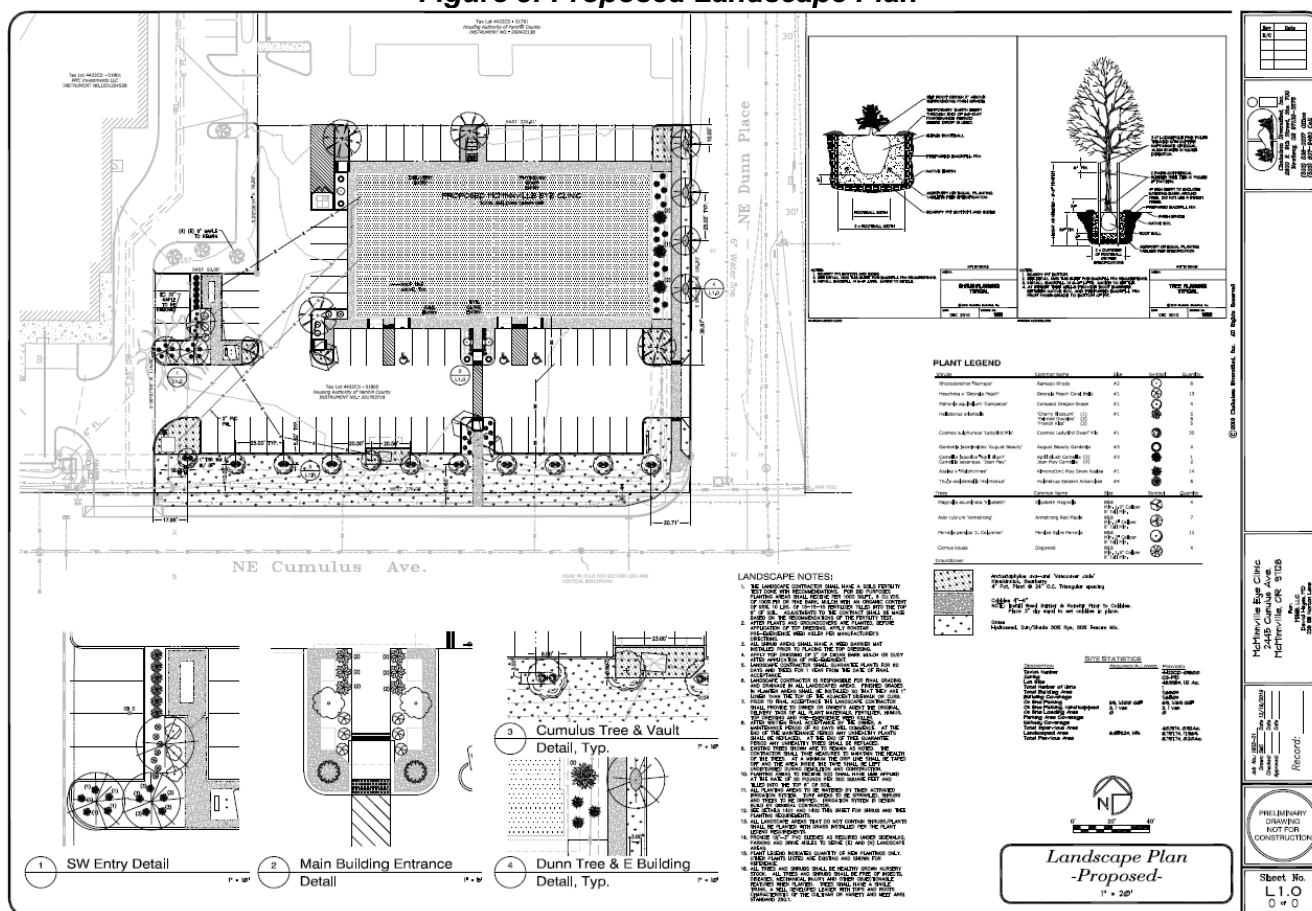
Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2445 NE Cumulus Avenue

Attachment B – Application Materials

Figure 4: Existing Conditions (looking NW from NE Dunn Place)



Figure 5: Proposed Landscape Plan



Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2445 NE Cumulus Avenue

Attachment B – Application Materials

Figure 6: Proposed Landscape Plan (Enlargement)

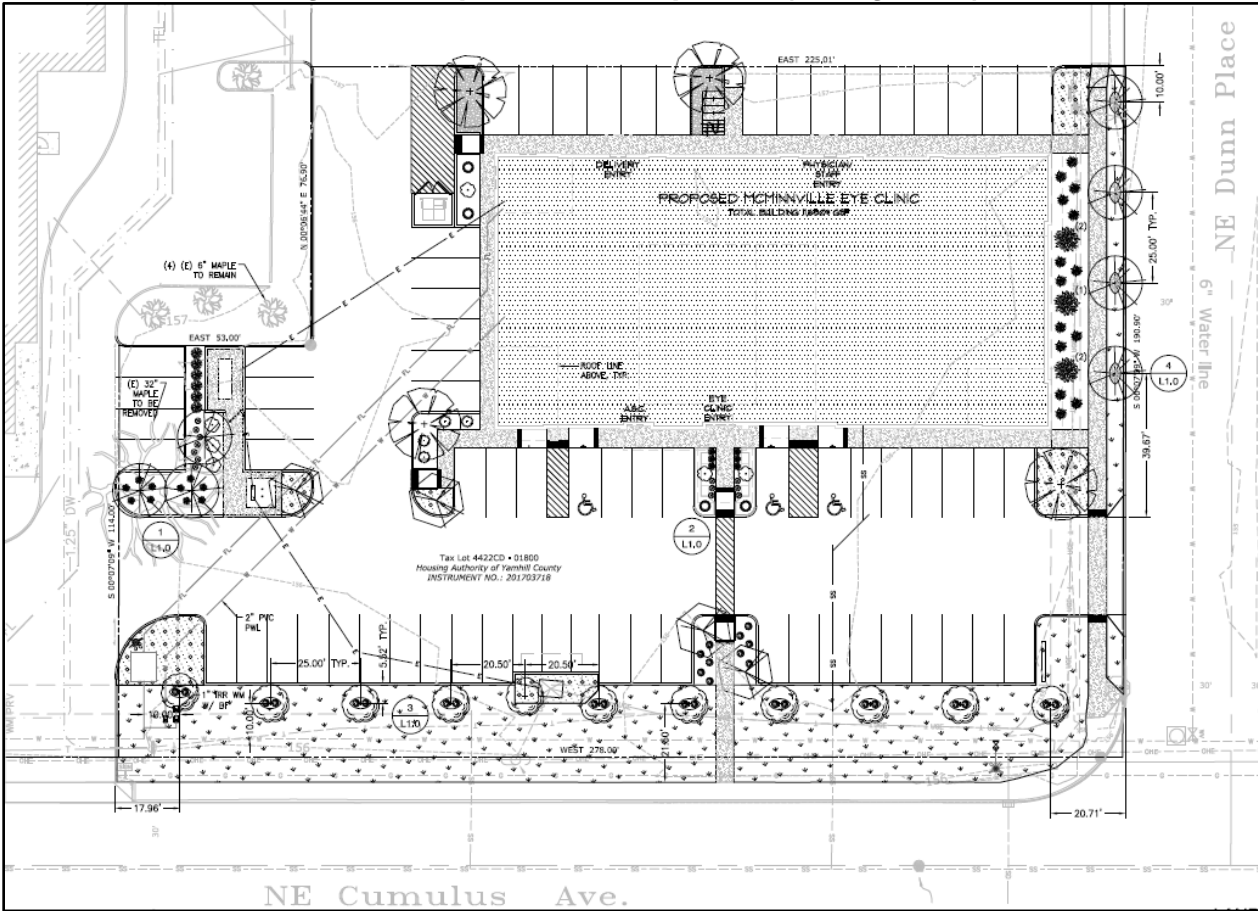


Figure 6: Proposed Plant Schedule

Shrubs	Common Name	Size	Symbol	Quantity
Rhododendron 'Ramapo'	Ramapo Rhody	#2		6
Heuchera x 'Georgia Peach'	Georgia Peach Coral Bells	#1		13
Mahonia aquifolium 'Compacta'	Compact Oregon Grape	#1		4
Helleborus orientalis	'Cherry Blossum' (1) 'Painted Doubles' (2) 'French Kiss' (3)	#1		5 6 5
Cosmos sulphureus 'Ladybird Mix'	Cosmos Ladybird Dwarf Mix	#1		30
Gardenia jasminoides 'August Beauty'	August Beauty Gardenia	#3		4
Camellia japonica 'April Blush'	April Blush Camellia (1)	#3		1
Camellia sasanqua 'Jean May'	Jean May Camellia (2)	#3		2
Azalea x 'Maishchnee'	Kimono(tm) May Snow Azalea	#1		14
Thuja occidentalis 'Holmstrup'	Holmstrup Eastern Arborvitae	#4		6
Trees	Common Name	Size	Symbol	Quantity
Magnolia acuminata 'Elizabeth'	Elizabeth Magnolia	B&B Min. 1.5" Caliper 8' Tall Min.		4
Acer rubrum 'Armstrong'	Armstrong Red Maple	B&B Min. 2" Caliper 8' Tall Min.		6
Perrotia persica 'JL Columnar'	Persian Spire Parrotia	B&B Min. 2" Caliper 8' Tall Min.		11
Cornus kousa	Dogwood	B&B Min. 1.5" Caliper 8' Tall Min.		4
Cedrus atlantica 'Glauca Fastigiata'	Columnar Blue Atlas Cedar	B&B Min. 2" Caliper 8' Tall Min.		1
Groundcover				
	Arctostaphylos uva-ursi 'Vancouver Jade' Kinnikinnick, Bearberry 4" Pot, Plant @ 24" O.C. Triangular spacing			
	Cobbles 4"-6" NOTE: Install Weed Barrier & Ronstar Prior to Cobbles. Place 3" dry sand to set cobbles in place.			
	Grass Hydrosed, Sun/Shade 50% Rye, 50% Fescue Mix.			

Discussion:

Decisions and/or recommendations for land-use applications are dependent upon whether or not the applications meet state regulations, the McMinnville Comprehensive Plan and the McMinnville Municipal Code (MMC). The application can either meet these criteria as proposed, or a condition of approval can be provided that either outlines what needs to occur to meet the criteria or when something needs to occur to meet the criteria. Attached is the decision document that provides the Findings of Fact and Conclusionary Findings for the land-use application. This document outlines the legal findings on whether or not each application meets the applicable criteria and whether or not there are conditions of approval that if achieved put the application in compliance with the criteria.

Applicable Review Criteria

The subject site is zoned C-3 PD (General Commercial Planned Development). Section 17.57.030 of the McMinnville Municipal Code (MMC) requires landscaping in the C-3 zone, therefore landscaping is required in accordance with requirements of MMC Chapter 17.57-Landscaping.

MMC Section 17.58.080 requires street trees to be planted at all new commercial development which has a designated curb-side planting strip. The sidewalk along NE Cumulus Avenue is curb-tight, so there is no curb-side planting strip. A new sidewalk and curb-side planting strip is proposed with the development along the property's NE Dunn Place frontage. Therefore, street trees are required in accordance with the requirements of MMC Chapter 17.58 - Trees.

Additionally, Planned Development Ordinance No. 4719 requires additional criteria and standards for landscaping and trees on the subject site.

The Landscape Plan Review (L 33-19) request is subject to the planning factors in Section 17.57.070 of the MMC. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
4. The development and use of islands and plantings therein to break up parking areas.
5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.
6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

Analysis of Landscape Plan Review Request

The applicant's landscape plan proposes a large percentage of landscaping on the site (~18 percent) which is more landscaping than required by Planned Development Ordinance No. 4719 (14 percent). Groupings of trees, shrubs, groundcovers, and other flowering plants meet many of the planning factors above and help achieve the purpose of the landscape chapter of MMC. Specifically, the plan features landscaping emphasis on the southern and eastern property frontages, and planting interspersed throughout the parking areas.

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2445 NE Cumulus Avenue

Attachment B – Application Materials

Below is a table summarizing the application's compliance with critical criteria. The Decision Document for the land-use application has the detailed analysis and findings for this compliance:

Issue	Notes	Condition to Help Meet Criteria
Compatibility with the project and surrounding properties and uses	<ul style="list-style-type: none"> Landscaping proposed around site and parking lot perimeter provides shade, interest, and buffering to key areas Street trees and on-site landscaping is consistent with surrounding commercial properties 	N/A
Screening the proposed use	<ul style="list-style-type: none"> Uses to north, east, and west are also commercial, and don't require substantial screening between uses Landscaping not provided on 3 sides of trash enclosure 	Condition #11: Requires landscaping on 3 sides of trash enclosure
Retention of existing trees	<ul style="list-style-type: none"> One existing Maple is proposed for removal One Blue Atlas Cedar would be retained 	N/A
Parking lot islands and planting	<ul style="list-style-type: none"> Planting proposed for the perimeter of the parking area, and landscape islands with trees are interspersed within the parking area 	N/A
Use of suitable street trees	<ul style="list-style-type: none"> Street trees required along Dunn Place, Armstrong Red Maples are proposed street tree 	N/A
Irrigation system or water facilities	<ul style="list-style-type: none"> Landscape areas to receive automatic irrigation system. 	N/A
Tree removal requires City approval	<ul style="list-style-type: none"> Removal required as part of approved site plan 	

Staff-Suggested Conditions of Approval

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on December 24, 2019 and as revised by Attachment B – Landscape Plan and Plant Legend Revision_1 submitted to the Planning Department on January 21, 2020.
2. That the 32 inch maple tree identified on Landscape Plan L1.0 Street Tree Plan shall be approved for removal.

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2445 NE Cumulus Avenue

Attachment B – Application Materials

3. That all costs and liability associated with tree removal shall be borne by the applicant.
4. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during the tree removal or planting process.
5. That street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
6. That planting of street trees shall be subject to the design drawings and specification developed by the City in May 2014. The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, street trees shall be provided with two (2) deep watering tubes to promote deep root growth.
7. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent at (503) 434-7316 to schedule a planting inspection prior to backfilling.
8. 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.
9. That the street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets.
10. That all street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.
11. That landscaping be provided around three (3) sides of the trash and recycling enclosure. Climbing vines and screening shrubs are appropriate, and plant material must be a minimum of three (3) feet in height at the time of planting.
12. 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.

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2445 NE Cumulus Avenue

Attachment B – Application Materials

13. 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.

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 33-19 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.

JF

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 2445 NE Cumulus Avenue

Attachment B – Application Materials



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

503-434-7311
www.mcminnvilleoregon.gov

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE
APPROVAL OF A LANDSCAPE PLAN REVIEW AT 2445 NE CUMULUS AVENUE**

DOCKET: L 33-19 (Landscape Plan Review)

REQUEST: Approval of a Landscape Plan for McMinnville Eye Clinic

LOCATION: 2445 NE Cumulus Avenue (Tax Lot 1800, Section 22CD, T. 4. S., R. 4 W., W.M.)

ZONING: C-3PD (General Commercial Planned Development)

APPLICANT: Zach Pelz, AICP, AKS Engineering & Forestry, LLC, on behalf of M2HB, LLC, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

**DATE DEEMED
COMPLETE:** January 28, 2019

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

**HEARING DATE
& LOCATION:** March 18, 2020, Community Development Center, 231 NE 5th Street, McMinnville, Oregon

PROCEDURE: The application for Landscape Plan review was submitted concurrently with applications for Planned Development Amendment and Three Mile Lane Design Review. As described in Section 17.72.070 of the McMinnville Municipal Code, concurrent applications shall be processed simultaneously and subject to the hearing procedure that affords the most opportunity for public hearing and notice. Therefore, the application for Landscape Plan review shall be processed in accordance with the procedures in Section 17.72.110 of the McMinnville Municipal Code. The application is reviewed 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 Fire Department, Police Department, Engineering Department,

Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications; Comcast; Northwest Natural Gas; and Oregon Department of Transportation. Their comments are provided in this document.

DECISION

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the Landscape Plan (L 33-19) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Staff: _____
 Jamie Fleckenstein, Associate Planner

Date: March 18, 2020

Planning Department: _____
Heather Richards, Planning Director

Date: March 18, 2020

Attachments:

Attachment 1 – Application and Attachments

I. APPLICATION SUMMARY:

Subject Property & Request

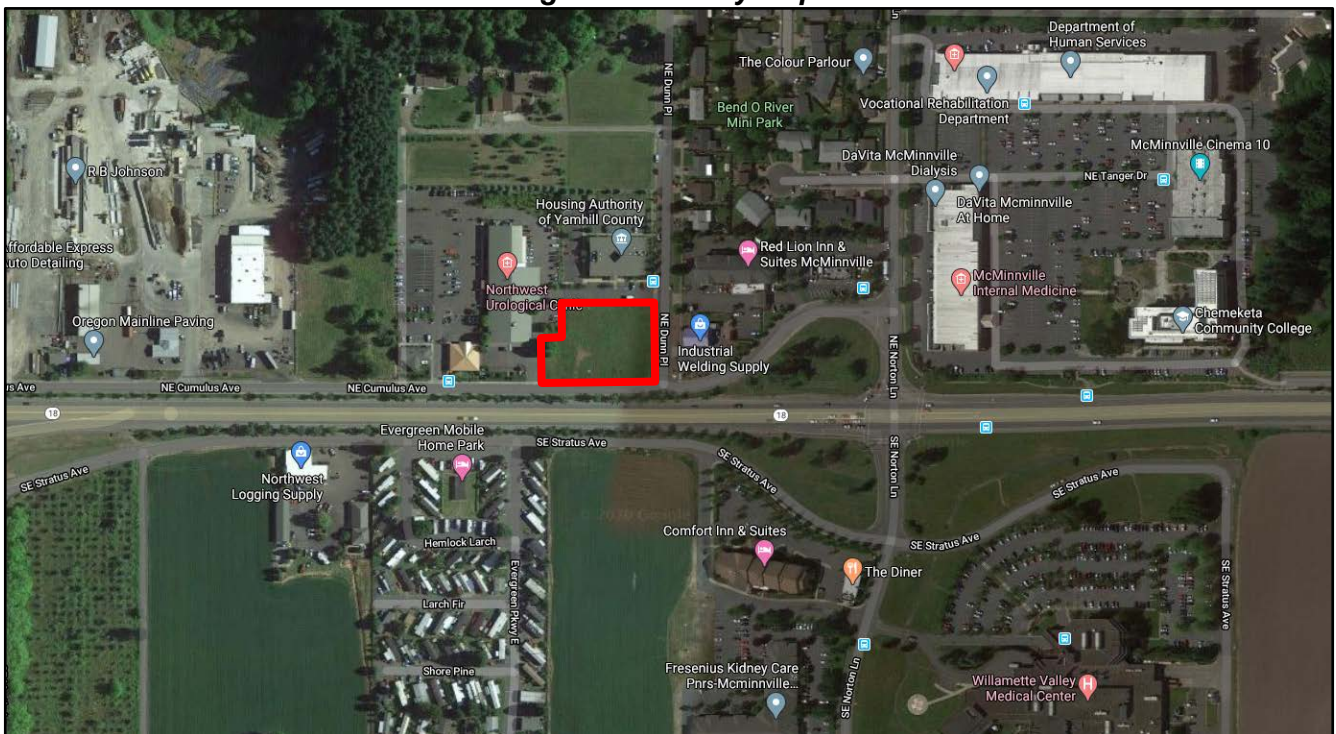
The application requests approval of a landscape plan (L 33-19) for the development of the new McMinnville Eye Clinic in the Three Mile Lane area of northeast McMinnville.

The applicant, Zach Pelz, AICP, of AKS Engineering & Forestry, LLC, on behalf of M2HB, LLC, property owner, submitted a landscape plan concurrently with Planned Development Amendment PDA 3-19 and Three Mile Lane Design Review TML 4-19 for the development of a medical clinic located at 2445 NE Cumulus Avenue. The subject property is more specifically described as Tax Lot 1800, Section 22CD, T. 4. S., R. 4 W., W.M. **See Figure 1 (Vicinity Map).**

The site is zoned C-3PD (General Commercial Planned Development) and is currently undeveloped. The site is north of Highway 18 and the frontage road, Cumulus Avenue. Adjacent properties to the east (hotel and a welding supply store), west (medical clinic), and north (Housing Authority of Yamhill County) are zoned C-3PD (General Commercial Planned Development). The property is subject to the Three Mile Lane Development Overlay (Ordinance Nos. 4131 and 4572) and Planned Development Ordinance No. 4719. **See Figure 2 (Zoning Map).** The subject site is relatively flat. One (1) mature deciduous tree is present along the western property line. **See Figures 3 & 4 (Existing Conditions).**

In compliance with Planned Development Ordinance 4719, detailed plans for the proposed commercial development have been submitted for Three Mile Lane Design Review, including the proposed landscape. The landscape plan addresses landscaping for the entire site and street trees along the site's frontages. **See Figure 5 (Proposed Landscape Plan), Figure 5 (Landscape Plan Enlargement), and Figure 7 (Plant Schedule).**

Figure 1: Vicinity Map



Attachments:

Attachment 1 – Application and Attachments

Figure 2: Zoning Map

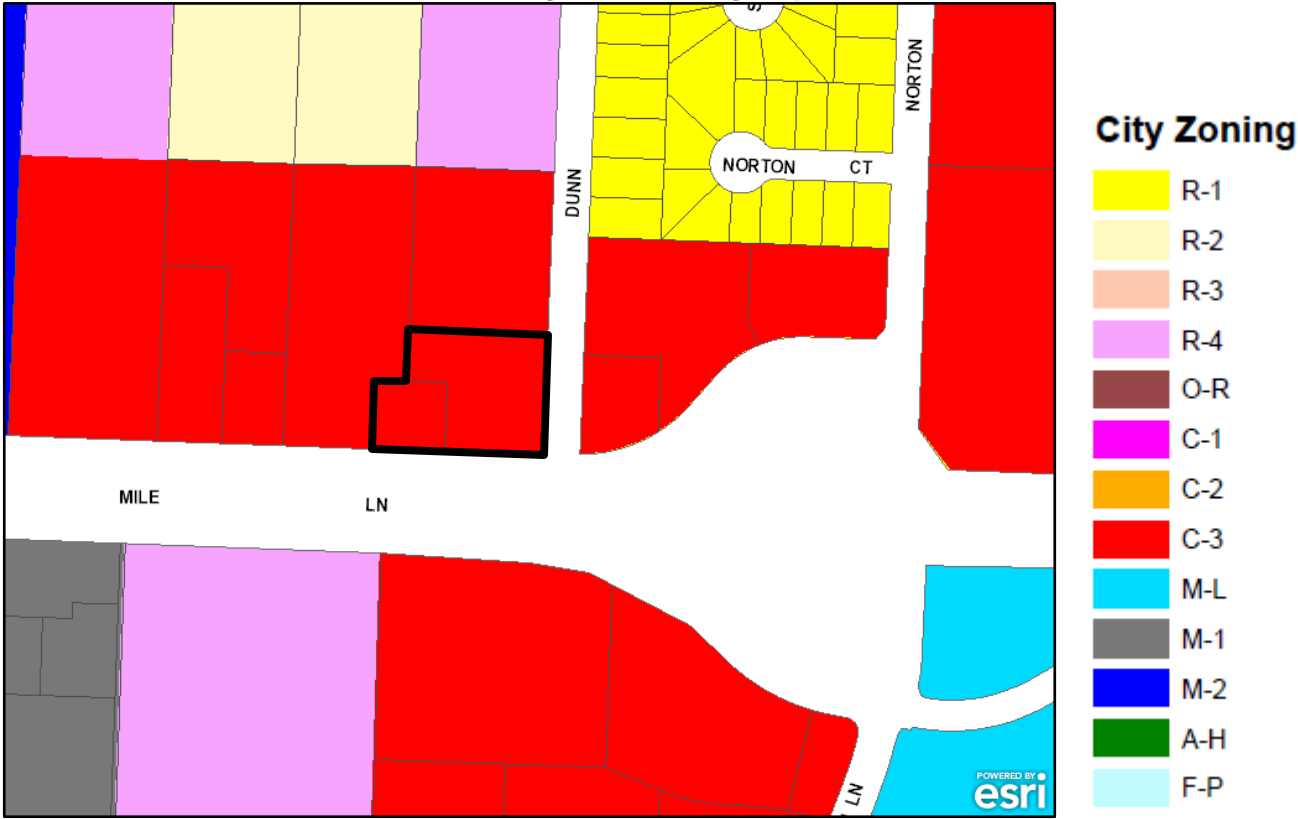


Figure 3: Existing Conditions (looking NE from NE Cumulus Avenue)



[illegible]

Attachments:
Attachment 1 – Application and Attachments

Figure 6: Proposed Landscape Plan (Enlargement)

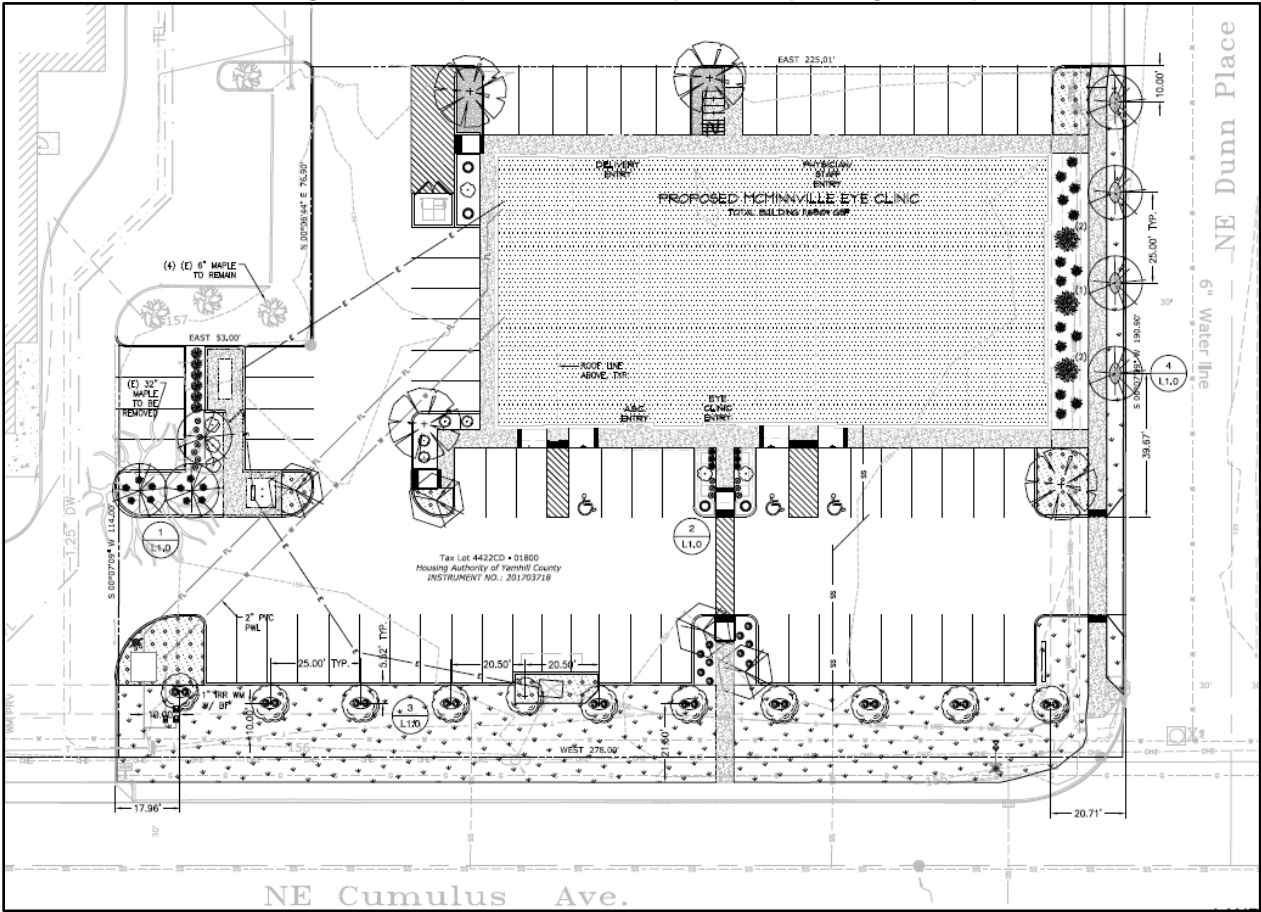


Figure 6: Proposed Plant Schedule

Shrubs	Common Name	Size	Symbol	Quantity
Rhododendron 'Ramapo'	Ramapo Rhody	#2		6
Heuchera x 'Georgia Peach'	Georgia Peach Coral Bells	#1		13
Mahonia aquifolium 'Compacta'	Compact Oregon Grape	#1		4
Helleborus orientalis	'Cherry Blossum' (1) 'Painted Doubles' (2) 'French Kiss' (3)	#1		5 6 5
Cosmos sulphureus 'Ladybird Mix'	Cosmos Ladybird Dwarf Mix	#1		30
Gardenia jasminoides 'August Beauty'	August Beauty Gardenia	#3		4
Camellia japonica 'April Blush'	April Blush Camellia (1)	#3		1
Camellia sasanqua 'Jean May'	Jean May Camellia (2)			2
Azalea x 'Maishchnee'	Kimono(tm) May Snow Azalea	#1		14
Thuja occidentalis 'Holmstrup'	Holmstrup Eastern Arborvitae	#4		6
Trees	Common Name	Size	Symbol	Quantity
Magnolia acuminata 'Elizabeth'	Elizabeth Magnolia	B&B Min. 1.5" Caliper 8' Tall Min.		4
Acer rubrum 'Armstrong'	Armstrong Red Maple	B&B Min. 2" Caliper 8' Tall Min.		6
Perrotia persica 'JL Columnar'	Persian Spire Parrotia	B&B Min. 2" Caliper 8' Tall Min.		11
Cornus kousa	Dogwood	B&B Min. 1.5" Caliper 8' Tall Min.		4
Cedrus atlantica 'Glauca Fastigiata'	Columnar Blue Atlas Cedar	B&B Min. 2" Caliper 8' Tall Min.		1
Groundcover				
	Arctostaphylos uva-ursi 'Vancouver Jade'			
	Kinnikinnick, Bearberry			
	4" Pot, Plant @ 24" O.C. Triangular spacing			
	Cobbles 4"-6"			
	NOTE: Install Weed Barrier & Ronstar Prior to Cobbles.			
	Place 3" dry sand to set cobbles in place.			
	Grass			
	Hydroseed, Sun/Shade 50% Rye, 50% Fescue Mix.			

Summary of Criteria & Issues

The subject site is zoned C-3PD (General Commercial Planned Development). Section 17.57.030 of the McMinnville Municipal Code (MMC) requires landscaping in the C-3 zone, therefore landscaping is required in accordance with the provisions of MMC Chapter 17.57-Landscaping.

MMC Section 17.58.080 requires street trees to be planted at all new commercial development which has a designated curb-side planting strip. The sidewalk along NE Cumulus Way is curb-tight, so no curb-side planting is present. A new sidewalk and curb-side planting strip are proposed along NE Dunn Place. Therefore street trees are required in accordance with the provisions of MMC Chapter 17.58 – Trees.

MMC Section 17.58.020(D) applies the provisions of the ordinance to “All trees on developable land and subject to or undergoing development review such as site plan review, tentative subdivision review, or partition review [...]” The proposed project is undergoing development review through the Three Mile Lane Development Review process. Therefore, existing trees on the site are subject to the provisions of MMC Chapter 17.58 – Trees.

II. CONDITIONS:

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on December 24, 2019 and as revised by Attachment B – Landscape Plan and Plant Legend Revision_1 submitted to the Planning Department on January 21, 2020.
2. That the 32 inch maple tree identified on Landscape Plan L1.0 Street Tree Plan shall be approved for removal.
3. That all costs and liability associated with tree removal shall be borne by the applicant.
4. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during the tree removal or planting process.
5. That street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
6. That planting of street trees shall be subject to the design drawings and specification developed by the City in May 2014. The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, street trees shall be provided with two (2) deep watering tubes to promote deep root growth.
7. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent at (503) 434-7316 to schedule a planting inspection prior to backfilling.
8. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;

Attachments:

Attachment 1 – Application and Attachments

- 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.
9. That the street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets.
 10. That all street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.
 11. That landscaping be provided around three (3) sides of the trash and recycling enclosure. Climbing vines and screening shrubs are appropriate, and plant material must be a minimum of three (3) feet in height at the time of planting.
 12. 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.
 13. 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 33-19 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 Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications; Comcast; Northwest Natural Gas; and Oregon Department of Transportation. The following comments relative to the Landscape Plan have been received:

- McMinnville Water and Light:
 1. Sheet L1.0 – Trees to maintain 10' separation from water meters (see enclosed spec details).
 2. Sheet C5.0 – Water utility plan not approved as shown. Please submit a water utility plan set to MW&L for review. Construction of the public water utilities will require a MW&L Extension Agreement.
 3. In General – Landscaping to meet all MW&L utility clearances (see enclosed clearance spec details).
 4. The existing 12" Cast main along Cumulus is in an existing MW&L 12' wide easement (v88p2486). Please note that this easement grants to MW&L the right to "remove trees,

Attachments:

Attachment 1 – Application and Attachments

- bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipelines and other installations.”
5. MWL does not allow permanent structures, including building overhang, within the easement area. Contact MWL to further discuss the building overhang on the east elevation.
 6. Power plan not approved as submitted in PDA. Contact MWL to further discuss utility power design and requirements.

Public Comments

Notice of this request was mailed to property owners located within 100 feet of the subject site. No public comments were received during the comment period.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. Zach Pelz, AICP, of AKS Engineering & Forestry, LLC, on behalf of M2HB, LLC, property owners, submitted a landscape plan review application on December 24, 2019, concurrently with Planned Development Amendment and Three Mile Lane Design Review applications.
2. The application was deemed incomplete on January 8, 2020. The applicant submitted revised application materials on January 23, 2020.
3. Based on the revised application submittal, the application was deemed complete on January 28, 2020. Based on that date, the 120 day land use decision time limit expires on May 27, 2020.
4. Notice of the application was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications; Comcast; Northwest Natural Gas; and Oregon Department of Transportation. Comments received from public agencies are addressed in the Decision Document.
5. Notice of this request was mailed to property owners located within 100 feet of the subject site. No public comments were received during the comment period.
6. A public meeting was held by the Landscape Review Committee on March 18, 2020 to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 2445 NE Cumulus Avenue (Tax Lot 1800, Section 22CD, T. 4. S., R. 4 W., W.M.)
2. **Size:** 48,995 square feet (1.12 acres)
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3PD (General Commercial Planned Development)
5. **Overlay Zones/Special Districts:** Three Mile Lane Development Overlay (Ord. Nos. 4131 & 4752), Planned Development Overlay (Ord. No. 4719)
6. **Current Use:** Undeveloped

Attachments:

Attachment 1 – Application and Attachments

7. Inventoried Significant Resources:

- a. **Historic Resources:** None
- b. **Other:** None identified

8. Other Features:

- a. **Slope:** The site is relatively flat.
- b. **Trees:** One (1) mature deciduous tree is present along the western property line.

9. Utilities:

- a. **Water:** Water service is available to the subject site.
- b. **Electric:** Power service is available to the subject site. Overhead power lines are present along the north side of the NE Cumulus Avenue right-of-way.
- c. **Sewer:** Sanitary sewer service is available to the subject site.
- d. **Stormwater:** Storm sewer service is available to the subject site.
- e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.

- 10. **Transportation:** The site is adjacent to NE Cumulus Avenue, the northern frontage road to Highway 18. NE Cumulus Avenue is classified as a minor collector in the McMinnville Transportation System Plan. The site is also adjacent to NE Dunn Place, which 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.

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 COMMERCIALLY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

Design Policies:

Policy 33.00: *Encourage efficient use of land for parking; small parking lots and/or parking lots that are broken up with landscaping and pervious surfaces for water quality filtration areas. Large*

Attachments:

Attachment 1 – Application and Attachments

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

APPLICANT'S RESPONSE: Exhibit A shows that all parking areas are interspersed with landscaping islands to provide visual breaks and energy savings as described herein. This policy is met.

FINDING: SATISFIED. Staff concurs with the applicant's finding.

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: None.

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.

Planned Development Ordinance No. 4719

The following Sections of the Planned Development Ordinance 4719 provide criteria applicable to the request:

Section 2. That the property described in Exhibit “, which is attached hereto and incorporated herein by this reference, is hereby rezoned from a County EF-40 zone and City AH zone to a C-3 PD (on the southern 6.7 acres of the site) and R-2 PD zone (on the norther 7.6 acres of the site) subject to the following conditions:

4. That final development plans for the commercial area include landscape plans to be submitted to and approved by the McMinnville Landscape Review Committee and Three Mile Lane Design Review Committee. A minimum of 14 percent of the site must be landscaped. A solid wood fence, arborvitae hedge, or some similar type of planted visual screen shall be required along the commercial site's western property line as applicable to screen the existing single-family residence. Such landscaping screening shall also exist along the proposed commercial area's northern property line, and landscaping emphasis shall exist along the site's eastern and southern property lines, adjacent to NE Dunn Place, and the Three Mile Lane frontage road, with particular emphasis at the intersection(s) of any future commercial driveways. These streets, and any future street(s) shall be planted with required street trees. In addition, landscape islands are required to be located throughout proposed off-street parking areas.

Street trees within a curbside planting strip along street frontages are required to have a two-inch minimum caliper, exhibit size- and growing characteristics appropriate for the particular planting strip, and be spaced as appropriate for the selected species and as may be required for the location of above ground utility vaults, transformers, light poles, and hydrants. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1). The Planning Director reserves the right to reject any plant material which does not meet this standard.

Attachments:

Attachment 1 – Application and Attachments

APPLICANT'S RESPONSE: This submission is evidence of landscape plans having been submitted for approval by the McMinnville Landscape Review Committee and the Three Mile Lane Design Review Committee.

As documented on the plan 14% of the site is 6,859.3 ft². The provided landscape area is 8,797.7 ft² or 17.96% of the site area. The residence in existence at the time of the ordinance has since been removed. The requirement for screening along the West property line is no longer applicable. The North property line noted is the North property line of the now existing tax lot 4422CD - 01702. This tax lot has been developed and is occupied by the Housing Authority of Yamhill County (HAYC). Landscaping on the North property line of HAYC provides the required screening.

Landscaping emphasis on the southern property line is a challenge due to the overhead power lines, in-ground electric vault, 12" water line, sanitary sewer service laterals and new potable water, irrigation and fire line connections. With the location of the proposed parking along this frontage, mandated face of curbs to tree distance requirement and the mandated 10' clearance to water lines, there is a narrow 30" strip available to plant street trees.

Street trees suitable for placement under power lines are located as close to the street as the code allows. Each street tree well is to receive Cosmos flowers, a self-seeding annual in a variety of colors. These plants flower from mid spring until the first frost. Turf is placed at the majority of the frontage area in concert with adjacent properties. To break up the area, patches of Kinnikinnick are used around utility features within the parking endcap landscape fingers and the electric utility vault.

Landscaping emphasis on the eastern property line is accomplished with upright colorful Armstrong Red Maple street trees. Cobbles fill the street tree wells for a texture and color change to the surrounding turf and trees. Adjacent to the building three Camellias with a mature size of 10'x6' are interspersed with Azaleas. These plants are set to flower from fall through mid-spring. Cedar bed topping separates the sidewalk from the plantings.

The three commercial drive entrances that access the property will greet entrants with Kinnikinnick, the eastern property line plantings on the east side of the site and a variety of Helebores on the western side of the site.

Landscape islands are placed throughout the parking area. All parking groups have large landscape endcaps. Larger parking groups have intermediate landscape islands and/or continuous landscape strips. Landscape islands have a variety of shrubs and trees, all of which flower and show fall color.

All street trees are specified to be 2" caliper. Street tree cultivars were selected from the approved McMinnville street tree list. A small tree suitable for planting under power lines was selected for NE Cumulus. A medium size tree of upright stature has been selected for NE Dunn to compliment the eastern property line planting. Accommodation has been made to street tree spacing and layout where trees would interfere with the electric vault and accessible route from the right-of-way to the building on NE Cumulus.

Landscape note 16 on the plan requires that all trees meet ANSI Z60.1 standard for nursery stock.

FINDING: SATISFIED. Staff concurs with the applicant's finding.

McMinnville Zoning Ordinance

Attachments:

Attachment 1 – Application and Attachments

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

Chapter 17.57 Landscaping

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

- A. Provide guidelines and standards that will:
 - 1. Reduce soil erosion and the volume and rate of discharge of storm water runoff.
 - 2. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
 - 3. Mitigate the loss of natural resources.
 - 4. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
 - 5. Create safe, attractively landscaped areas adjacent to public streets.
 - 6. Require the planting of street trees along the City's rights-of-way.
 - 7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
 - 8. Provide shade, and seasonal color.
 - 9. Reduce glare, noise and heat.
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy.
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
- H. Support McMinnville as a community that cares about its appearance.

It is further recognized that landscaping increases property values, attracts potential residents and businesses to McMinnville, and creates safer, more pleasant living and working environments for all residents and visitors to the city.

The guidelines and standards contained in this chapter serve to help McMinnville realize the objectives noted above. These guidelines and standards are intended as minimum standards for landscape treatment. Owners and developers are encouraged to exceed these in seeking more creative solutions both for the enhanced value of their land and for the collective health and enjoyment of all citizens of McMinnville. The landscaping provisions in Section 17.57.070 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The landscape plan as proposed and with any required conditions would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed generally 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 proposed development is located within the C-3 Zoning District, therefore landscaping plans are required and included in Exhibit A. This criterion is met.

FINDING: SATISFIED. Staff concurs with the applicant's finding.

17.57.070 Area Determination – Planning Factors.

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

2. Commercial, 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: Exhibit A illustrates that ±17.96 percent of landscaped area is planned for the development. This criterion is met.

FINDING: SATISFIED. Staff concurs with the Applicant's finding.

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:

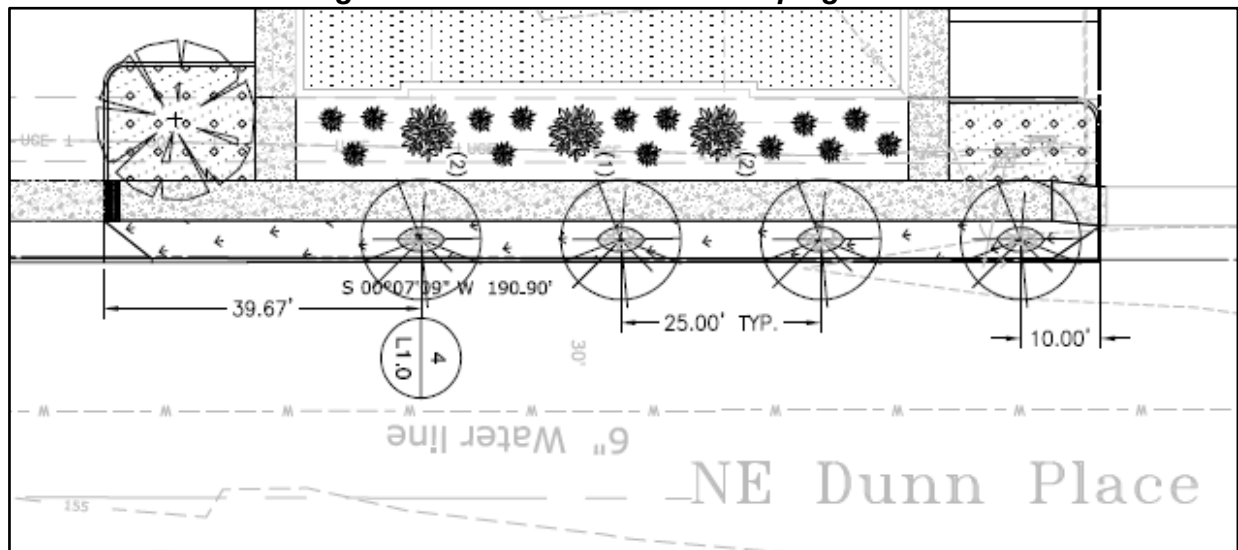
17.57.070(B)(1). Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

APPLICANT'S RESPONSE: Surrounding and abutting properties have small street trees on NE Cumulus Avenue, medium street trees on NE Dunn Place, and small color plantings at or near their entrances. The proposed landscaping contains all these elements to provide for consistency in the neighborhood.

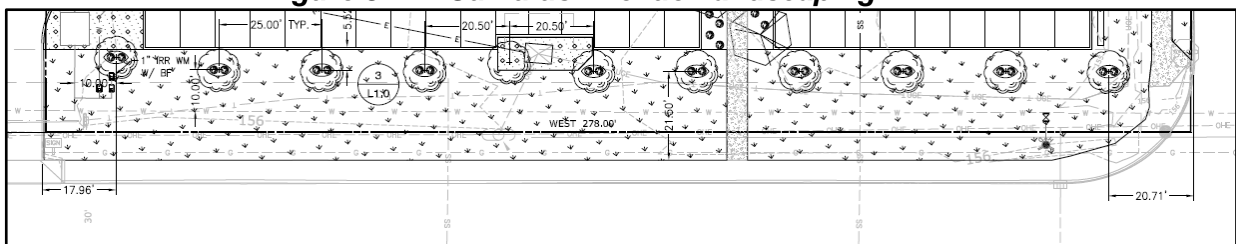
FINDING: SATISFIED. Staff concurs with the applicant's finding. The proposed project is the development of a medical eye clinic in the Three Mile Lane area of northeast McMinnville. Adjacent properties to the east, west, and north are commercially developed. Highway 18 and the northern frontage road, Cumulus Avenue, are adjacent to the south.

The landscape plan indicates the eye clinic in the northeast portion of the site, with off-street parking to the north, west, and south. The solid waste and recycling enclosure is located on the west side of the building.

The proposed landscape plan features ornamental planting and street trees along NE Dunn Place (**Figure 7**), planting along NE Cumulus Avenue (**Figure 8**), and planting within the parking areas (**Figure 9**).

Figure 7: NE Dunn Place Landscaping

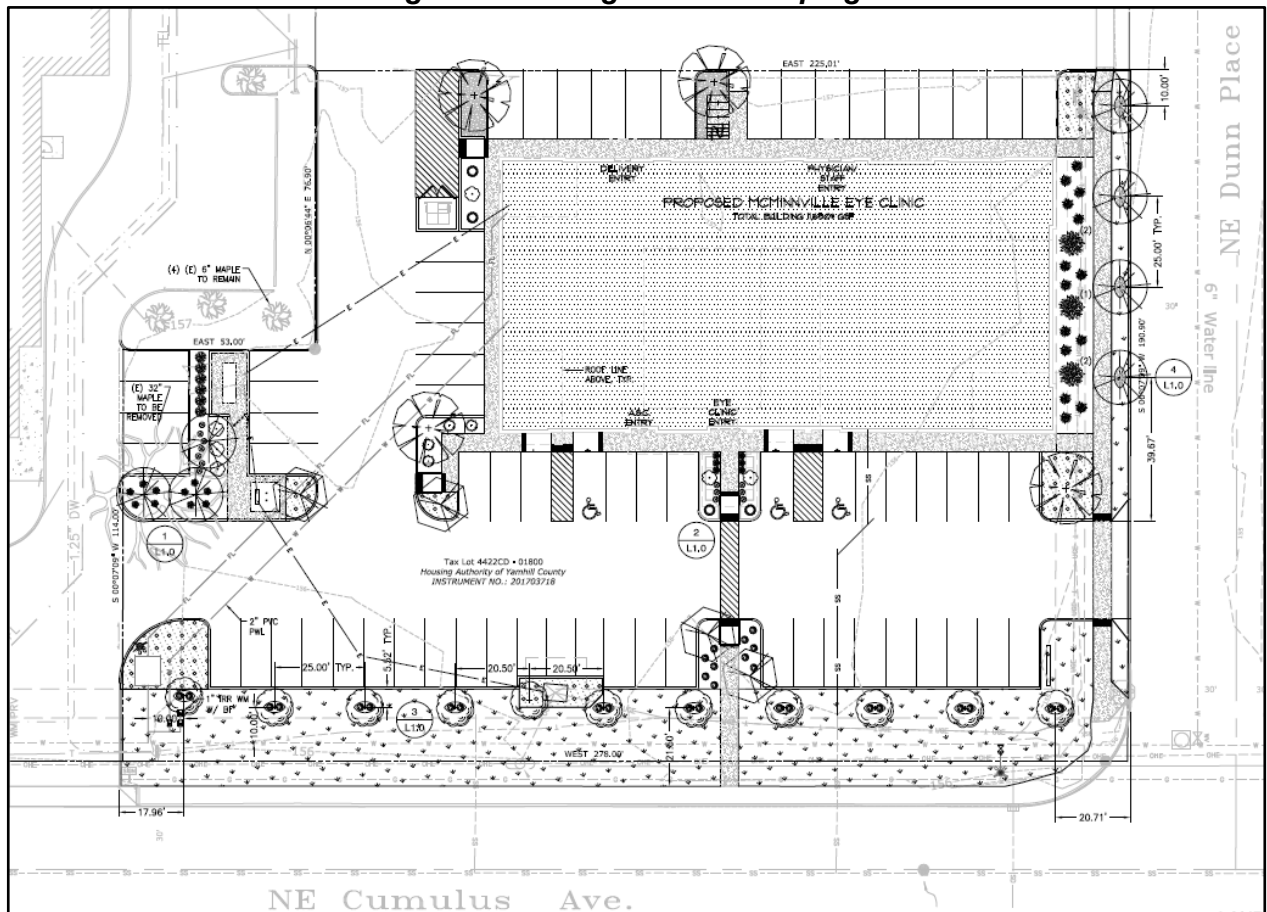
Proposed landscaping along NE Dunn Place includes *Acer rubrum* 'Armstrong' (Armstrong Red Maple) as street trees in the curb-side planting strip, and evergreen flowering shrubs between the sidewalk and building, like varieties of *Camellia* sp. (April Blush Camellia and Jean May Camellia) and *Azalea* sp. (Kimono May Snow Azalea). A *Cornus kousa* (Kousa Dogwood) tree is at the southeast corner of the building at the driveway entrance. Armstrong Red Maples are a medium sized street tree on the McMinnville Street Tree List, appropriate for the location and consistent with the size and character of other nearby street trees along Dunn Place.

Figure 8: NE Cumulus Avenue Landscaping

Proposed landscaping along NE Cumulus includes a wide lawn area between the sidewalk and parking lot, with evenly spaced trees with ornamental shrubs below. Overhead power and utilities are present along the north side of Cumulus Avenue. Utility easements and underground utility lines restrict the available planting space for shrubs and trees. The proposed trees in this area are *Parrotia persica* 'JL Columnar' (Persian Spire Parrotia) and below each tree are *Cosmos sulphureus* 'Ladybird Mix' (Cosmos Ladybird Dwarf Mix). Persian Spire Parrotia are a recommended small street tree on the McMinnville Street Tree List, suitable for planting under overhead wires. It should be noted that trees are not proposed under the overhead utilities, but adjacent to them. Cosmos are a drought tolerant flowering annual known to be self-seeding. The trees are located adjacent to the parking lot to provide additional shading and screening to that use.

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Figure 9: Parking Lot Landscaping

Off-street parking lots for the proposed eye clinic are located north, west, and south of the building, totaling 69 spaces. 59 parking spaces are required by the zoning ordinance. Parking aisles are all capped at the ends with landscape islands and planting. Planting islands internal to the parking aisles south of the building mark the pedestrian walkway and highlight the building entrance ornamental flowering shrubs and perennials. Trees proposed in the islands dispersed throughout the parking lots are *Magnolia acuminata* 'Elizabeth' (Elizabeth Magnolia), Kousa Dogwood, and Armstrong Red Maple trees. All are deciduous trees that will provide some shading and screening to the parking lot use.

Overall, staff finds that the proposed landscaping is compatible with the proposed project and the surrounding and abutting properties and their 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: Shade trees are used through out the project site in concert with street trees to provide separation of the proposed building from the street. An evergreen screen and shrubs are provided at the emergency generator enclosure on the West side of the site. The refuse area is screened from NE Cumulus by on-site shade trees and shrubs and NE Dunn by the proposed building. Screening the adjacent properties to the West and North is not provided because of the need for refuse facility access and on site circulation. The areas affected on those properties are the rear of the Physicians Medical Center (PMC) and a drive aisle.

FINDING: SATISFIED. Generally, the proposed commercial use is compatible with the uses of existing adjacent and nearby commercial properties and doesn't require extensive sight-obscuring screening. Screening of the solid waste enclosure is addressed in more detail below under Chapter

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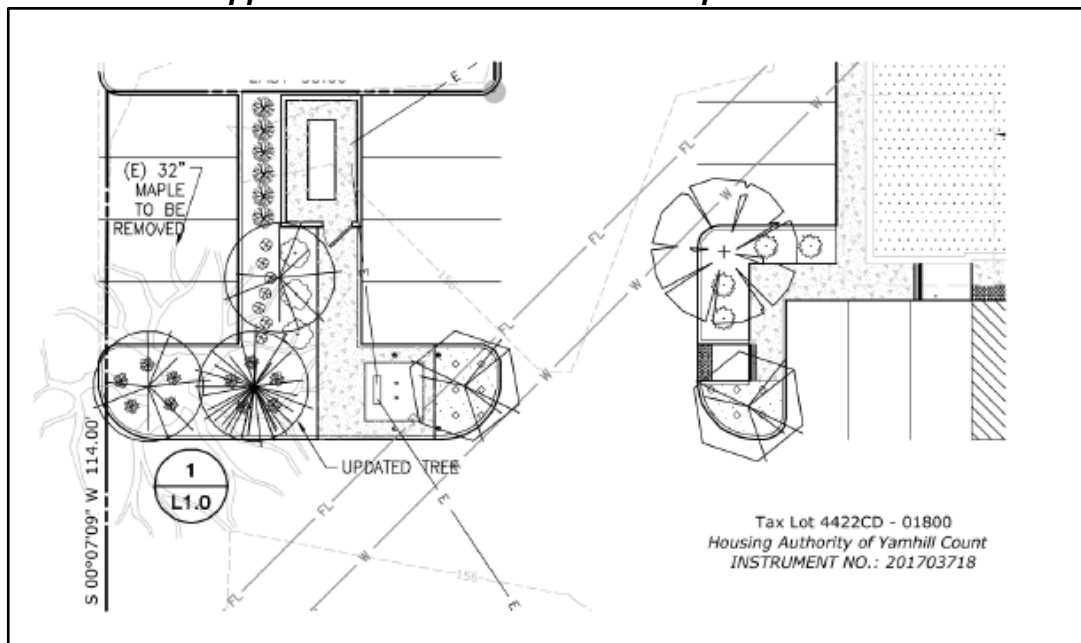
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17.61 Solid Waste and Recycling Enclosure Plan. Staff concurs that the shade trees throughout the project site and street trees will provide screening and separation of the proposed building and the street. Staff also concurs that the evergreen hedge of proposed *Thuja occidentalis* 'Holmstrup' (Holmstrup Eastern Arborvitae) and other evergreen and deciduous planting along the western edge of the site will provide screening of the emergency generator enclosure.

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 would like to preserve the mature tree in the west parking area as illustrated in Attachment B. The submitted narrative stated there were not any trees to be retained in development. The revision to the landscaping plan and legend shows that one Columnar Blue Atlas Cedar will be preserved.

Applicant's Attachment B: Landscape Plan Revision



FINDING: SATISFIED. A revision to the landscape plan shows that one Columnar Blue Atlas Cedar tree will be preserved on site. A 32 inch diameter maple tree is present on the site, but does not appear to be feasible to retain given the location of the tree and the location of new parking areas and utility structures in immediate area.

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

APPLICANT'S RESPONSE: As noted above, landscape islands, that include trees and shrubs, are provided throughout the parking area. Parking lot trees consist of Dogwood and Magnolia cultivars which are not on the prohibited tree list.

FINDING: SATISFIED. Staff concurs with the applicant's finding. Landscape islands are found interspersed throughout the proposed parking areas with tree and shrub plantings to break up the parking areas. The largest uninterrupted parking aisle is 16 consecutive spaces along NE Cumulus Avenue. Seven (7) trees are proposed adjacent the perimeter of this parking area that will provide some of the function of internal islands by providing shade, cooling effects, and screening of the parking area. Other parking bays have a maximum of nine consecutive spaces between landscape islands/areas.

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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: As noted above, landscape islands, that include trees and shrubs, are provided throughout the parking area. Parking lot trees consist of Dogwood and Magnolia cultivars which are not on the prohibited tree list.

FINDING: SATISFIED. Staff concurs with the Applicant's finding. Street trees proposed for the planting strip along Dunn Place are Armstrong Red Maple trees are recommended medium trees on the McMinnville Street Tree List. The trees proposed within and adjacent to the parking lot areas, Armstrong Red Maple, Kousa Dogwood, Elizabeth Magnolia, and Persian Spire Parrotia, are not on the prohibited tree list and are suitable for location near or within parking lots.

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

APPLICANT'S RESPONSE: The landscape plan requires all planted areas to be irrigated with a timer-activated irrigation system.

FINDING: SATISFIED. Staff concurs with the Applicant's finding.

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 landscape plan included in Exhibit A notes that all planting areas are to be watered by a timer activated irrigation system. The irrigation system is to be design build by the contractor at time of development. Landscaping maintenance including weeding, pruning, mowing and replacement is anticipated. This criterion can be met.

FINDING: SATISFIED WITH CONDITION #13. Staff concurs with the Applicant's finding. A condition of approval will help ensure 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.

CONDITION FOR FINDING: 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.

Chapter 17.58 Trees

17.58.010 Purpose. The purpose of this ordinance is to establish and maintain the maximum amount of tree cover on public and private lands in the city; reduce costs for energy, stormwater management, and erosion control; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to increase property values and build stronger ties within neighborhoods; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The street tree plan will establish tree cover adjacent to public rights-of-way. It will provide for tree-lined streets along a new commercial development and will enhance

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the appearance of the City. Conditions of approval have been included in the findings described in further detail below to ensure that the planting of street trees meets all necessary street tree standards, which will result in the appropriate planting and maintenance of the street trees. This will help minimize hazard, nuisance, damage, and maintenance costs.

Section 17.58.020 Applicability. The provisions of this ordinance shall apply to:

- A. Individual significant or historic trees as defined in this ordinance.
- B. All trees with trunks located completely or partially within any public area or right-of-way;
- C. All trees with trunks located completely within any private property which directly affect public infrastructure including but not limited to sewers, water mains, sidewalks, streets, public property, or clear vision distances at street intersections;
- D. All trees on developable land and subject to or undergoing development review such as site plan review, tentative subdivision review, or partition review;

APPLICANT'S RESPONSE: None.

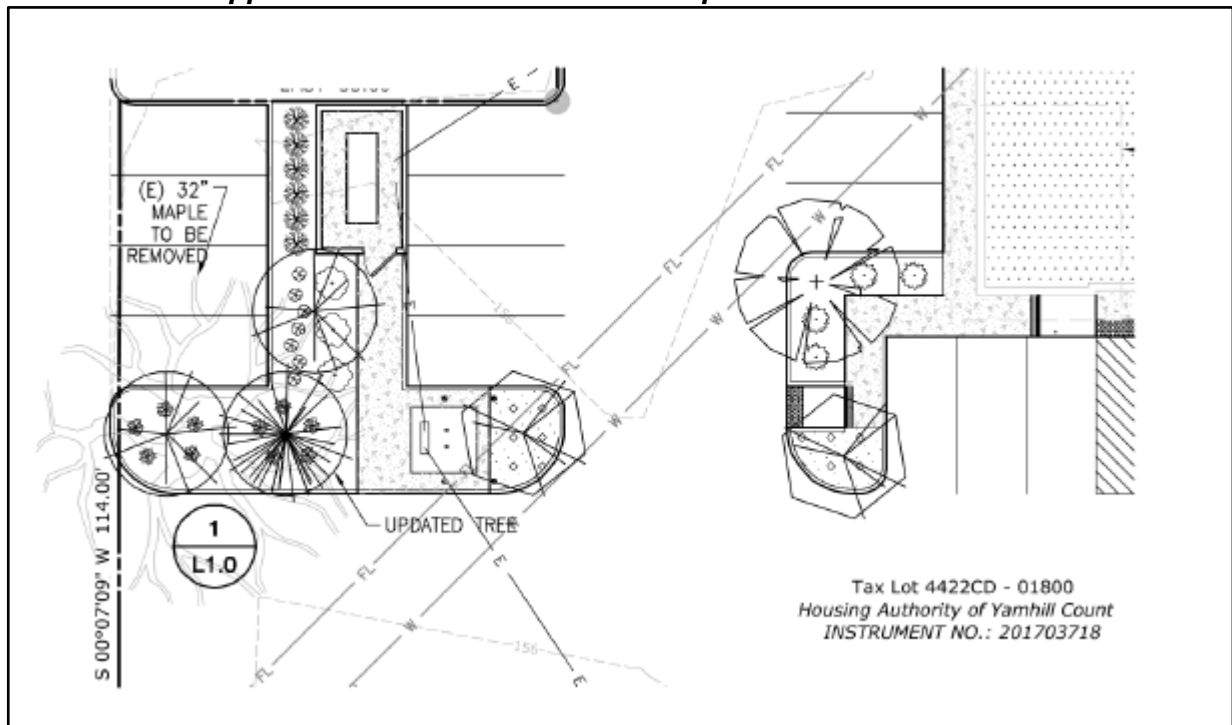
FINDING: SATISFIED. The applicant is requesting site plan and development review of its application for a Planned Development Amendment and Three Mile Lane Development Review to build a new medical clinic. Therefore, per subsection D. above, the provisions of Chapter 17.58 apply to existing trees on the planned development site.

Section 17.58.040 Tree Removal/Replacement.

17.58.040(A). The removal or major pruning of a tree, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the McMinnville Planning Department. The applicant shall include information describing the location, type, and size of the subject tree or trees, and the reasons for the desired action, and the costs associated with tree removal, replacement, and repair of any other public infrastructure impacted by the tree removal or major pruning. Requests for tree removal or pruning of trees outside of the Downtown Tree Zone shall be forwarded to the McMinnville Landscape Review Committee for a decision within 30 (thirty) days of submittal. Requests for tree removal within the Downtown Tree Zone shall be submitted to the McMinnville Planning Department. Such requests shall be acted upon as soon as practicable, with consideration given to public safety, value of the tree to the public, and work schedules. The Planning Director or their designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or Planning Director, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or Director may be appealed to the Planning Commission if written notice of the appeal is filed with the Planning Department within 15 (fifteen) days of the committee's or Director's decision. A decision made by the Planning Director in response to a request to remove an unsafe tree, or a tree causing repeated and excessive damage to sidewalks or other public or private improvements or structures shall be final, unless appealed by the applicant; no other party shall have standing to appeal.

APPLICANT'S RESPONSE: The Applicant is aware of the above-stated requirements for tree maintenance, removal and/or replacement. These criteria can be met.

FINDING: SATISFIED. The City concurs with the applicant's finding's finding. The Landscape Plan indicates that one (1) large exiting tree is proposed for removal. The applicant has indicated the location, type, and size of the trees requested for removal on the Landscape Plan, shown in more detail in the Applicant's Attachment B shown below. The requested tree removals are not designated as exempt by the zoning ordinance, therefore the requested removals require City approval.

Applicant's Attachment B: Landscape Plan Revision

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 is aware of the above-stated requirements for tree maintenance, removal and/or replacement. These criteria can be met.

FINDING: SATISFIED. Because the tree removal request relates to trees on developable land undergoing development review and not street tree removal, this standard is not applicable to this request.

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

APPLICANT'S RESPONSE: The Applicant is aware of the above-stated requirements for tree maintenance, removal and/or replacement. These criteria can be met.

FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #3 and 4. Conditions of approval have been included to ensure that the applicant shall be responsible for all costs associated with the tree removal, and that steps are taken to ensure safety to individuals and public and private property.

CONDITIONS FOR FINDING: That all costs and liability associated with tree removal shall be borne by the applicant.

That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during the tree removal or planting process.

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

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APPLICANT'S RESPONSE: The Applicant is aware of the above-stated requirements for tree maintenance, removal and/or replacement. These criteria can be met.

FINDING: SATISFIED. The applicant has proposed to remove one (1) existing tree from the property to facilitate site development of the eye clinic. The landscape plan indicates that 26 trees are proposed to be planted on the site. With a tree replacement ratio of over 26 to 1, the City does not require additional specific replacement trees for the one (1) tree requested for removal.

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

APPLICANT'S RESPONSE: The Applicant is aware of the above-stated requirements for tree maintenance, removal and/or replacement. These criteria can be met.

FINDING: SATISFIED. Because the tree removal request relates to trees on developable land undergoing development review and not street tree removal, this standard is not applicable to this request.

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

APPLICANT'S RESPONSE: The Applicant is aware of the above-stated requirements for tree maintenance, removal and/or replacement. These criteria can be met.

FINDING: SATISFIED. Because the tree removal request relates to trees on developable land undergoing development review and not street tree removal, this standard is not applicable to this request.

17.58.040(G). Other conditions may be attached to the permit approval by the Landscape Review Committee as deemed necessary.

APPLICANT'S RESPONSE: The Applicant is aware of the above-stated requirements for tree maintenance, removal and/or replacement. These criteria can be met.

FINDING: SATISFIED. Additional conditions associated with the removal of the 32 inch maple tree on site are not required.

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

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.
- B. The tree is in conflict with public improvements.
- C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.
- D. Verification of tree health or a tree's impacts on infrastructure shall be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.

APPLICANT'S RESPONSE: There is one tree to be removed. This tree, a 32" Maple, is located at the North side of the proposed Southwest shared entrance to the site. Of the four criteria, item

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C. is applicable. The site is the subject of Ordinance 4179 for a planned development. A preliminary site plan prepared by Andrews Architects shows this tree as having been removed for a similarly placed shared access. This criteria is met.

FINDING: SATISFIED WITH CONDITION OF APPROVAL #2. Staff concurs with the applicant's finding's finding. With concurrent review and approval of this tree removal request with the proposed planned development amendment and Three Mile Lane Development Review applications, the tree proposed for removal are part of an approved development project which meets criteria C. above. The applicant has requested the removal of one (1) 32 inch maple tree. Removal of the tree appears necessary due to the amount of site work within the critical root zone. Removal would facilitate the site development, if approved.

CONDITION FOR FINDING: That the 32 inch maple tree identified on Landscape Plan L1.0 Street Tree Plan shall be approved for removal.

17.58.080 Street Tree Planting—When Required. All new multi-family development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. A curb-side planter strip is proposed with the new commercial development adjacent to NE Dunn Place, which is a public roadway. Therefore, street trees are required along NE Dunn Place accordance with City standards. No curb-side planter strip is present along NE Cumulus Avenue, so street trees are not required along that frontage.

17.58.090 Street Tree Standards.



17.58.090(A). The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.

APPLICANT'S RESPONSE: All proposed street trees are a minimum of 2-inch caliper and were selected from the approved McMinnville Street Tree List (published on the City of McMinnville's website on November 9, 2019) and are specified on the landscape plan in Exhibit A.

FINDING: SATISFIED. The applicant is proposing to install *Acer rubrum* 'Armstrong' (Armstrong Red Maple) as street trees along NE Dunn Place. The proposed street tree species is a recommended medium tree found on the McMinnville Street Tree List, as approved by Resolution 2019-26. Resolution 2019-26 updated the street tree list approved by Resolution 2016-22.

McMinnville Street Tree List

Recommended Medium Tree Species

Scientific Name Common Name	Minimum Planter Width (ft.)	Under Wires?	Mature Height (ft.)	Canopy Width (ft.)	Tree Form	Flowers	Fall Color	Native	Comments
<i>Acer rubrum</i> 'Armstrong' Armstrong Red Maple	5	No	45	15		n/a			Light green foliage

17.58.090(B). Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-

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developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.

APPLICANT'S RESPONSE: All proposed street trees are a minimum of 2-inch caliper and were selected from the approved McMinnville Street Tree List (published on the City of McMinnville's website on November 9, 2019) and are specified on the landscape plan in Exhibit A.

FINDING: SATISFIED WITH CONDITION OF APPROVAL #5. The City concurs with the applicant's finding's finding. A condition of approval is included to ensure that street trees shall meet City standards for size and quality at the time of planting.

CONDITION FOR FINDING: That street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.

17.58.090(C). Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. [...]

APPLICANT'S RESPONSE: None of the selected street trees fit neatly into the provided size ranges to determine the appropriate maximum spacing. The requirement for street trees shown along NE Dunn Place have a listed mature size of 45 feet tall and 15 feet wide and street trees on NE Cumulus Avenue have a mature size of 25 feet tall and 10 feet wide. The proposed NE Dunn Place street trees are one-foot shy of the width requirements but meet the height requirement for 25 foot spacing. In order to assist the Applicant with street tree spacing on NE Cumulus Avenue, neighboring properties were surveyed. The results show the street tree spacing to be 25 feet for small trees. The Applicant requests that this spacing be used for the proposed street trees along NE Cumulus Avenue.

FINDING: SATISFIED. Staff notes that trees between curb-tight sidewalk along Cumulus Avenue and the off-street parking lot are not required street trees, as described above, and therefore are not subject to the above spacing standards. The proposed street trees along NE Dunn Place, Armstrong Red Maple, are recommended medium trees on the McMinnville Street Tree List, and are proposed at a spacing of 25 feet. Medium trees should be spaced at no greater than 30 feet apart. The proposed spacing of the Armstrong Red Maples is below the maximum spacing. This standard is met.

17.58.090(D). When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half (2 1/2) feet from the face of a curb.

APPLICANT'S RESPONSE: The curbside planter strip along NE Dunn Place is proposed to be five feet in width. Street trees are to be planted in the middle of the strip which yields three feet from the center of the tree to the face of the curb. The street trees on NE Cumulus are shown 18 feet behind the back edge of the sidewalk.

FINDING: SATISFIED. Staff concurs with the applicant's finding, but notes that trees between curb-tight sidewalk along Cumulus Avenue and the off-street parking lot are not required street trees, as described above.

17.58.090(E). Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.

APPLICANT'S RESPONSE: Exhibit A includes the proposed landscape plan and illustrates all required separation distances.

FINDING: SATISFIED WITH CONDITION OF APPROVAL #8. Staff concurs with the applicant's finding. Utilities have been identified on the Landscape Plan, required setbacks have been met. A condition has been included to ensure that setbacks from utilities be maintained.

CONDITION FOR FINDING: That the applicant is reminded that trees are not to be planted within:

- a. Five (5) feet of a private driveway or alley;
- b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
- c. Twenty (20) feet of street light standards or street intersections.

17.58.090(F). Existing street trees shall be retained unless approved by the Planning Director for removal during site development or in conjunction with a street construction project. Sidewalks of variable width and elevation may be utilized as approved by the Planning Director to save existing street trees. Any street tree removed through demolition or construction within the street right-of-way, or as approved by the City, shall be replaced within the street right-of-way at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to the City an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the existing street tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.

APPLICANT'S RESPONSE: There are no sidewalk cuts in the proposed sidewalks for tree planting and there are no existing street trees.

FINDING: SATISFIED. The City concurs with the applicant's finding.

17.58.090(G). Sidewalk cuts in concrete for tree planting shall be a minimum of four feet by six feet, with the long dimension parallel to the curb, and if located within the Downtown Tree Zone shall follow the design drawing or updated design drawings and specifications as periodically developed and adopted by the City.

APPLICANT'S RESPONSE: There are no sidewalk cuts in the proposed sidewalks for tree planting and there are no existing street trees.

FINDING: SATISFIED. The City concurs with the applicant's finding.

17.58.100 Street Tree Plans.

17.58.100(A)(2). Commercial, Industrial, Parking Lots, and Multi-family Residential Development: Landscape plans, to include street tree planting as may be required by this ordinance, shall be submitted to the Landscape Review Committee for review and approval prior to the issuance of a building permit.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. A Landscape Plan including required street trees has been submitted to the City for concurrent review and approval.

17.58.120 Street Tree Maintenance.

- A. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.
- B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.
- C. Maintenance of street trees, other than those located in the Downtown Tree Zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the Downtown Tree Zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees.
- D. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets. This provision may be waived in the case of newly planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Section 17.58.040.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #9 AND #10. A condition of approval has been included to ensure that the street trees are continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

CONDITIONS FOR FINDING: That the street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets.

That all street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

Chapter 17.61 Solid Waste and Recycling Enclosure Plan

17.61.030(C) *Any trash or recycling enclosure which is visible from the street must provide landscaping around three (3) sides of the structure. Climbing vines and screening shrubs or hedges are appropriate and landscaping must be a minimum of three-feet (3) in height at the time of planting.*

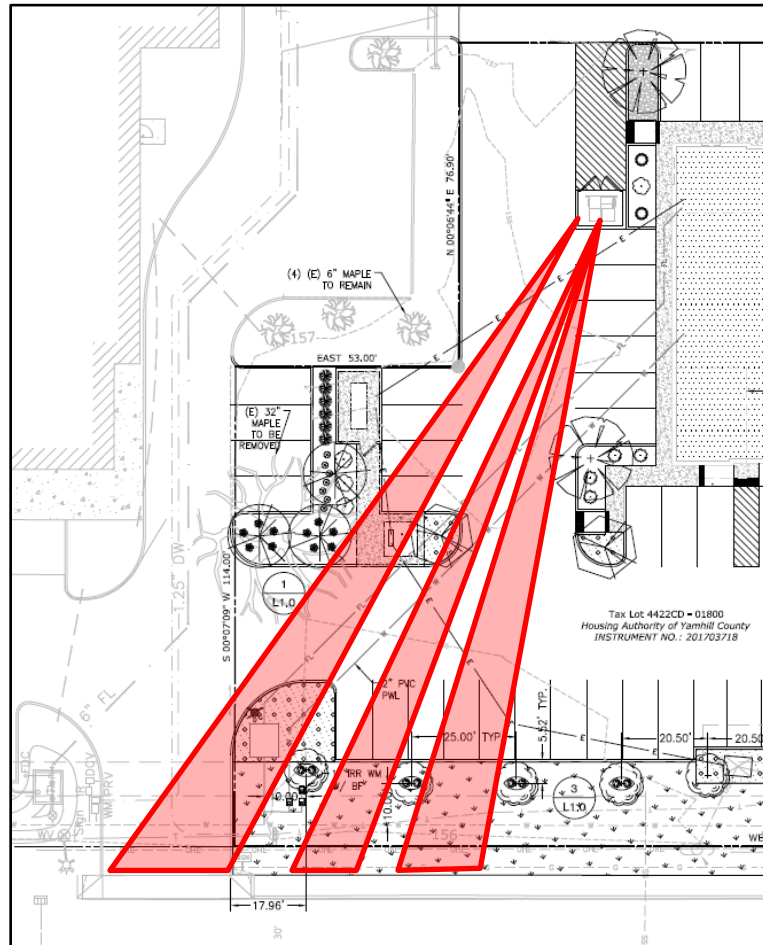
APPLICANT'S RESPONSE: The location of the trash and recycling enclosure was chosen to minimize visual impacts from adjacent public rights-of-way. Onsite landscaping sufficiently screens the trash enclosure from abutting public rights-of-way. This criterion is met.

FINDING: SATISFIED WITH CONDITION #11. The trash and recycling enclosure is located at the northwest corner of the proposed building. Its location is completely screened from the NE Dunn Place right-of-way east of the building. Landscaping along Cumulus Drive and within the

Attachments:

Attachment 1 – Application and Attachments

parking lot would partially obscure the enclosure, but sight-lines from the public right-of-way to the enclosure exist.



Therefore, a condition of approval is included to require landscaping be provided around three (3) sides of the trash and recycling enclosure. Climbing vines and screening shrubs are appropriate, and plant material must be a minimum of three (3) feet in height at the time of planting.

CONDITION FOR FINDING: That landscaping be provided around three (3) sides of the trash and recycling enclosure. Climbing vines and screening shrubs are appropriate, and plant material must be a minimum of three (3) feet in height at the time of planting.

JF

**Planning Department**

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

569-19-000750-ANG

Office Use Only:	
File No.	L33-19
Date Received	12-24-19
Fee	801.85
Receipt No.	
Received by	SL

Landscape Plan Review Application

Applicant Information

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

Applicant Name AKS Engineering & Forestry, LLC Phone 503-400-6028

Contact Name Zach Pelz, AICP Phone _____
 (If different than above)

Address 3700 River Road N, Suite 1

City, State, Zip Keizer, OR 97303

Contact Email PelzZ@aks-eng.com

Property Owner Information

Property Owner Name M2HB, LLC Phone *Contact Applicant
 (If different than above)

Contact Name Steven Maxfield, MD Phone 503-472-4688

Address 235 SE Norton Lane

City, State, Zip McMinnville, OR 97128

Contact Email smaxfield@mcminnvilleeyeclinic.com

Site Location and Description

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

Property Address 2445 NE Cumulus Avenue

Assessor Map No. R4 422 - C D - 01 8 00 Total Site Area 48,995 sqft, 1.12 Ac.

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation Commercial Zoning Designation C3P D


Landscaping Information

1. Total Landscaped Area: 8,797.7 sq.ft.
2. Percent Landscaped: 17.96%
3. Building Floor Area:
New Structure: 11,590 sq.ft. Existing Structure: Addition:
4. Architect Name Chehalem Diversified, Inc. Phone 503-400-6028
(Landscape Architect; Engineer; or Other Designer)
Contact Name Scott Steckley, P.E. Phone 503-400-6028
Address 2800 E. 9th St., Suite 700
City, State, Zip Newberg, OR 97132
Contact Email steckleys@callcdi.net

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

12/17/2019

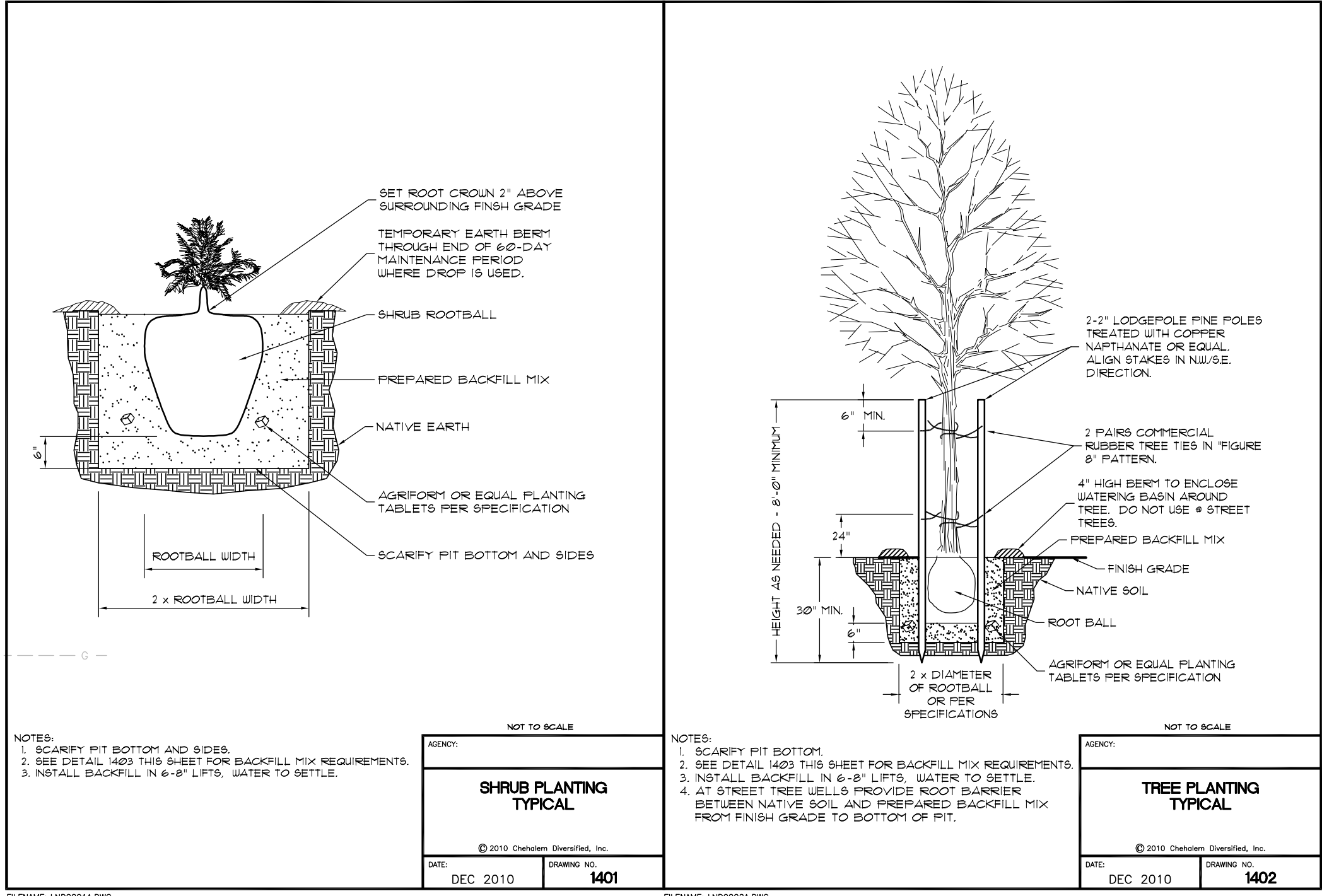
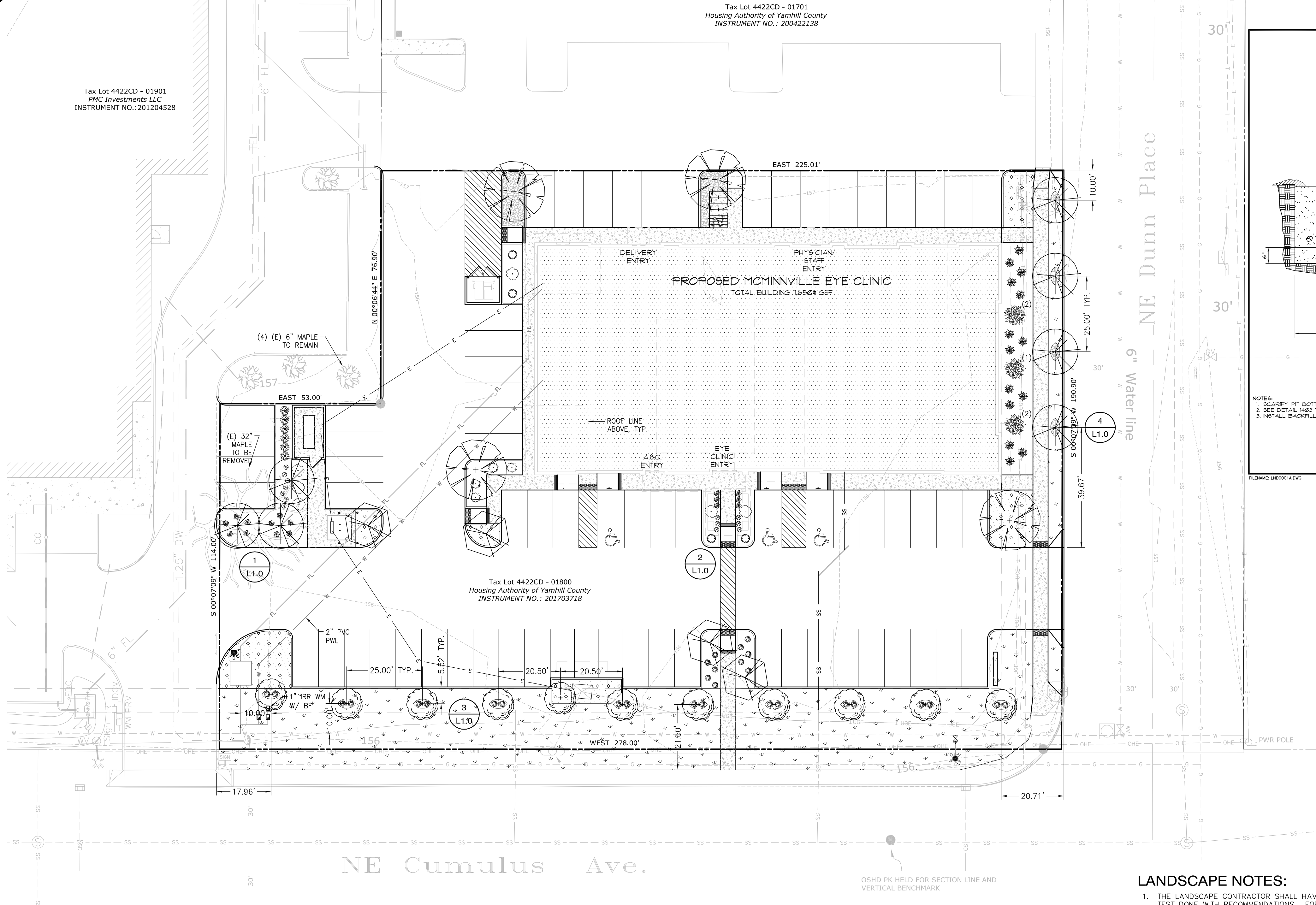
Date



Property Owner's Signature

12/17/19

Date



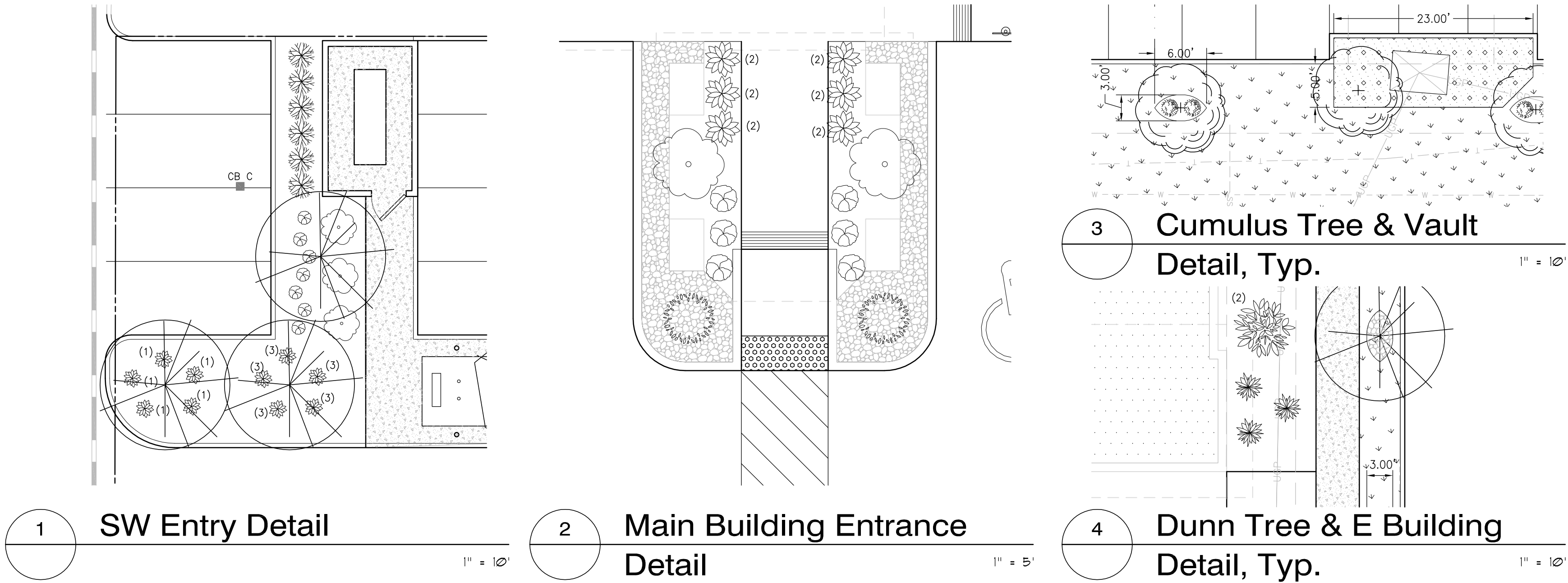
PLANT LEGEND

Shrubs	Common Name	Size	Symbol	Quantity
Rhododendron 'Ramapo'	Ramapo Rhody	#2		6
Heuchera x 'Georgia Peach'	Georgia Peach Coral Bells	#1		13
Mahonia aquifolium 'Compacta'	Compact Oregon Grape	#1		4
Helleborus orientalis	'Cherry Blossum' (1) 'Painted Doubles' (2) 'French Kiss' (3)	#1		5 6 5
Cosmos sulphureus 'Ladybird Mix'	Cosmos Ladybird Dwarf Mix	#1		30
Gardenia jasminoides 'August Beauty'	August Beauty Gardenia	#3		4
Camellia japonica 'April Blush'	April Blush Camellia (1)	#3		1
Camellia sasanqua 'Jean May'	Jean May Camellia (2)	#3		2
Azalea x 'Malischnee'	Kimono(tm) May Snow Azalea	#1		14
Thuja occidentalis 'Holmstrup'	Holmstrup Eastern Arborvitae	#4		6
Trees	Common Name	Size	Symbol	Quantity
Magnolia acuminata 'Elizabeth'	Elizabeth Magnolia	B&B Min. 1.5" Caliper 8' Tall Min.		4
Acer rubrum 'Armstrong'	Armstrong Red Maple	B&B Min. 2" Caliper 8' Tall Min.		7
Perrotia persica 'JL Columnar'	Persian Spire Parrotia	B&B Min. 2" Caliper 8' Tall Min.		11
Cornus kousa	Dogwood	B&B Min. 1.5" Caliper 8' Tall Min.		4

Groundcover	Common Name	Size	Symbol	Quantity
Arctostaphylos uva-ursi 'Vancouver Jade'	Kinnikinnick, Bearberry	4" Pot, Plant @ 24" O.C. Triangular spacing		
Cobbles 4"-6"	NOTE: Install Weed Barrier & Ronstar Prior to Cobbles. Place 3" dry sand to set cobbles in place.			
Grass	Hydrexed, Sun/Shade 50% Rye, 50% Fescue Mix.			

LANDSCAPE NOTES:

- THE LANDSCAPE CONTRACTOR SHALL HAVE A SOILS FERTILITY TEST DONE WITH RECOMMENDATIONS. FOR BID PURPOSES PLANTING AREAS SHALL RECEIVE PER 1000 SQ.FT., 6 CU.YDS. OF 100% FR. OR PINE BARK, MULCH WITH AN ORGANIC CONTENT OF 95%, 10 LBS. OF 15-15-15 FERTILIZER TILLED INTO THE TOP 6" OF SOIL. ADJUSTMENTS TO THE CONTRACT SHALL BE MADE BASED ON THE RECOMMENDATIONS OF THE FERTILITY TEST.
- AFTER PLANTS AND GROUNDCOVERS ARE PLANTED, BEFORE APPLICATION OF TOP DRESSING, APPLY RONSTAR PRE-EMERGENCE WEED KILLER PER MANUFACTURER'S DIRECTIONS.
- ALL SHRUB AREAS SHALL HAVE A WEED BARRIER MAT INSTALLED PRIOR TO PLACING THE TOP DRESSING.
- APPLY TOP DRESSING OF 2" OF CEDAR BARK MULCH OR DUST AFTER APPLICATION OF PRE-EMERGENT.
- LANDSCAPE CONTRACTOR SHALL GUARANTEE PLANTS FOR 60 DAYS AND TREES FOR 1 YEAR FROM THE DATE OF FINAL ACCEPTANCE.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FINAL GRADING AND DRAINAGE IN ALL LANDSCAPED AREAS. FINISHED GRADES IN PLANTER AREAS SHALL BE INSTALLED SO THAT THEY ARE 1" LOWER THAN THE TOP OF THE ADJACENT SIDEWALK OR CURB. PRIOR TO FINAL ACCEPTANCE, THE LANDSCAPE CONTRACTOR SHALL PROVIDE TO OWNER OR OWNER'S AGENT THE ORIGINAL DELIVERY TAGS OF ALL PLANT MATERIALS, FERTILIZER, HUMUS, TOP DRESSING AND PRE-EMERGENCE WEED KILLER.
- AFTER WRITTEN FINAL ACCEPTANCE BY THE OWNER, A MAINTENANCE PERIOD OF 60 DAYS WILL COMMENCE. AT THE END OF THE MAINTENANCE PERIOD ANY UNHEALTHY PLANTS SHALL BE REPLACED. AT THE END OF TREE GUARANTEE PERIOD ANY UNHEALTHY TREES SHALL BE REPLACED.
- EXISTING TREES SHOWN ARE TO REMAIN AS NOTED. THE CONTRACTOR SHALL TAKE MEASURES TO MAINTAIN THE HEALTH OF THE TREES. AT A MINIMUM THE DRIP LINE SHALL BE TAPED OFF AND THE AREA INSIDE THE TAPE SHALL BE LEFT UNDISTURBED DURING DEMOLITION AND CONSTRUCTION.
- PLANTING AREAS TO RECEIVE SOD SHALL HAVE LIME APPLIED AT THE RATE OF 50 POUNDS PER 500 SQUARE FEET AND TILLED INTO THE TOP 6" OF SOIL.
- ALL PLANTING AREAS TO BE WATERED BY TIMER ACTIVATED IRRIGATION SYSTEM. TURF AREAS TO BE SPRINKLED, SHRUBS AND TREES TO BE DRIPPED. IRRIGATION SYSTEM IS DESIGN BUILD BY GENERAL CONTRACTOR.
- SEE DETAILS 1401 AND 1402 THIS SHEET FOR SHRUB AND TREE PLANTING REQUIREMENTS.
- ALL LANDSCAPE AREAS THAT DO NOT CONTAIN SHRUBS/PLANTS SHALL BE PLANTED WITH GRASS INSTALLED PER THE PLANT LEGEND REQUIREMENTS.
- PROVIDE 1 1/2"-3" PVC SLEEVES AS REQUIRED UNDER SIDEWALKS, PARKING AND DRIVE AISLES TO SERVE (E) AND (N) LANDSCAPE AREAS.
- PLANT LEGEND INDICATES QUANTITY OF NEW PLANTINGS ONLY. OTHER PLANTS LISTED ARE EXISTING AND SHOWN FOR REFERENCE.
- ALL TREES AND SHRUBS SHALL BE HEALTHY GROWN NURSERY STOCK. ALL TREES AND SHRUBS SHALL BE FREE OF INSECTS, DISEASES, MECHANICAL INJURY AND OTHER OBJECTIONABLE FEATURES WHEN PLANTED. TREES SHALL HAVE A SINGLE TRUNK, A WELL DEVELOPED LEADER WITH TOPS AND ROOTS CHARACTERISTIC OF THE CULTIVAR OR VARIETY AND MEET ANSI STANDARD Z60.1.



Landscape Plan
-Proposed-
1" = 20'

Rev
N/C

Date

Chatham Diversified, Inc.
2800 E. 9th OR 97102-3575
(503) 539-0337 Office
(503) 807-9460 Cell
steckley@calcdi.net e-mail

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McMinnville Eye Clinic
244B Cumulus Ave.
McMinnville, OR 97128

For:
McHB, LLC
David Hayes, MD
2325 SE Hillman
McMinnville, OR 97128

Job No.: 1902-01 Date: 12/19/2019
Drawn: SMS Date: _____
Checked: _____ Date: _____
Approved: _____ Date: _____

Record:

PRELIMINARY
DRAWING
NOT FOR
CONSTRUCTION

Sheet No.
L1.0
0 OF 0



LANDSCAPE PLAN REVIEW NARRATIVE & CODE COMPLIANCE



EXPIRES 6/30/2020

Project: McMinnville Eye Clinic
Job No.: 1902-01
Prepared For: M2HB, LLC
Prepared By: SMS
Date: 24 December 2019
Revision: A

Narrative

The project site is located at 2445 NE Cumulus Avenue, McMinnville, OR. It is also known as tax lot 4422CD - 01800. The site is located in the northwest quadrant of the intersection of NE Cumulus and NE Dunn Place. The site is 48,995 ft² or 1.12 Acres. One tree is located on the site. Due to its fair and waning condition from years of neglect and its location within the proposed parking area it will be removed.

Landscaping requirements for the site are found in Ordinance 4719, Planned Development Overlay and the McMinnville Zoning Code (Ordinance 3380) sections 17.57.070(B) Area Determination-Planning Factors and 17.58.090 Street Tree Standards.

Code Compliance

Ordinance 4719

Ordinance 4719, condition of approval four states:

“That final development plans for the commercial area include landscape plans to be submitted to and approved by the McMinnville Landscape Review Committee and Three Mile Lane Design Review Committee. A minimum of 14 percent of the site must be landscaped. A solid wood fence, arborvitae hedge, or some similar type of planted visual screen shall be required along the commercial site's western property line as applicable to screen the existing single-family residence. Such landscaping screening shall also exist along the proposed commercial area's northern property line, and landscaping emphasis shall exist along the site's eastern and southern property lines, adjacent to NE Dunn Place, and the Three Mile Lane frontage road, with particular emphasis at the intersection(s) of any future commercial driveways. These streets, and any future street(s) shall be planted with required street trees. In addition, landscape islands are required to be located throughout proposed off-street parking areas. Street trees within a curbside planting strip along street frontages are required to have a two-inch minimum caliper, exhibit size- and growing characteristics appropriate for the particular planting strip, and be spaced as appropriate for the selected species and as may be required for the location of above ground utility vaults, transformers, light poles, and hydrants. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1). The Planning Director reserves the right to reject any plant material which does not meet this standard.”

This submission is evidence of landscape plans having been submitted for approval by the McMinnville Landscape Review Committee and the Three Mile Lane Design Review Committee.

As documented on the plan 14% of the site is 6,859.3 ft². The provided landscape area is 8,797.7 ft² or 17.96% of the site area.

The residence in existence at the time of the ordinance has since been removed. The requirement for screening along the West property line is no longer applicable. The North property line noted is the North property line of the now existing tax lot 4422CD - 01702. This tax lot has been developed

and is occupied by the Housing Authority of Yamhill County (HAYC). Landscaping on the North property line of HAYC provides the required screening.

Landscaping emphasis on the southern property line is a challenge due to the overhead power lines, in-ground electric vault, 12" water line, sanitary sewer service laterals and new potable water, irrigation and fire line connections. With the location of the proposed parking along this frontage, mandated face of curbs to tree distance requirement and the mandated 10' clearance to water lines, there is a narrow 30" strip available to plant street trees.

Street trees suitable for placement under power lines are located as close to the street as the code allows. Each street tree well is to receive Cosmos flowers, a self seeding annual in a variety of colors. These plants flower from mid spring until the first frost. Turf is placed at the majority of the frontage area in concert with adjacent properties. To break up the area, patches of Kinnikinnick are used around utility features within the parking endcap landscape fingers and the electric utility vault.

Landscaping emphasis on the eastern property line is accomplished with upright colorful Armstrong Red Maple street trees. Cobbles fill the street tree wells for a texture and color change to the surrounding turf and trees. Adjacent to the building three Camellias with a mature size of 10'x6' are interspersed with Azaleas. These plants are set to flower from fall through mid spring. Cedar bed topping separates the sidewalk from the plantings.

The three commercial drive entrances that access the property will greet entrants with Kinnikinnick, the eastern property line plantings on the east side of the site and a variety of Helebores on the western side of the site.

Landscape islands are placed through out the parking area. All parking groups have large landscape endcaps. Larger parking groups have intermediate landscape islands and/or continuous landscape strips. Landscape islands have a variety of shrubs and trees, all of which flower and show fall color.

All street trees are specified to be 2" caliper. Street tree cultivars were selected from the approved McMinnville street tree list. A small tree suitable for planting under power lines was selected for NE Cumulus. A medium size tree of upright stature has been selected for NE Dunn to compliment the eastern property line planting. Accomodation has been made to street tree spacing and layout where trees would interfere with the electric vault and accessible route from the right-of-way to the building on NE Cumulus.

Landscape note 16 on the plan requires that all trees meet ANSI Z60.1 standard for nursery stock.

McMinnville Zoning Code (Ordinance 3380)

17.57.070(B)

This code section states:

- “B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
 2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
 3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
 4. The development and use of islands and plantings therein to break up parking areas.
 5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.
 6. Suitable watering facilities or irrigation systems must be included in or near all planted areas”

Surrounding and abutting properties have small street trees on NE Cumulus, medium street trees on NE Dunn and small color plantings at or near entrances. The proposed landscaping contains all of these elements.

Shade trees are used through out the project site in concert with street trees to provide separation of the proposed building from the street. An evergreen screen and shrubs are provided at the emergency generator enclosure on the West side of the site. The refuse area is screened from NE Cumulus by on-site shade trees and shrubs and NE Dunn by the proposed building. Screening the adjacent properties to the West and North is not provided because of the need for refuse facility access and on site circulation. The areas affected on those properties are the rear of the Physicians Medical Center (PMC) and a drive aisle.

No trees are proposed to be retained. The existing grade is essentially flat and is being retained.

As noted above, landscape islands that include trees and shrubs are provided through out the parking area.

Parking lot trees consist of Dogwood and Magnolia cultivars. These trees are not on the prohibited tree list.

The landscape plan requires all planted areas to be irrigated with a timer activated irrigation system.

17.58.040 Tree Removal/Replacement

17.58.040 Review Criteria

This code section states:

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

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.
- B. The tree is in conflict with public improvements.
- C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.
- D. Verification of tree health or a tree's impacts on infrastructure shall be required, at the expense of the applicant, by a Certified Arborist acceptable to the City. (Ord. 5027 §2, 2017; Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).”

There is one tree to be removed. This tree, a 32" Maple, is located at the North side of the proposed Southwest shared entrance to the site. Of the four criteria, item C. is applicable. The site is the subject of Ordinance 4179 for a planned development. A preliminary site plan prepared by Andrews Architects shows this tree as having been removed for a similarly placed shared access. This criteria is met.

17.58.090

This code section states:

- A. The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.
- B. Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
- C. Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. Within commercial and industrial development staggered, or irregular spacing is permitted, as may be approved by the McMinnville Landscape Review Committee. When planting replacement trees within the Downtown Tree Zone, consideration shall be given to the height of adjacent buildings.
- D. When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two

and one-half (2 1/2) feet from the face of a curb. These standards may be superseded by design drawings and specifications as periodically developed and adopted by the City.

- E. Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.
- F. Existing street trees shall be retained unless approved by the Planning Director for removal during site development or in conjunction with a street construction project. Sidewalks of variable width and elevation may be utilized as approved by the Planning Director to save existing street trees. Any street tree removed through demolition or construction within the street right-of-way, or as approved by the City, shall be replaced within the street right-of-way at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to the City an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the existing street tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.
- G. Sidewalk cuts in concrete for tree planting shall be a minimum of four feet by six feet, with the long dimension parallel to the curb, and if located within the Downtown Tree Zone shall follow the design drawing or updated design drawings and specifications as periodically developed and adopted by the City. (Ord. 5027 §2, 2017; Ord. 4816 §2, 2004; Ord. 4654B §1, 1997)."

All proposed street trees were selected from the McMinnville Street Tree List published at the City's website on 8 November 2019.

All proposed street trees are specified on the plan as 2" caliper. The measurement location is the industry standard.

None of the selected street trees fit neatly into the provided size ranges to determine the appropriate maximum spacing. The street trees shown on NE Dunn have a listed mature size of 45 feet tall and 15 feet wide. While street trees on NE Cumulus have a mature size of 25 feet tall and 10 feet wide. The NE Dunn street trees are only 1 foot shy of the width and meet the height requirement for 25 foot spacing. It is proposed that this spacing be used for these trees. For guidance on street tree spacing on NE Cumulus neighboring properties were surveyed. The minimum street tree spacing on NE Cumulus was determined to be 25 feet for small trees. It is proposed that this spacing be used for these trees.

The curbside planter strip on NE Dunn is shown as being 5 feet in width. The street trees are planted in the middle of the strip which yields a distance of 3 feet from the center of the tree to the face of curb. The street trees on NE Cumulus are shown 18 feet behind the back edge of the sidewalk.

As shown on the plan all required separation distances are provided.

There are no existing street trees.

There are no sidewalk cuts in sidewalks for tree planting.

As shown above all relevant McMinnville code and ordinance requirements are met.

January 22, 2020

Chuck Darnell, Senior Planner
City of McMinnville Planning Department
231 NE Fifth Street
McMinnville, OR 97128

**RE: Planned Development Amendment (PDA 3-19), Three Mile Lane Development Review (TML 3-19),
 and Landscape Review (L 33-19) Completeness Response**

Mr. Darnell,

Please accept this letter and the accompanying materials as our complete response to the City's January 8, 2020 determination that our application was incomplete. We believe the materials provided herein fully respond to the incompleteness items outlined in the City's letter and provide the necessary basis to deem the application complete. We look forward to continuing to work with City staff on any design and associated issues, as necessary, during the review and approval process.

Our responses to the incompleteness items are as follow:

1. Proposed New Access to Dunn Place

- a. *MMC Section 17.74.070 includes the Planned Development Amendment review criteria. More specifically, MMC Section 17.74.070(A) requires that "There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements". In this case, the standard regulation requirement is the master plan that is binding on the site, and the Planned Development Amendment is a request to allow the new access point onto Dunn Place that is not shown in the binding master plan.*
- i. *Findings for MMC Section 17.74.070(A) should be updated to describe the objective of, or provide rationale for, providing the new access point onto Dunn Place (Page 17 of Narrative). The current finding does not address the Planned Development Amendment review criteria related to the project's special physical conditions or objectives.*

Response: The application seeks approval for one direct access/egress to the planned eye clinic from NE Dunn Place. The City's master plan (Ord. 4719) approved two access/egress driveways from NE Dunn Place: one to the north of the Yamhill County Housing Authority building and one to the south. The northern access was never developed, therefore the request in this application simply relocates the accessway approved in the master plan.

A second access/egress from NE Dunn Place is necessary to promote efficient vehicle circulation to and through the site and is desirable for the Eye Clinic as it provides direct access for patrons. Shared access to the site will still occur via properties abutting the site's north and west boundary. This modified access location is a logical point of connection for future patrons of the eye clinic and will not appreciably impact the operation of the nearby transportation system. Further, the application includes enhanced treatments to the pedestrian crossing at this driveway to ensure optimum safety for pedestrians and bicyclists. The City can find that this additional driveway is necessary for on-site circulation to the eye clinic and adjacent businesses and is not substantially different than the approved master plan.

- ii. *Findings for Section 4(c) of Ordinance 4131 should be updated with the same objective or rationale for providing the new access point onto Dunn Place, which is a change from the current on-site circulation system in the binding master plan (Page 24 of Narrative).*

Response: The application seeks approval for one direct access/egress to the planned eye clinic from NE Dunn Place. The City's master plan (Ord. 4719) approved two access/egress driveways from NE Dunn Place: one to the north of the Yamhill County Housing Authority building and one to the south. The northern access was never developed, therefore the request in this application simply relocates the accessway approved in the master plan.

A second access/egress from NE Dunn Place is necessary to promote efficient vehicle circulation to and through the site and is desirable for the Eye Clinic as it provides direct access for patrons. Shared access to the site will still occur via properties abutting the site's north and west boundary. This modified access location is a logical point of connection for future patrons of the eye clinic and will not appreciably impact the operation of the nearby transportation system. Further, the application includes enhanced treatments to the pedestrian crossing at this driveway to ensure optimum safety for pedestrians and bicyclists. The City can find that this additional driveway is necessary for on-site circulation to the eye clinic and adjacent businesses and is not substantially different than the approved master plan.

Finally, the City can find that this additional driveway helps to improve the operation of Three Mile Lane as it will encourage access to the site via NE Dunn Place.

2. Building Materials.

- a. *Condition of approval #3 in Ordinance 4719 requires detailed plans to be reviewed for commercial development. The condition states that submitted plans include detail on building colors and materials. The preliminary plans (Exhibit A) identify one of the exterior materials as a "Pre-finished" "Wood-Look" Fiber Cement Panel", and this material is shown on the rendering (Exhibit G) as well. At this point, the City does not have any concerns with this material. However, please provide a product detail or example photos of this material used in other buildings/projects, to assist in our review of the materials against the design requirements of condition of approval #3.*

Response: Attachment A includes a sample of the exterior materials and colors that are planned for the new building.

3. Signage

- a. *The application narrative, in several sections, describes that the application currently does not seek approval for signage. However, Section 6 of Ordinance 4572 (Three Mile Lane Planned Development Overlay Amendment) states that "No development or signage may take place within the Three Mile Lane Planned Development Overlay without such development or signage gaining the approval of the Three Mile Lane Design Review Committee." The plans that were submitted do show a sign detail on Sheet A-9, 10, and wall signage on Sheet A-10, 10. These signage plans and details could be reviewed with the current Three Mile Lane Development Review application (TML 3-19). If they are not, another Three Mile Lane Development Review application will be required for the signage prior to it being installed, which would require another application submittal and application review fee.*
 - i. *If the graphics/logos of the signage are not yet finalized, those details could be updated at a later date without another Three Mile Lane Development Review application. The location, size, and style (monument sign, materials, etc.) could be reviewed now, with the graphics/logos updated at a later date. The update of the graphics/logos at a later time could*

be included as a condition of approval on the current Three Mile Lane Development Review application, if requested as such by the applicant.

- b. *If you would like to add the signage review to the current Three Mile Lane Development Review application (TML 3-19), findings for the following should be updated:*
- i. *Policy 34.00 and Policy 35.00 (Page 19 of Narrative)*
 - ii. *Section 6(A) of Ordinance 4572 (Page 26 of Narrative)*
 - iii. *Condition of approval 38 in Ordinance 4719 (Page 29 of Narrative)*

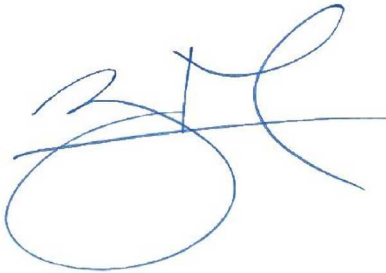
Response: The Applicant intends to seek approval for new signage under a separate application.

Finally, we would like to take this opportunity to note one minor change to the plans. The Applicant would like to preserve the mature tree in the west parking area as illustrated in Attachment B. The submitted narrative stated there were not any trees to be retained in development. This revision to the landscaping plan and legend shows that one Columnar Blue Atlas Cedar will be preserved.

As stated above, we believe this information completely responds to those items outlined in the City's January 8, 2020 letter. We appreciate your review of our application materials and are committed to working with you through the successful implementation of this project. Please do not hesitate to call or email with any questions.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC

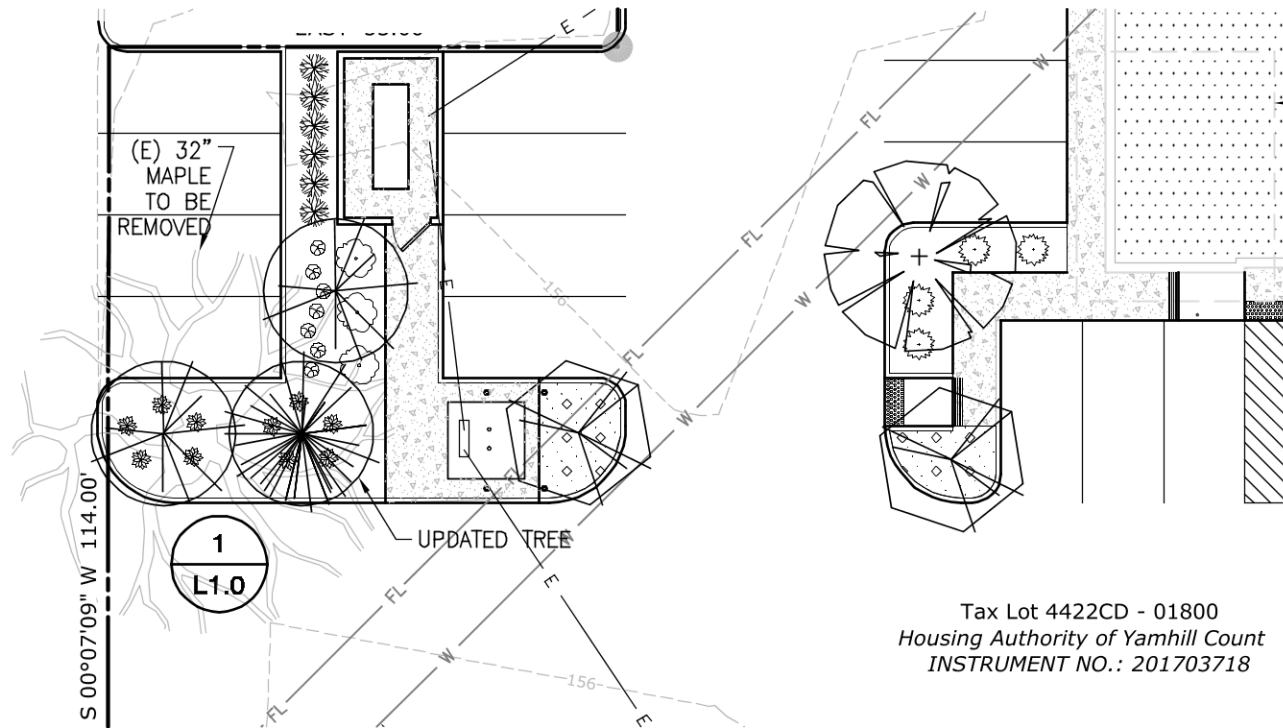


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Attached:















- Attachment A: Building Materials Samples
- Attachment B: Landscape Plan and Plant Legend Revision_1

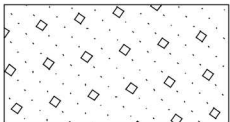
ATTACHMENT 'B'



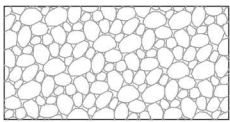
ATTACHMENT 'B'

PLANT LEGEND

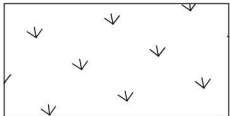
Shrubs	Common Name	Size	Symbol	Quantity
Rhododendron 'Ramapo'	Ramapo Rhody	#2		6
Heuchera x 'Georgia Peach'	Georgia Peach Coral Bells	#1		13
Mahonia aquifolium 'Compacta'	Compact Oregon Grape	#1		4
Helleborus orientalis	'Cherry Blossum' (1)	#1		5
	'Painted Doubles' (2)			6
	'French Kiss' (3)			5
Cosmos sulphureus 'Ladybird Mix'	Cosmos Ladybird Dwarf Mix	#1		30
Gardenia jasminoides 'August Beauty'	August Beauty Gardenia	#3		4
Camellia japonica 'April Blush'	April Blush Camellia (1)	#3		1
	Camellia sasanqua 'Jean May'			2
Azalea x 'Maishchnee'	Kimono(tm) May Snow Azalea	#1		14
Thuja occidentalis 'Holmstrup'	Holmstrup Eastern Arborvitae	#4		6
Trees	Common Name	Size	Symbol	Quantity
Magnolia acuminata 'Elizabeth'	Elizabeth Magnolia	B&B Min. 1.5" Caliper 8' Tall Min.		4
Acer rubrum 'Armstrong'	Armstrong Red Maple	B&B Min. 2" Caliper 8' Tall Min.		6
Perrotia persica 'JL Columnar'	Persian Spire Parrotia	B&B Min. 2" Caliper 8' Tall Min.		11
Cornus kousa	Dogwood	B&B Min. 1.5" Caliper 8' Tall Min.		4
Cedrus atlantica 'Glauca Fastigiata'	Columnar Blue Atlas Cedar	B&B Min. 2" Caliper 8' Tall Min.		1
Groundcover				



Arctostaphylos uva-ursi 'Vancouver Jade'
Kinnikinnick, Bearberry
4" Pot, Plant @ 24" O.C. Triangular spacing



Cobbles 4"—6"
NOTE: Install Weed Barrier & Ronstar Prior to Cobbles.
Place 3" dry sand to set cobbles in place.



Grass
Hydroseed, Sun/Shade 50% Rye, 50% Fescue Mix.