



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

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

**Landscape Review Committee**  
**Community Development Center, 231 NE 5<sup>th</sup> Street**  
**ZOOM Online Meeting: <https://mcminnvilleoregon.zoom.us/j/518962842>**  
**April 15, 2020 - 12:00 PM**

Committee Members	Agenda Items
Rob Stephenson Chair  Sharon Gunter Vice-Chair  Josh Kearns  Tim McDaniel  John Hall	<ol style="list-style-type: none"> <li><b>1. Call to Order</b></li> <li><b>2. Citizen Comments</b></li> <li><b>3. Approval of Minutes</b> <ol style="list-style-type: none"> <li>A. October 16, 2019 (Exhibit 1)</li> </ol> </li> <li><b>4. Action Items</b> <ol style="list-style-type: none"> <li>A. L 31-19 – Landscape Plan Revision (Exhibit 2)                118 NE 3<sup>rd</sup> Street - First Federal Savings &amp; Loan</li> <li>B. L 7-20 – Landscape Plan Review (Exhibit 3)                R4415BB00100 – Chipotle / Commercial Shop</li> </ol> </li> <li><b>5. Discussion Items</b></li> <li><b>6. Old/New Business</b></li> <li><b>7. Committee Member Comments</b></li> <li><b>8. Staff Comments</b></li> <li><b>9. Adjournment</b></li> </ol>

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

A conference room with access to a computer to participate in the ZOOM Online Meeting can be provided at the Community Development Center. Please call the Planning Department at (503) 434-7311 for assistance.

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

	<p>Invitation to Zoom Meeting:</p> <p>Topic: Landscape Review Committee Time: Apr 15, 2020 12:00 PM Pacific Time (US and Canada)</p> <p>Join Zoom Meeting <a href="https://mcminnvilleoregon.zoom.us/j/518962842">https://mcminnvilleoregon.zoom.us/j/518962842</a></p> <p>Meeting ID: 518 962 842 One tap mobile +13462487799,,518962842# US (Houston) +16699009128,,518962842# US (San Jose)</p> <p>Dial by your location +1 346 248 7799 US (Houston) +1 669 900 9128 US (San Jose) +1 312 626 6799 US (Chicago) +1 646 558 8656 US (New York) +1 253 215 8782 US +1 301 715 8592 US Meeting ID: 518 962 842 Find your local number: <a href="https://mcminnvilleoregon.zoom.us/u/aelbcXAcir">https://mcminnvilleoregon.zoom.us/u/aelbcXAcir</a></p>
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# EXHIBIT 1 - MINUTES

**October 16, 2019**  
**Landscape Review Committee**  
**Regular Meeting**

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

**Members Present:** Rose Marie Caughran, Sharon Gunter, Josh Kearns, Tim McDaniel, and Rob Stephenson

**Members Absent:** None

**Staff Present:** Jamie Fleckenstein - Associate Planner

**Guests Present:** Zach Geary - City Councilor, Glenn Armstrong, Gina Harley, Zane Johnson, Kathleen McKinney, and Ernie Munch

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## 1. Call to Order

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

## 2. Citizen Comments

None

## 3. Approval of Minutes

A. June 26, 2019

Committee Member Caughran moved to approve the June 26, 2019 minutes. The motion was seconded by Committee Member Gunter and passed 5-0.

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

A. L 20-19 – Landscape Plan Review - 2370-2410 NE Highway 99W

Associate Planner Fleckenstein discussed the Landscape Plan for the Marshall's commercial development on Highway 99W to meet a condition of approval of the project's Large Format Commercial Design Review. There was a need for additional landscape buffering between the loading dock area and a multi-family residential complex. The existing screening on that property line was a row of mature Maple trees and in the corner some existing Pine trees. This application would in fill between the Maple trees with Vanderwolf's Pine. There would either be a drip tube down to each tree or gator bags until they were established. Staff found that the proposed landscape

planting would address all the requirements of the Large Format Commercial Design Review and met the applicable standards. Staff recommended approval.

Committee Member Caughran moved to approve L 20-19. The motion was seconded by Committee Member McDaniel and passed 5-0.

#### B. L 21-19 – Street Tree Plan Review - Brookshire Estates Phase I

Associate Planner Fleckenstein reviewed the Street Tree Plan for the Brookshire Estates Phase 1. There was a large drainage channel that ran through the center of the subdivision and the lots sloped down to that channel. A lot of existing trees were being left in that drainage area. This application was for the street trees that would be in the planter strip on Brookside, Elizabeth, and W 2<sup>nd</sup> Streets. The applicant was proposing three different trees, one variety per street. They were Tatarian Maple, Kousa Dogwood, and Stewartia trees. These trees were on the street tree list. Most of the locations for the street trees had been identified. The conditions of approval identified additional locations where trees could be placed, however the applicant had informed staff that the power plan had been updated and some of these locations would not work. The applicant had sent updated locations where additional trees could be placed. He reviewed those new locations, and which lots would not have trees. He also thought there was space for an additional tree on Lot 20 and 42 and those were included in the conditions.

There was discussion regarding how often utilities affected the planting of street trees, resulting in treeless neighborhoods.

Associate Planner Fleckenstein said for Alan Ruden's small lot subdivision, the way it was originally laid out there would have been no room for street trees. They were able to catch that in time and relocate and gang the utilities together so that trees could be put in. It could be done with some coordination, and staff thought that including street trees up front with the utility design should become part of the process going forward.

Chair Stephenson said there would be 75 feet between most of the trees in this application, and he thought they could do more.

Committee Member McDaniel moved to continue L 21-19 for additional review of the utility plan to see if for more trees could be included. The motion was seconded by Committee Member Caughran and passed 5-0.

#### C. L 23-19 – Street Tree Removal - 2160 NE Village Court

Associate Planner Fleckenstein explained the request to remove four ornamental pear trees from the north side of the property in the right-of-way. The applicant had noted that the tree root systems were becoming aggressive and spreading under the sidewalk into the neighboring lawn and as a result the sidewalk was starting to lift. Additionally the roots were sending up suckers and were starting to show the epicormics root growth immediately adjacent to the sidewalk which was a trip hazard. Garbage truck traffic was also repeatedly damaging the trees in spite of the applicant's best efforts to limb up the trees. The street tree plan for this area was from 1996, and recommended the ornamental pear tree for planting in this area as well as a few other varieties. Staff recommended the Committee approve other replacement trees and address the street tree plan through another process. The applicant suggested replacing them with two Parrotia Vanessa and two Hornbeam trees.



Kathleen McKinney, applicant, discussed the situation with the trees and reasons for her tree species suggestions.

Associate Planner Fleckenstein said the street tree plan had a variety of street trees and it was not a uniform planting. He thought a variety of replacement trees would be appropriate.

Committee Member Kearns thought the replacement trees should all be the same. Ms. McKinney explained the Parrotia Vanessa was very expensive and that was why she had suggested two varieties.

Committee Member Gunter moved to approve L 23-19 with the replacement trees as suggested by the applicant. The motion was seconded by Committee Member Caughran and passed 5-0.

Ms. McKinney commented that the process that homeowners had to go through for this type of application was very complex, onerous, and extremely expensive. She thought they should look at the burden being put on the homeowner.

## **5. Discussion Items**

### **A. Administrative Review for Street Tree Removal Applications involving certain tree species**

Associate Planner Fleckenstein stated there were a number of instances where they were starting to see the Pear and Birch trees failing or dying in the City and applications were turned in to remove them, but the street tree plan required that the same tree be replanted. He had looked into a method to address the issue more efficiently on a City-wide basis rather than piecemeal with one subdivision at a time when they received applications. One idea was to possibly allow administrative approval of these applications that involved Pear and Birch trees with a street tree plan that would require a certain replacement.

Committee Member Kearns thought that as applications came in, they could look at the plans for those subdivisions and decide on the new street tree plan for that neighborhood.

There was discussion regarding enforcement, especially with all of the Birch trees that had been taken down and not replaced and various examples in the City. There was further discussion regarding HOAs that were no longer in existence and the difficulty of getting trees replaced.

There was consensus to carry on with the current practice of reviewing the street tree improvement plans as applications came in and creating any new street plans as needed.

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

None

## **7. Committee Member Comments**

There was discussion regarding two Committee openings. Both Committee Members Stephenson and Caughran's terms were up, but they both planned to reapply. Associate Planner Fleckenstein said a new application had also been received. Interviews would be held soon.

## **8. Staff Comments**

Associate Planner Fleckenstein said on October 22 the LRC annual report would be presented to the City Council. Next month the LRC would be reviewing their Work Plan. The Committee had voted to move forward with language to allow the LRC to review City landscape plans and he had brought that to the Planning Director. They were currently strategizing how best to do that.

There was discussion with the audience regarding options for utilities and street trees and issues with replacement trees.

## **9. Adjournment**

Chair Stephenson adjourned the meeting at 1:30 p.m.

DRAFT



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## EXHIBIT 2 - STAFF REPORT

DATE: April 15, 2020  
TO: Landscape Review Committee Members  
FROM: Jamie Fleckenstein, Associate Planner  
SUBJECT: Agenda Item 4A – Landscape Plan Review Application (L 31-19)

### STRATEGIC PRIORITY & GOAL:



### GROWTH & DEVELOPMENT CHARACTER

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

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

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### Report in Brief:

An application for a landscape plan review (L 31-19) for landscaping for the redevelopment of the First Federal Savings & Loan in downtown McMinnville to be reviewed by the Landscape Review Committee.

### Background:

The application requests approval of a landscape plan (L 31-19) for the redevelopment of the First Federal Savings & Loan in downtown McMinnville. The applicant Kelley Wilson, SUM Design Studio + Architecture, on behalf of First Federal Savings & Loan, property owner, submitted a landscape plan associated with a building permit for redevelopment of the First Federal Savings & Loan. The subject property is the downtown block bounded by NE 3<sup>rd</sup> Street, NE Adams Street, NE 2<sup>nd</sup> Street, and NE Baker Street, and is more specifically described as Tax Lots 8600, 8700, and 9200, Section 20AD, T. 4. S., R. 4 W., W.M. **See Figure 1 (Vicinity Map).** The property is zoned C-3 (General Commercial). **See Figure 2 (Zoning Map).**

The site is currently commercially developed with the existing First Federal Savings & Loan and associated off-street parking. To the west, across NE Adams Street (Highway 99W) is the McMinnville Public Library and City Park, which is on residentially zoned land. South of the subject site, across NE 2<sup>nd</sup> Street, is the McMinnville Fire Department on land zoned C-3. Adjacent properties north and east of the subject site along NE 3<sup>rd</sup> are commercially zoned and developed. The subject site and surrounding properties are subject to the Downtown Design Guidelines and Standards. **See Figures 3, 4, and 5 (Existing Conditions).**

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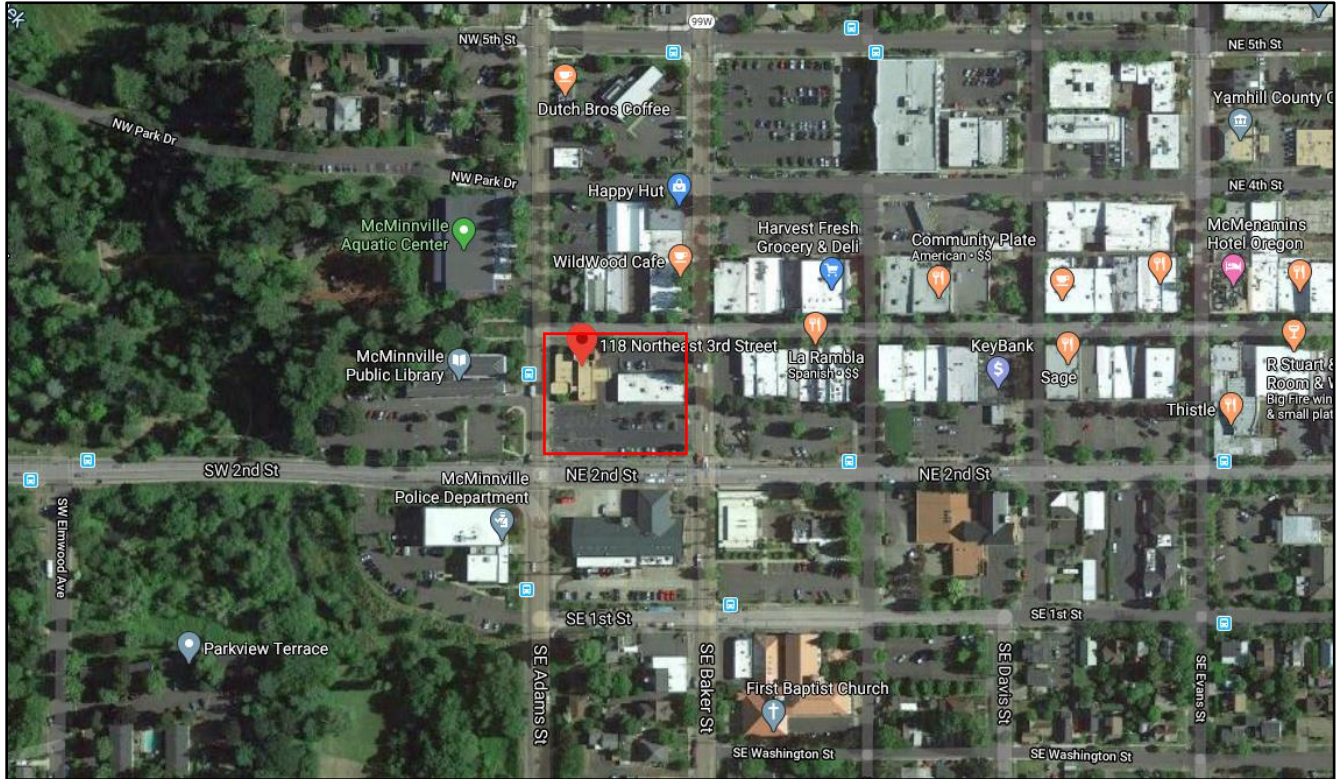
### Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 118 NE 3<sup>rd</sup> Street

Attachment B – Application Materials

The site plan features an approximately 32,000 square foot three story building in the northeast corner of the subject site, adjacent to NE 3<sup>rd</sup> Street and NE Baker Street. Off-street parking lots throughout the remainder of the site accommodate approximately 62 vehicles, and drive-through lanes for drive-up banking. The landscape plan addresses landscaping for the entire site, and street trees in the adjacent rights-of way. **See Figure 6 (Landscape Plan) and Figure 7 (Plant Schedule).**

**Figure 1: Vicinity Map**

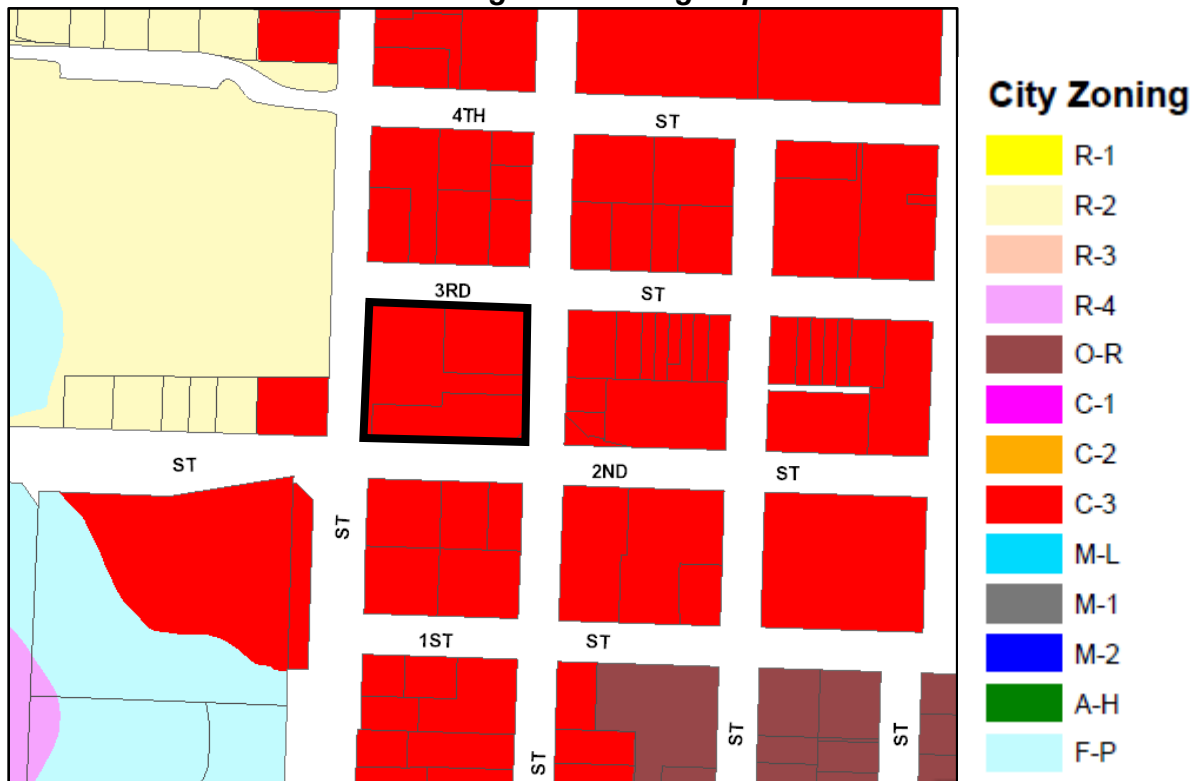


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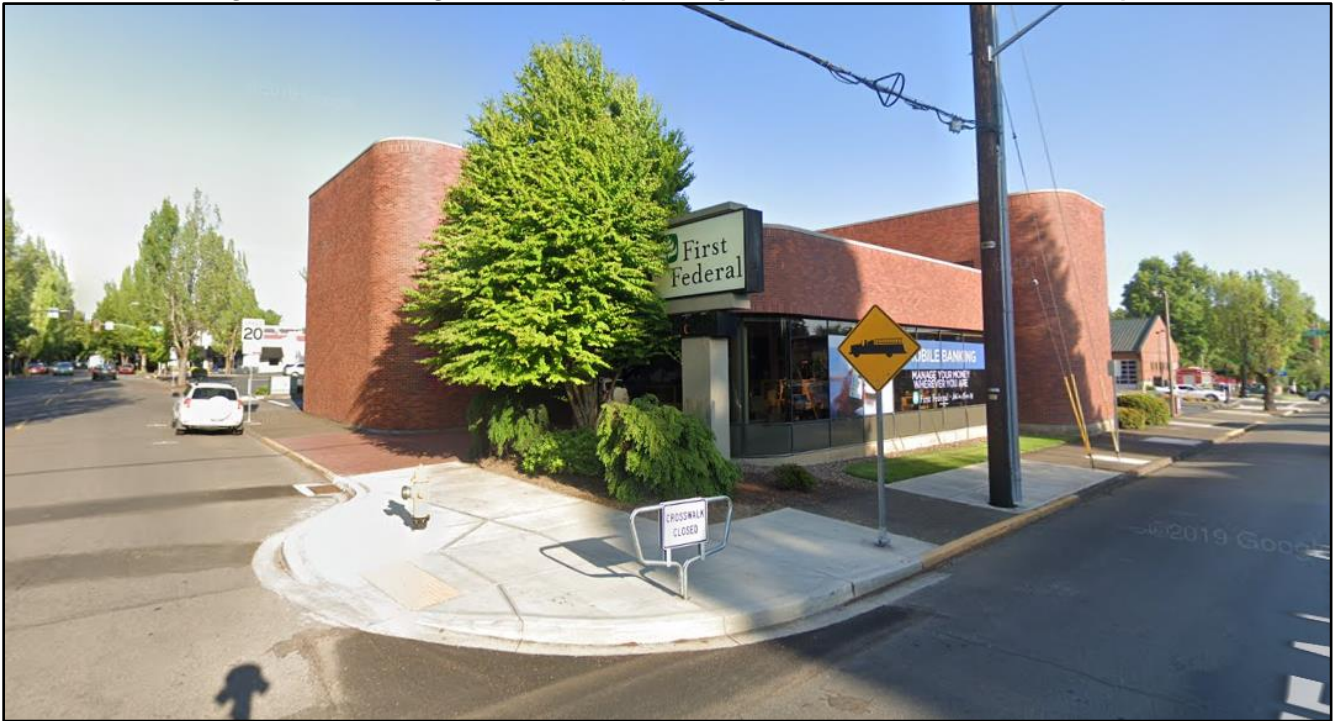


**Figure 2: Zoning Map****Figure 3: Existing Conditions (looking SW from 3<sup>rd</sup> St. & Baker St.)****Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 118 NE 3<sup>rd</sup> Street

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**Figure 4: Existing Conditions (looking SE from 3<sup>rd</sup> St. & Adams St.)**



**Figure 5: Existing Conditions (looking NW from 2<sup>nd</sup> St. & Baker St.)**

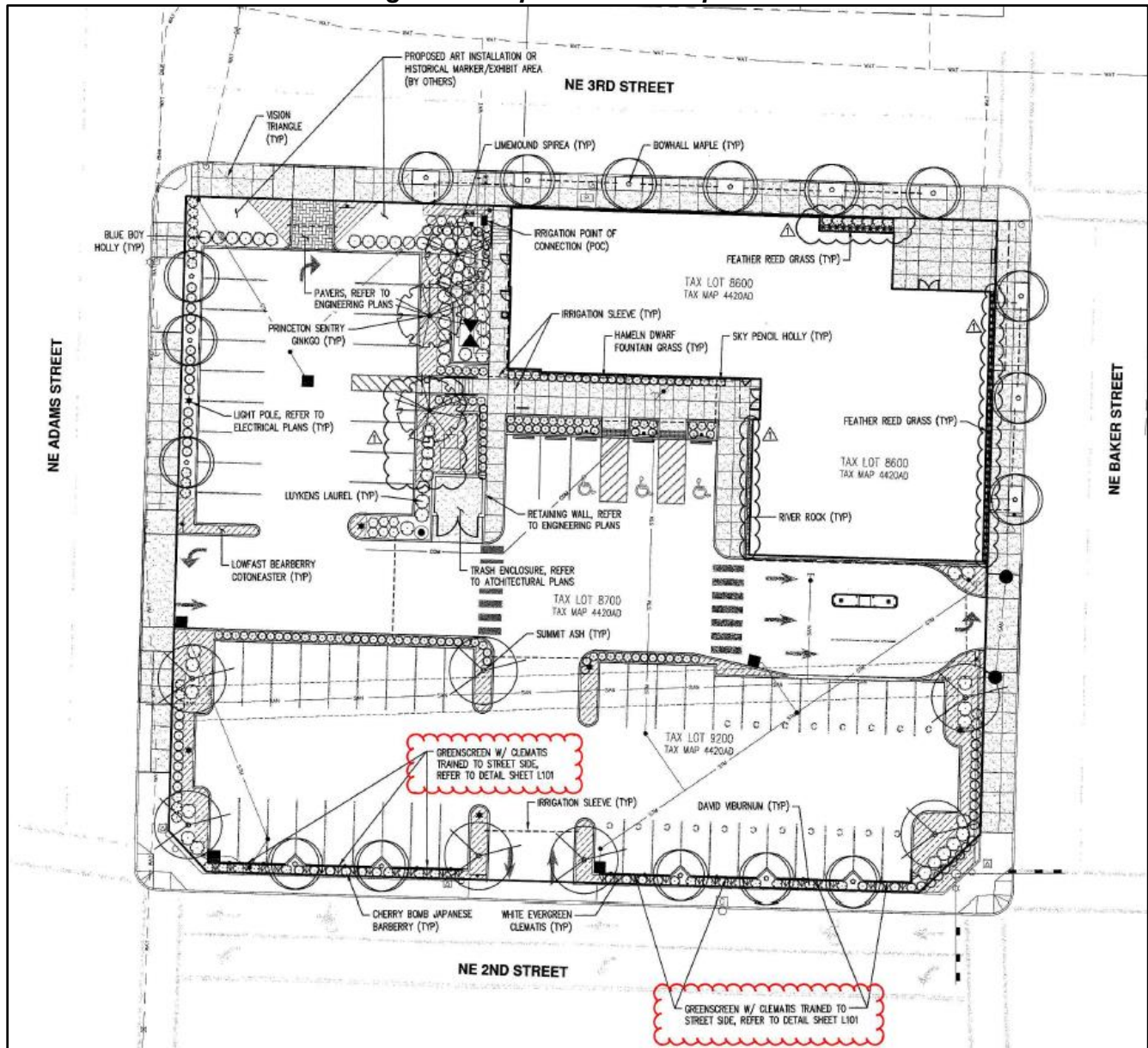


**Attachments:**

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**Figure 6: Proposed Landscape Plan****Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 118 NE 3<sup>rd</sup> Street

Attachment B – Application Materials

**Figure 7: Proposed Plant Schedule**

<b>PLANT SCHEDULE</b>					
<u>TREES</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE/CONTAINER</u>	<u>SPACING</u>
	17	ACER RUBRUM 'BONHALL'	BONHALL MAPLE	2" CAL. B&B	AS SHOWN
	7	FRAXINUS PENNSYLVANICA 'SUMMIT'	SUMMIT ASH	2" CAL. B&B	AS SHOWN
	3	GINKGO BILOBA 'PRINCETON SENTRY'	PRINCETON SENTRY GINKGO	2" CAL. B&B	AS SHOWN
<u>SHRUBS</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE/CONTAINER</u>	<u>SPACING</u>
	61	BERBERIS THUNBERGII 'MONOMB'	CHERRY BOMB JAPANESE BARBERRY	2 GAL. CONT.	36" o.c.
	51	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	1 GAL. CONT.	24" o.c.
	67	ILEX CRENATA 'SKY PENCIL'	SKY PENCIL JAPANESE HOLLY	3" HT. CONT.	30" o.c.
	40	ILEX X MESERVEAE 'BLUE BOY'	BLUE BOY HOLLY	5 GAL. CONT.	48" o.c.
	65	PENNISETUM ALOPECUROIDES 'HAMELN'	HAMELN DWARF FOUNTAIN GRASS	1 GAL. CONT.	30" o.c.
	27	PRUNUS LAUROCERASUS 'OTTO LUYKEN'	LUYKENS LAUREL	3 GAL. CONT.	48" o.c.
	10	SPIRAEA X BUMALDA 'LINEMOUND'	LINEDUND SPIREA	2 GAL. CONT.	36" o.c.
	47	VIURNUM DAVIDI	DAVID VIBURNUM	2 GAL. CONT.	36" o.c.
<u>VINES</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE/CONTAINER</u>	<u>SPACING</u>
	33	CLEMATIS X CARTMANII 'AVALANCHE'	WHITE EVERGREEN CLEMATIS	1 GAL. CONT.	24" o.c.
<u>GROUND COVERS</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE/CONTAINER</u>	<u>SPACING</u>
	254	COTONEASTER DAMMERI 'LOWFAST'	LOWFAST BEARBERRY COTONEASTER	1 GAL. CONT.	36" o.c.
	±40 SF	RIVER ROCK: PLACE MIN. 4" DEEP	1.5"-4" MIXED DIAMETER ROUNDED ROCK, NATURAL GRAYS AND TANS		

**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

**Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 118 NE 3<sup>rd</sup> Street

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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 (General Commercial) and subject to Downtown Design Standards and Guidelines. Although the subject site is within Area I of the central business district which has no landscape requirements per MMC Section 17.57.080(A), a condition of approval of the project's Downtown Design Review (DDR 4-19) requires a landscape plan consistent with the preliminary landscape plan submitted with the Downtown Design Review application be submitted to the Landscape Review Committee for review and approval.

MMC Section 17.58.080 requires street trees to be planted at all new commercial development which has a designated curb-side planting strip or planting islands. A condition of approval of DDR 4-19 requires the landscape plan to include street tree planting where possible within the public rights-of-way adjacent to the site, including the NE Adams Street, NE 3<sup>rd</sup> Street, and NE Baker Street rights-of-way.

MMC Section 17.59.060 of the Downtown Design Standards and Guidelines Chapter requires a landscape plan for landscaping within buffer strips along the street side edges of parking lots. This landscape plan is subject to review and approval by the Landscape Review Committee.

### ***Analysis of Landscape Plan Review Request***

The applicant's landscape plan was determined by staff to be consistent with the preliminary landscape plan submitted during the Downtown Design Review process. The focus of the proposed landscape plan is primarily in the public right-of-way adjacent to the building, and the planting in and around the surface parking areas and building entrances. Groupings of trees, shrubs, and groundcovers help achieve many of the planning factors above and help achieve the purpose of the landscape chapter of MMC.

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

<b>Issue</b>	<b>Notes</b>	<b>Condition to Help Meet Criteria</b>
Compatibility with the project and surrounding properties and uses	<ul style="list-style-type: none"> <li>Landscaping proposed around site and parking lot perimeter provides shade, interest, and buffering to key areas</li> <li>Street trees and on-site landscaping is consistent with surrounding downtown properties</li> <li>Historic/Art Area still undefined</li> <li>Some parking lot landscaping may obstruct vision clearance</li> <li>Utility locations differ from what is shown on plan</li> </ul>	<p>Condition #2: Requires review of any additional landscaping proposed in Historic/Art area</p> <p>Condition #3: Limits height of landscaping within parking lot to 36" or less</p> <p>Condition #13: Requires review of landscaping adjacent to 3<sup>rd</sup> Street around final utility locations</p>

#### ***Attachments:***

*Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 118 NE 3<sup>rd</sup> Street*

*Attachment B – Application Materials*

Issue	Notes	Condition to Help Meet Criteria
Screening the proposed use	<ul style="list-style-type: none"> <li>Surrounding lots are primarily commercially zoned, and don't require substantial screening between uses</li> <li>Trees will buffer and screen building and parking lot</li> <li>GreenScreen trellis fencing used along 2<sup>nd</sup> Street to screen parking</li> <li>Landscaping not provided on 3 sides of trash enclosure</li> </ul>	Condition #4: Requires landscaping on 3 sides of trash enclosure
Retention of existing trees	<ul style="list-style-type: none"> <li>Existing street trees present, separate application for Street Tree Removal is under review (L 6-20)</li> <li>One street tree is proposed to remain</li> </ul>	Condition #5: Requires reconsideration of street tree plan if L 6-20 is partially or wholly denied
Parking lot islands and planting	<ul style="list-style-type: none"> <li>Planting proposed for the perimeter of the parking area, and landscape islands with trees are interspersed within the parking area</li> </ul>	N/A
Use of suitable street trees	<ul style="list-style-type: none"> <li>Street trees required adjacent to site where appropriate, Bowhall Red Maples are proposed street tree</li> </ul>	N/A
Irrigation system or water facilities	<ul style="list-style-type: none"> <li>Landscape areas to receive automatic irrigation system</li> </ul>	N/A
Tree removal requires City approval	<ul style="list-style-type: none"> <li>Removal required as part of approved site plan</li> </ul>	

### **Staff-Suggested Conditions of Approval**

1. That the applicant shall install landscaping as shown on the landscape plan and details, Sheets L100 and L101 with revision date January 24, 2020, and shall comply with required conditions of approval.
2. That any additional landscaping proposed within the "Historic/Art Area" be submitted for review and approval by the McMinnville Landscape Review Committee.
3. That vegetation within the planter on the south side of the internal east/west drive aisle be 36 inches or less in height to maintain clear vision between internal drive aisles.
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.

#### **Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 118 NE 3<sup>rd</sup> Street

Attachment B – Application Materials

5. That the species and locations of the nine (9) proposed street trees is approved if and only if Street Tree Removal application L 6-20 is approved authorizing the removal of all four (4) existing street trees within the NE Baker Street and NE 3<sup>rd</sup> Street rights-of-way. If the removal of any street tree within the NE Baker Street and NE 3<sup>rd</sup> Street rights-of-way in Street Tree Removal application L 6-20 is denied, then the applicant shall submit a revised street tree plan per Section 17.58.100 of the McMinnville Municipal Code for the subject site that incorporates all existing street trees to remain as well as any required replacement street trees to the Landscape Review Committee for review and approval.
6. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to any planting excavation to ensure that underground utilities are not damaged.
7. 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.
8. 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.
9. 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 provided to a minimum depth of eighteen (18) inches. In addition, irrigation of street trees is approved in lieu of the standard requirement to provide two (2) deep watering tubes.
10. That all street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade. 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.
11. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier 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.
12. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.
13. That a revised landscape plan for the landscape area west of the building, east of the parking area, and adjacent to the 3<sup>rd</sup> Street right-of-way, incorporating the final locations of water and electric facilities as approved by McMinnville Water & Light shall be submitted to the Planning Department for review and approval.

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*Attachments:*

*Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 118 NE 3<sup>rd</sup> Street*

*Attachment B – Application Materials*

**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 31-19 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.**

JF

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**Attachments:**

*Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 118 NE 3<sup>rd</sup> Street*

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**CITY OF MCMINNVILLE  
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**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE  
APPROVAL OF A LANDSCAPE PLAN REVIEW FOR 118 NE 3<sup>RD</sup> STREET**

**DOCKET:** L 31-19 (Landscape Plan)

**REQUEST:** Approval of a Landscape Plan for First Federal Savings and Loan

**LOCATION:** 118 NE 3<sup>rd</sup> Street (Tax Lots 8600, 8700, and 9200, Section 20AD, T. 4. S., R. 4 W., W.M.)

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

**APPLICANT:** Kelley Wilson, SUM Design Studio + Architecture, on behalf of First Federal Savings & Loan, property owner

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

**DATE DEEMED  
COMPLETE:** March 16, 2019

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

**HEARING DATE  
& LOCATION:** April 15, 2020, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon, and Zoom Online Meeting ID 518-962-842

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

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

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

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

## DECISION

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the Landscape Plan (L 31-19) **subject to the conditions of approval provided in this document.**

**DECISION: APPROVAL WITH CONDITIONS**

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

Date: April 15, 2020

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

Date: April 15, 2020

## **I. APPLICATION SUMMARY:**

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

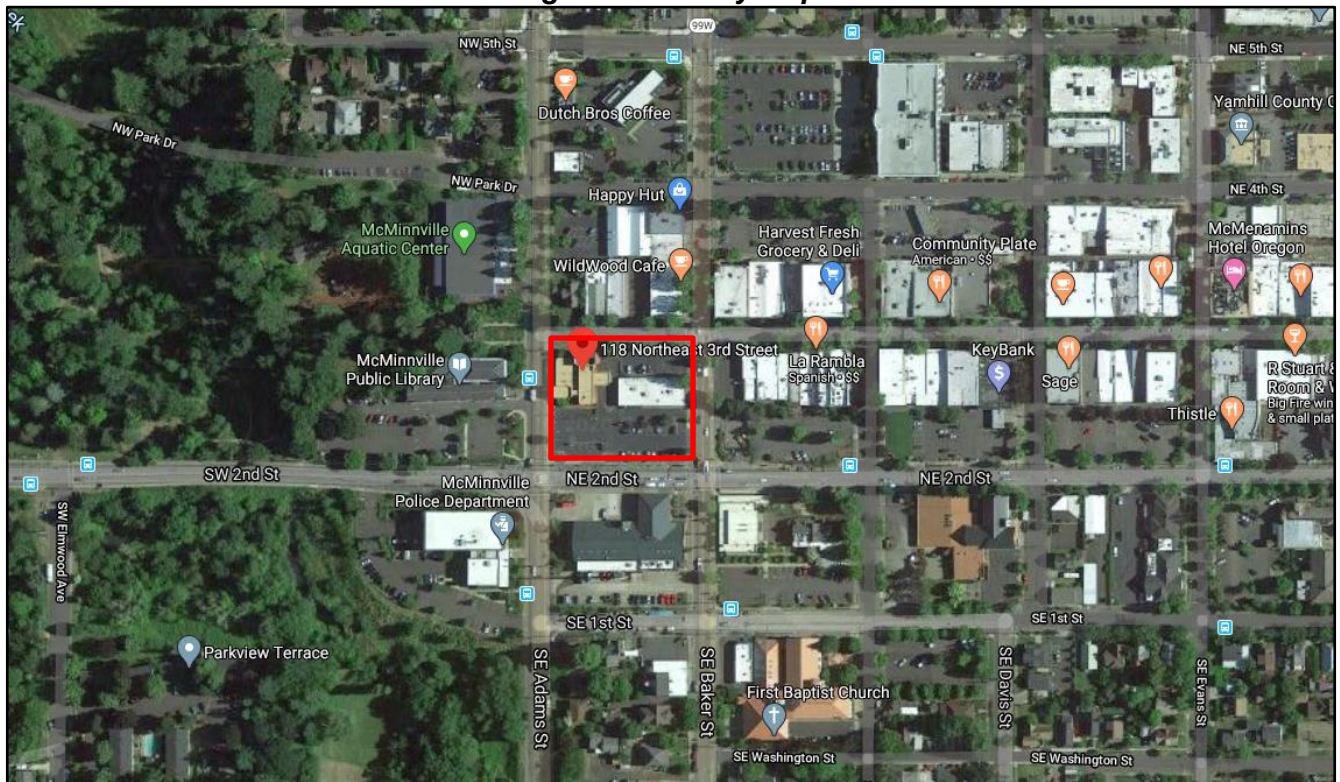
The application requests approval of a landscape plan (L 31-19) for the redevelopment of the First Federal Savings & Loan in downtown McMinnville.

The applicant Kelley Wilson, SUM Design Studio + Architecture, on behalf of First Federal Savings & Loan, property owner, submitted a landscape plan associated with a building permit for redevelopment of the First Federal Savings & Loan. The subject property is the downtown block bounded by NE 3<sup>rd</sup> Street, NE Adams Street, NE 2<sup>nd</sup> Street, and NE Baker Street, and is more specifically described as Tax Lots 8600, 8700, and 9200, Section 20AD, T. 4. S., R. 4 W., W.M. **See Figure 1 (Vicinity Map).** The property is zoned C-3 (General Commercial). **See Figure 2 (Zoning Map).**

The site is currently commercially developed with the existing First Federal Savings & Loan and associated off-street parking. To the west, across NE Adams Street (Highway 99W) is the McMinnville Public Library and City Park, which is on residentially zoned land. South of the subject site, across NE 2<sup>nd</sup> Street, is the McMinnville Fire Department on land zoned C-3. Adjacent properties north and east of the subject site along NE 3<sup>rd</sup> are commercially zoned and developed. The subject site and surrounding properties are subject to the Downtown Design Guidelines and Standards. **See Figures 3, 4, and 5 (Existing Conditions).**

The site plan features an approximately 32,000 square foot three story building in the northeast corner of the subject site, adjacent to NE 3<sup>rd</sup> Street and NE Baker Street. Off-street parking lots throughout the remainder of the site accommodate approximately 62 vehicles, and drive-through lanes for drive-up banking. The landscape plan addresses landscaping for the entire site, and street trees in the adjacent rights-of way. **See Figure 6 (Landscape Plan) and Figure 7 (Plant Schedule).**

**Figure 1: Vicinity Map**

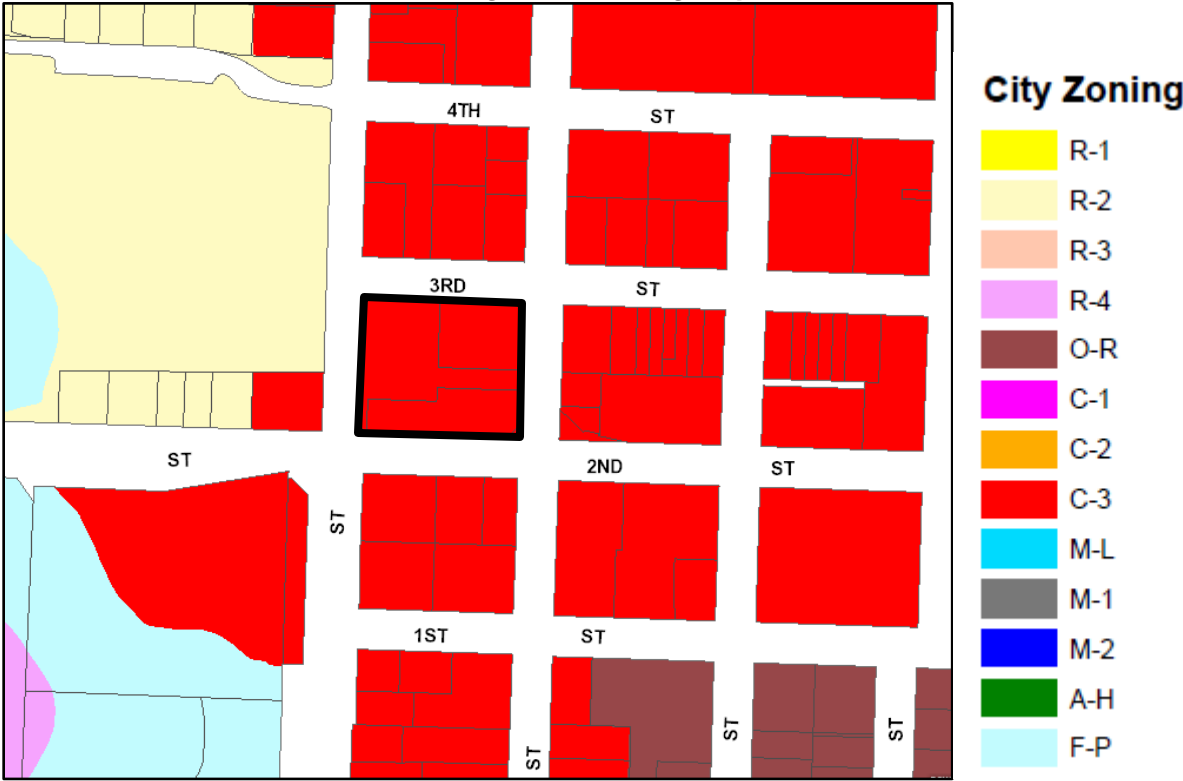


### ***Attachments :***

Attachment 1 – Application and Attachments



**Figure 2: Zoning Map**



**Figure 3: Existing Conditions (looking SW from 3<sup>rd</sup> St. & Baker St.)**





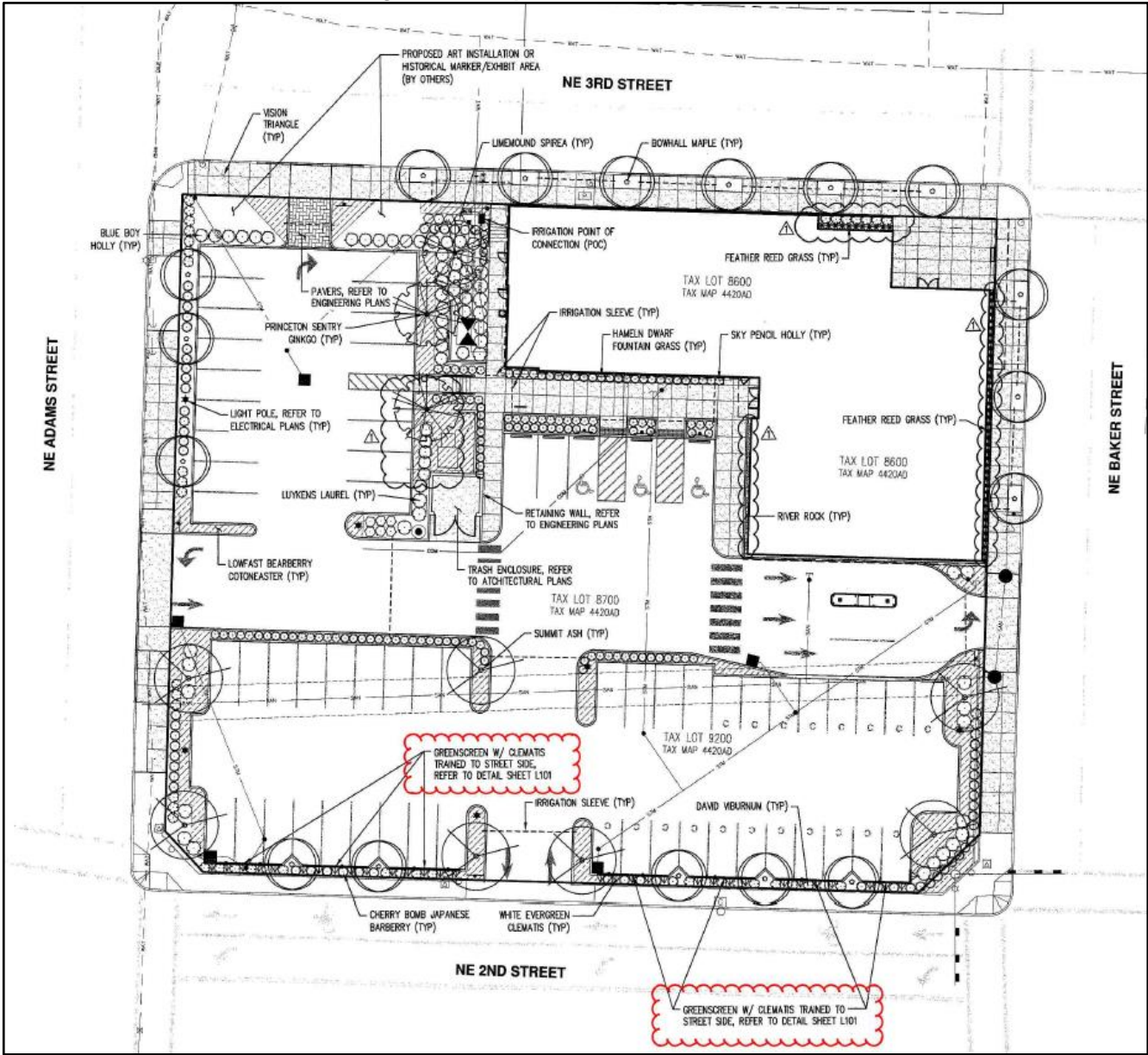
**Figure 4: Existing Conditions (looking SE from 3<sup>rd</sup> St. & Adams St.)****Figure 5: Existing Conditions (looking NW from 2<sup>nd</sup> St. & Baker St.)**

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**Attachments :**

Attachment 1 – Application and Attachments

Figure 6: Proposed Landscape Plan



**Figure 7: Proposed Plant Schedule**

<b>PLANT SCHEDULE</b>					
<u>TREES</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE/CONTAINER</u>	<u>SPACING</u>
	17	ACER RUBRUM 'BOWHALL'	BOWHALL MAPLE	2" CAL. B&B	AS SHOWN
	7	FRAXINUS PENNSYLVANICA 'SUMMIT'	SUMMIT ASH	2" CAL. B&B	AS SHOWN
	3	GINKGO BILOBA 'PRINCETON SENTRY'	PRINCETON SENTRY GINKGO	2" CAL. B&B	AS SHOWN
<u>SHRUBS</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE/CONTAINER</u>	<u>SPACING</u>
	61	BERBERIS THUNBERGII 'MONOMB'	CHERRY BOMB JAPANESE BARBERRY	2 GAL. CONT.	36" o.c.
	51	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	1 GAL. CONT.	24" o.c.
	67	ILEX CRENATA 'SKY PENCIL'	SKY PENCIL JAPANESE HOLLY	3' HT. CONT.	30" o.c.
	40	ILEX X MESERVEAE 'BLUE BOY'	BLUE BOY HOLLY	5 GAL. CONT.	48" o.c.
	65	PENNISETUM ALOPECUROIDES 'HAMELN'	HAMELN DWARF FOUNTAIN GRASS	1 GAL. CONT.	30" o.c.
	27	PRUNUS LAUROCERASUS 'OTTO LUYKEN'	LUYKENS LAUREL	3 GAL. CONT.	48" o.c.
	10	SPIRAEA X BUNALDA 'LINEMOUND'	LINEMOUND SPIREA	2 GAL. CONT.	36" o.c.
	47	VIBURNUM DAVIDI	DAVID VIBURNUM	2 GAL. CONT.	36" o.c.
<u>VINES</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE/CONTAINER</u>	<u>SPACING</u>
	33	CLEMATIS X CARTMANII 'AVALANCHE'	WHITE EVERGREEN CLEMATIS	1 GAL. CONT.	24" o.c.
<u>GROUND COVERS</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE/CONTAINER</u>	<u>SPACING</u>
	264	COTONEASTER DAMMERI 'LOWFAST'	LOWFAST BEARBERRY COTONEASTER	1 GAL. CONT.	36" o.c.
	±40 SF	RIVER ROCK: PLACE MIN. 4" DEEP	1.5"-4" MIXED DIAMETER ROUNDED ROCK, NATURAL GRAYS AND TANS		

**Summary of Criteria & Issues**

Decisions and/or recommendations for approval of the land use application is dependent upon whether or not the application meets 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.

The subject site is zoned C-3 (General Commercial) and subject to Downtown Design Standards and Guidelines. Although the subject site is within Area I of the central business district which has no

**Attachments :**

Attachment 1 – Application and Attachments



landscape requirements per MMC Section 17.57.080(A), a condition of approval of the project's Downtown Design Review (DDR 4-19) requires a landscape plan consistent with the preliminary landscape plan submitted with the Downtown Design Review application be submitted to the Landscape Review Committee for review and approval.

MMC Section 17.58.080 requires street trees to be planted at all new commercial development which has a designated curb-side planting strip or planting islands. A condition of approval of DDR 4-19 requires the landscape plan to include street tree planting where possible within the public rights-of-way adjacent to the site, including the NE Adams Street, NE 3<sup>rd</sup> Street, and NE Baker Street rights-of-way.

## **II. CONDITIONS:**

1. That the applicant shall install landscaping as shown on the landscape plan and details, Sheets L100 and L101 with revision date January 24, 2020, and shall comply with required conditions of approval.
2. That any additional landscaping proposed within the "Historic/Art Area" be submitted for review and approval by the McMinnville Landscape Review Committee.
3. That vegetation within the planter on the south side of the internal east/west drive aisle be 36 inches or less in height to maintain clear vision between internal drive aisles.
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 species and locations of the nine (9) proposed street trees is approved if and only if Street Tree Removal application L 6-20 is approved authorizing the removal of all four (4) existing street trees within the NE Baker Street and NE 3rd Street rights-of-way. If the removal of any street tree within the NE Baker Street and NE 3rd Street rights-of-way in Street Tree Removal application L 6-20 is denied, then the applicant shall submit a revised street tree plan per Section 17.58.100 of the McMinnville Municipal Code for the subject site that incorporates all existing street trees to remain as well as any required replacement street trees to the Landscape Review Committee for review and approval.
6. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to any planting excavation to ensure that underground utilities are not damaged.
7. 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.
8. 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.
9. 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

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### **Attachments :**

Attachment 1 – Application and Attachments

tree and the curb side of the tree. The root barrier protection shall be provided to a minimum depth of eighteen (18) inches. In addition, irrigation of street trees is approved in lieu of the standard requirement to provide two (2) deep watering tubes.

10. That all street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade. 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.
11. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier 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.
12. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.
13. That a revised landscape plan for the landscape area west of the building, east of the parking area, and adjacent to the 3<sup>rd</sup> Street right-of-way, incorporating the final locations of water and electric facilities as approved by McMinnville Water & Light shall be submitted to the Planning Department for review and approval.

### **III. ATTACHMENTS:**

1. L 31-19 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 Public Works Department:
  1. It appears that the proposed trees along perimeter of the site are new. Does this mean that existing trees will be removed? If so, the applicant should be required to complete the tree removal application process.
  2. Since the removals and replacements appear to be development driven, it is our position that the applicant should bear the cost of removal and replacement of existing trees in the right of way.
  3. The trees along the Adams Street side and the 2<sup>nd</sup> Street side appear to be on private property, and would not be maintained by the City.
  4. The trees along Adams Street and 3<sup>rd</sup> Street appear to be in the right of way, and thus would be maintained by the City.
  5. It appears that the trees, including the ones in the right of way, are irrigated. The City will not maintain that irrigation system.
  6. The green screen proposed along 2<sup>nd</sup> Street appears to be on private property. Thus the City will not maintain either that vegetation or the screen itself.
  7. Relative to the clearance detail on sheet L101:

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*Attachments :*

Attachment 1 – Application and Attachments

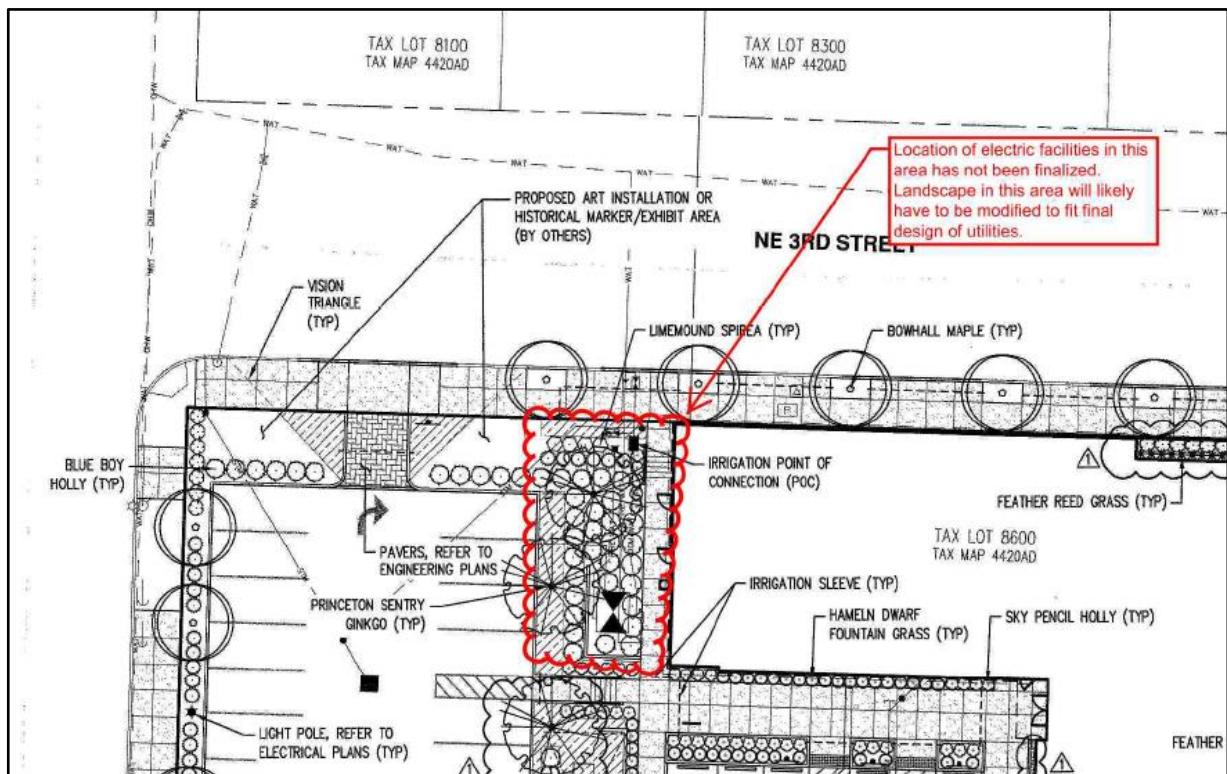
- a. Adams & Baker are functionally classified as major arterials and require 18' of clearance over the roadway.
  - b. 2nd is functionally classified as a minor collector on the east side of Adams, and thus requires 15' of clearance over the roadway.
  - c. 3rd is functionally classified as a major collector east of Adams, and thus requires 15' of clearance over the roadway.
8. The typical tree planting detail does not match the City's detail. However, given that these are irrigated, Public Works is ok with leaving out the typical deep watering tubes.

- McMinnville Water and Light:

Upon review of the proposed landscape plans, we unable to approve them from the Water Engineering Department. The drawing does not reflect the changes to the water facilities. The water facilities are located completely different than shown. We would highly suggest getting with the Architect and Civil Engineer to obtain current plans, and resubmitting.

Clearances from MW&L's facilities must be maintained as indicated in our Specifications – VAULTCLEAR and WMCLEAR. These are attached for your convenience as well as a marked up drawing.

The location of electric facilities west of the new building and south of NE 3<sup>rd</sup> Street have not be finalized. Landscaping as proposed will likely need to be modified based upon final civil drawings. See the attached drawing.



### 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.

### Attachments :

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

1. The applicant Kelley Wilson, SUM Design Studio + Architecture, on behalf of First Federal Savings & Loan, property owner, submitted a landscape plan review application on December 17, 2019.
2. The application was deemed incomplete on December 30, 2019. Additional information was submitted on March 2, 2020. The application was deemed complete on March 16, 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 April 15, 2020 to review the application and proposed landscape plan.

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

1. **Location:** 118 NE 3<sup>rd</sup> Street (Tax Lots 8600, 8700, and 9200, Section 20AD, T. 4. S., R. 4 W., W.M.)
2. **Size:** Approximately 47,364 square feet
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** Downtown Design Standards Area (per Section 17.59.020(A) of the McMinnville Municipal Code); Reduced Off-Street Parking Requirements Area (per Section 17.60.100); Reduced Landscaping Requirements Area (per Section 17.57.080).
6. **Current Use:** Commercial – Banking and Loan Services
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** None
8. **Other Features:** There are no significant or distinguishing natural features associated with this property.
9. **Utilities:**
  - a. **Water:** Water service is available to the subject site.
  - b. **Electric:** Power service is available to the subject site.
  - 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.

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### ***Attachments:***

Attachment 1 – Application and Attachments

10. **Transportation:** The site includes the entire city block bounded on the north by 3<sup>rd</sup> Street, on the east by Baker Street, on the south by 2<sup>nd</sup> Street, and on the west by Adams Street. Adams and Baker Streets are identified as major arterials in the McMinnville Transportation System Plan. The McMinnville Transportation System Plan also identifies 3<sup>rd</sup> Street as a major collector and 2<sup>nd</sup> Street as a minor collector. Section 17.53.101 of the McMinnville Municipal Code identifies the right-of-way width for these classifications of streets.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable planning factors for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance. The applicable standards for Street Trees are specified in Section 17.58.090 of the Zoning Ordinance.

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

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

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

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

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

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

*Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of 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. 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 will enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. Conditions of approval have been included in the findings described in further detail below to ensure that the proposed planting meets necessary City standards and criteria, which will result in a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.

**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) but is located in the Reduced Landscaping Requirements Area II (per Section 17.57.080) where no landscaping is required. Findings relative to Reduced Landscaping Requirements Area II are provided below. Downtown Design Review DDR 4-19 approved a site plan, including preliminary landscaping, for the new First Federal development, and Condition of Approval #7 of DDR 4-19 requires:

"That the applicant shall submit a landscape plan and Landscape Plan Review application to the McMinnville Landscape Review Committee for their review and approval prior to the issuance of building permits for the new building. All landscaping on the site shall be installed as approved by the Landscape Review Committee prior to final building permit inspections being completed. The landscape plan shall:

- A. Be consistent with the preliminary landscaping plan submitted with the Downtown Design Review application (DDR 4-19);
- B. Include details for the decorative trellis fence proposed within the landscape buffer space adjacent to NE 2nd Street. The decorative trellis fence shall be limited to 30 inches in height. The landscape plan shall also identify the proposed spacing, at the time of installation, of the plants that will grow into and cover the decorative trellis fence;
- C. Include proposed street tree plantings, where possible, within the public right-of-way adjacent to the subject site. This includes the frontages onto the NE Adams Street, NE Third Street, and NE Baker Street right-of-ways. Street trees shall meet the planting standards in Section 17.58.045 and Section 17.58.090 of the McMinnville Municipal Code (MMC)."

Therefore, landscaping is required consistent with the preliminary landscaping plan submitted with the Downtown Design Review application (DDR 4-19).

**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 Percent Landscaped for the proposed First Federal Savings and Loan commercial development:

	Total Site Area (s.f.)	Landscape Provided (s.f.)	Percentage
Proposed Development	47,364	5,624	11.9%

The proposed landscaping of 11.9 percent 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:

*Attachments :*

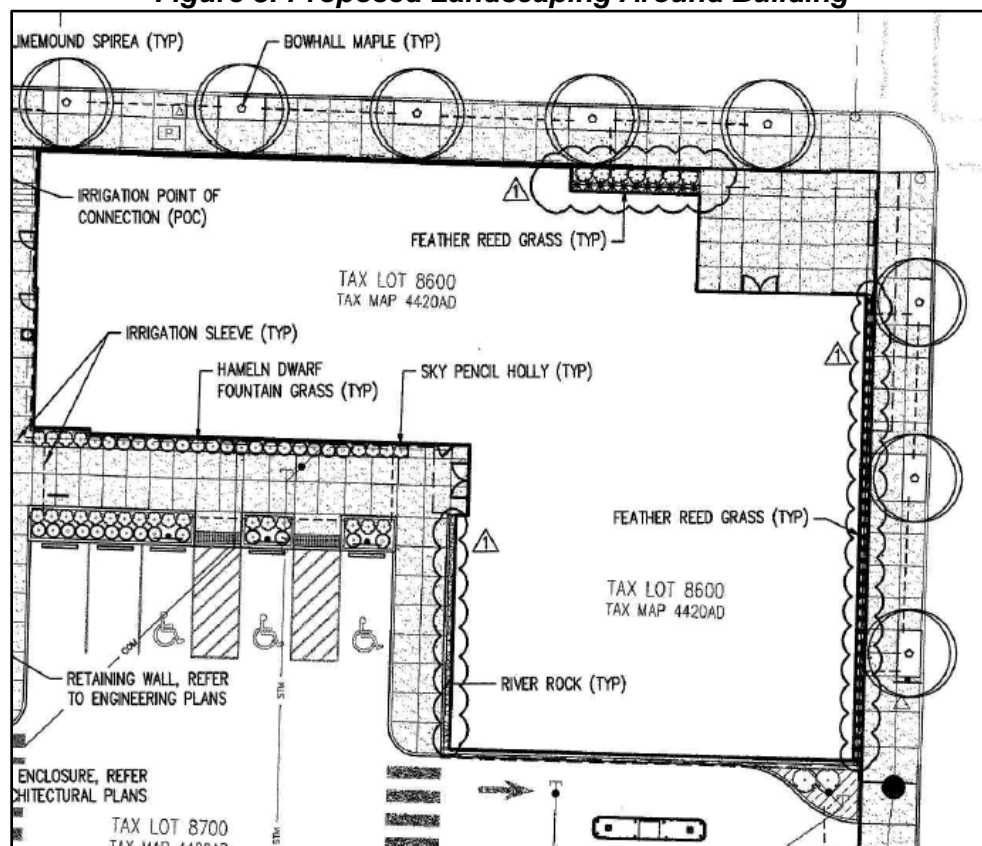
Attachment 1 – Application and Attachments

**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 CONDITION #2 AND #3.** The site plan approved by Downtown Design Review DDR 4-19 features an approximately 32,000 square foot three story building in the northeast corner of the subject site, adjacent to NE 3<sup>rd</sup> Street and NE Baker Street. Off-street parking lots throughout the remainder of the site accommodate approximately 62 vehicles, and drive-through lanes for drive-up banking. The development project encompasses the entire city block that is bounded by NE 3<sup>rd</sup> Street and NE 2<sup>nd</sup> Street to the north and south, and NE Baker Street and NE Adams Street to the east and west. Surrounding properties across the streets from the subject site are commercially zoned, like the subject site, with the exception of City Park, which is residentially zoned.

**Figure 8: Proposed Landscaping Around Building**

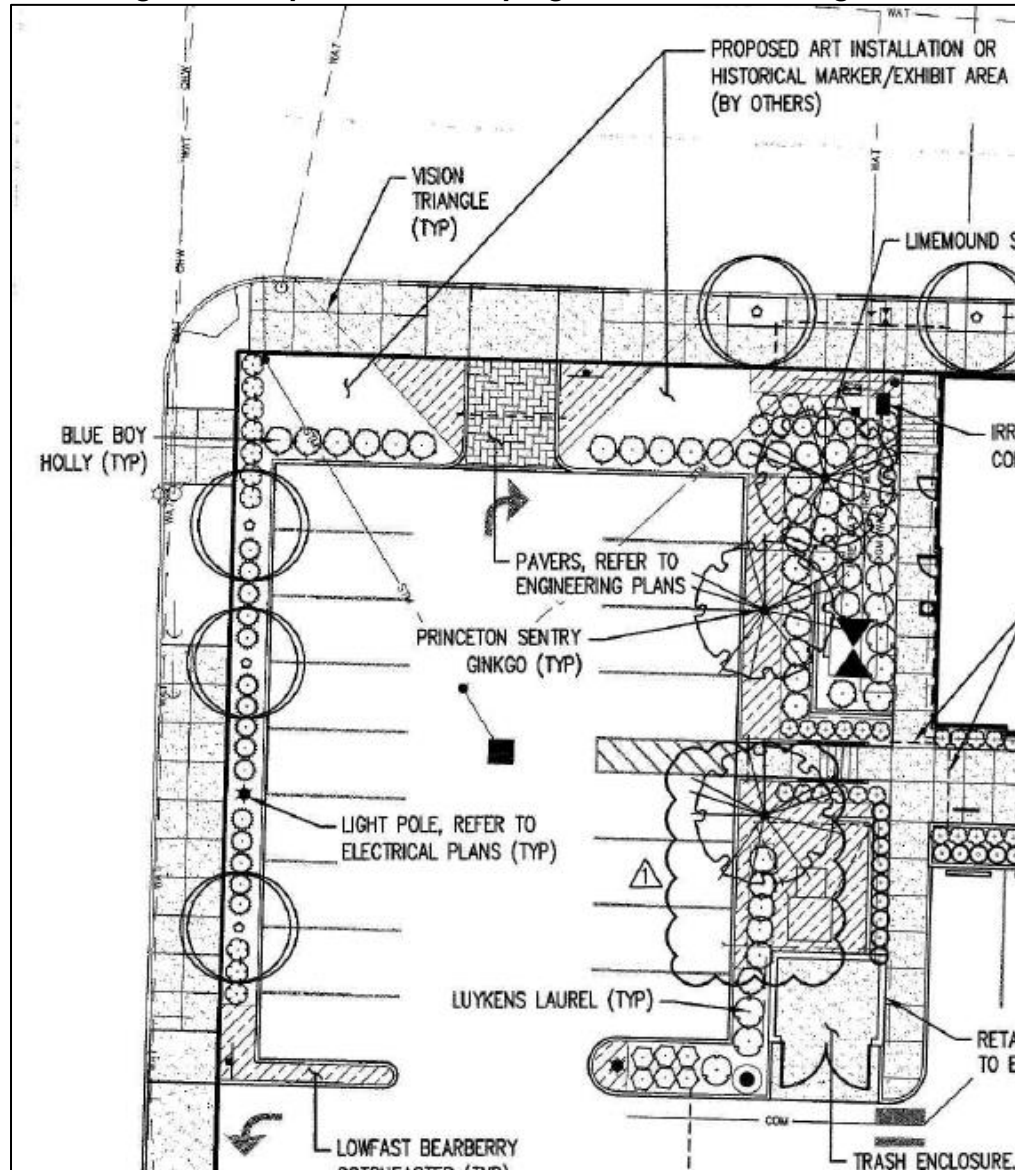


Landscaping is proposed at key locations around the perimeter of the building. At the public entrance at the northeast corner of the building near the intersection of 3<sup>rd</sup> Street and Baker Street, is a planter with the low evergreen shrub *Viburnum davidii* (David Viburnum) and the taller ornamental grass *Calamagrostis x acutiflora* 'Karl Foerster' (Feather Reed Grass). Feather Reed Grass is proposed along the eastern edge of the building along the sidewalk. *Acer rubrum* 'Bowhall' (Bowhall Red Maple) trees are proposed as street trees in the NE 3<sup>rd</sup> Street and NE Baker Street rights-of-way adjacent to the building, spaced at approximately 30 feet apart. This landscape and street tree treatment of the street frontages along 3<sup>rd</sup> Street and Baker Street is consistent with nearby and surrounding commercial properties. Buildings in the Downtown Design District are encouraged to maintain a zero setback from the property line or sidewalk, so planting areas, where present, are not large in area. The type and spacing of

proposed street trees are consistent with that of street trees on surrounding blocks in the Downtown area.

Landscaped planters also emphasize the entry from the parking lot. A small ornamental grass, *Pennisetum alopecuroides* 'Hameln' (Hameln Dwarf Fountain Grass) is planted with the taller, narrow evergreen shrub *Ilex crenata* 'Sky Pencil' (Sky Pencil Holly).

**Figure 9: Proposed Landscaping Around NW Parking Area**



Adjacent to 3<sup>rd</sup> Street right-of-way west of the building is a proposed art installation or historical marker/exhibit area. A vehicular exit from the adjacent parking area bisects the space. A low evergreen groundcover, *Cotoneaster dammeri* 'Lowfast' (Lowfast Bearberry Cotoneaster) is proposed in the vision triangles around the exit to preserve visibility. A hedge of the evergreen shrub *Ilex x meserveae* 'Blue Boy' (Blue Boy Holly) will provide a vegetative screen, three to five feet in height, of the parking area to the south from 3<sup>rd</sup> Street. The remainder of the "Historic/Art Area" is currently undefined, and the final design and content is subject to further review by the Historic Landmarks Committee Because this "Historic/Art Area" is in such a highly visible and prominent location and may include additional landscaping in the final design proposal, a condition of approval is included to require any additional landscaping proposed within the

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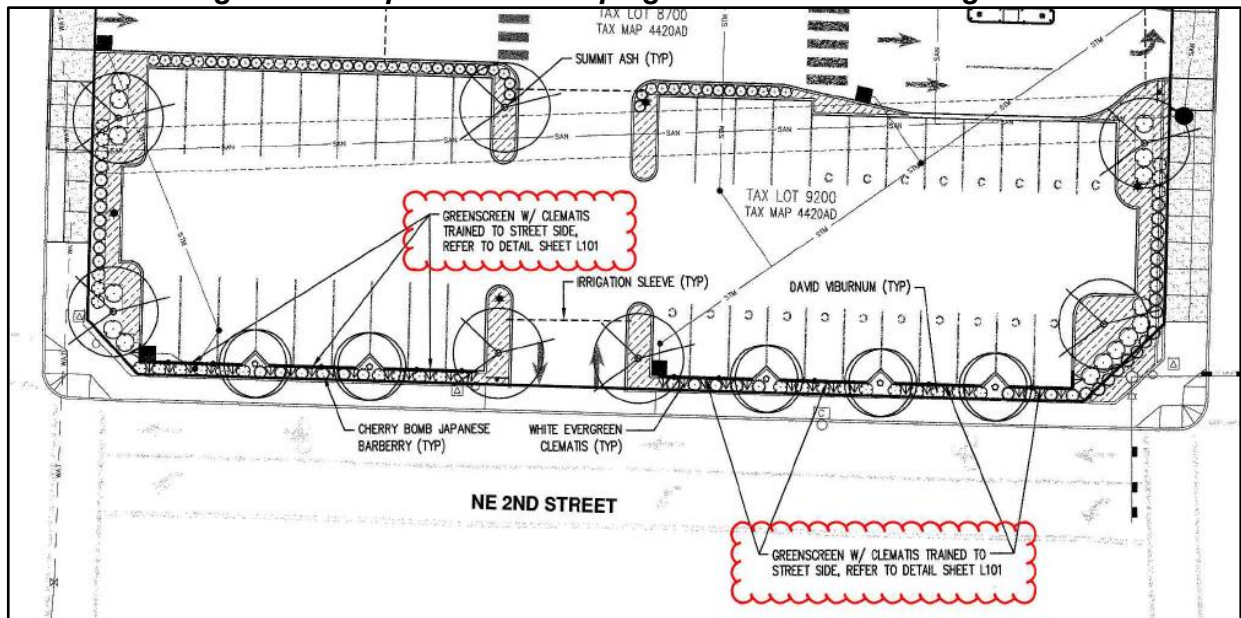
Attachment 1 – Application and Attachments

"Historic/Art Area" be submitted for review and approval by the McMinnville Landscape Review Committee.

South of the "Historic/Art Area" in the northwest quadrant of the site, an off-street parking area is proposed with perimeter landscaping and a large planting area between the parking and the building to the east. Planting adjacent to the Adams Street right-of-way includes the evergreen shrub David Viburnum, the deciduous shrub *Berberis thunbergii* 'Monomb' (Cherry Bomb Japanese Barberry), and Bowhall Red Maple trees. Both David Viburnum and Cherry Bomb Japanese Barberry grow to approximately three to four feet tall and wide. While the landscape area adjacent to Adams Street is on private property, the Bowhall Red Maple trees are spaced consistent with the street trees proposed along 3<sup>rd</sup> Street and Baker Street, and will effectively function as street trees. The parking area endcap is planted with Lowfast Bearberry Cotoneaster.

The large planting area between the parking lot and the building is planted with a combination of evergreen and deciduous shrubs, deciduous trees, and an evergreen groundcover. The evergreen shrubs, Blue Boy Holly, Sky Pencil Holly, and *Prunus laurocerasus* 'Otto Luyken' (Otto Luyken Laurel), provide screening of the parking area. The deciduous shrubs, Cherry Bomb Japanese Barberry and *Spiraea japonica* 'Limemound' (Limemound Spirea) provide seasonal interest. Three (3) Gingko biloba 'Princeton Sentry' (Princeton Sentry Gingko) trees provide buffering and will help shade the building and parking lot. A trash enclosure located in the southeast portion of this parking area is screened by landscaping on two sides. Landscaping around the trash enclosure is addressed in more detail below with findings for Section 17.61.030(C).

**Figure 10: Proposed Landscaping Around South Parking Area**



The southern half of the site has off-street parking areas with perimeter and interior landscaping proposed. In a continuation of the theme from the parking lot planting to the north, Cherry Bomb Japanese Barberry and David Viburnum are proposed in the planting area adjacent to Adams Street to provide screening of the parking from the right-of-way. Two (2) *Fraxinus pennsylvanica* 'Summit' (Summit Ash) trees are proposed in the planting area as well, effectively functioning as street trees. An existing street tree near the intersection of Baker Street and 2<sup>nd</sup> Street will remain.

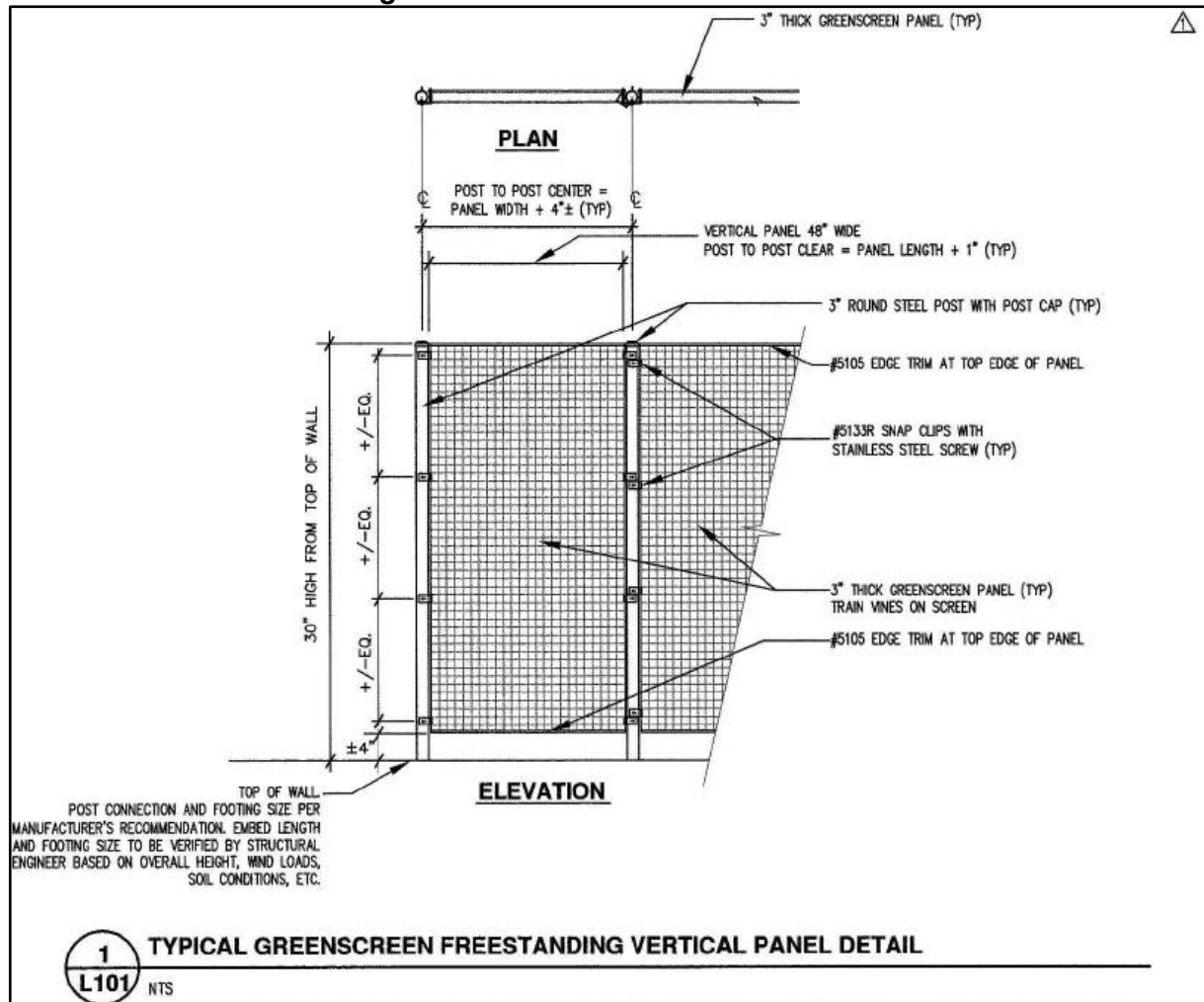
Along 2<sup>nd</sup> Street, a narrow planting strip (approved through the waiver process in DDR 4-19) is planted with David Viburnum and Cherry Bomb Japanese Barberry shrubs and, in bump outs to

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provide additional space, Bowhall Red Maple trees. Additionally, to help provide screening of the parking lot from the 2<sup>nd</sup> Street right-of-way, Greenscreen trellis fences are proposed to be installed, and planted with the evergreen climbing vine *Clematis x cartmanii* 'Avalanche' (White Evergreen Clematis). Per Condition of Approval #7B of DDR 4-19, the Greenscreen panels are limited to 30 inches in height. **See Figure 11 (Greenscreen Vertical Panel).**

**Figure 11: Greenscreen Vertical Panel**



Planting on the east side of the parking lot, adjacent to the Baker Street right-of-way mirrors the landscaping described above adjacent to the Adams Street right-of-way: David Viburnum, Cherry Bomb Japanese Barberry, Summit Ash trees, and Lowfast Bearberry Cotoneaster.

On the north side of the parking lot adjacent to the interior drive aisle, Sky Pencil Holly and Hameln Dwarf Fountain Grass are proposed in alternating groupings. Although Sky Pencil Holly is narrow in form (typically 12 inches or less in diameter), it does grow to approximately six (6) feet tall. Because they are planted in groups, the height of the evergreen shrub massing may obstruct clear vision between vehicles entering the internal drive aisle from 2<sup>nd</sup> Street and from the southern parking area. Therefore, a condition of approval is included to require that vegetation within the planter on the south side of the internal east/west drive aisle be 36 inches or less in height to maintain clear vision between internal drive aisles.

Parking endcaps in the southern parking lot have Summit Ash trees where utilities permit, and the evergreen groundcover Lowfast Bearberry Cotoneaster. Landscaping in and around the off-street parking areas is consistent with that of nearby and surrounding parking lots that typically have perimeter planting and trees to screen and buffer the parking from adjacent rights-of-way.

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With the addition of conditions of approval, the landscape plan is compatible with the proposed project, and with surrounding and abutting properties and uses thereon.

**CONDITION FOR FINDING:** That any additional landscaping proposed within the “Historic/Art Area” be submitted for review and approval by the McMinnville Landscape Review Committee.

That vegetation within the planter on the south side of the internal east/west drive aisle be 36 inches or less in height to maintain clear vision between internal drive aisles.

**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 proposed use, a commercial savings and loan and off-street parking, is screened through a combination of plantings, trees, and screen fences. The building, located in the northeast corner of the site adjacent to 3<sup>rd</sup> Street and Baker Street, would be screened and buffered by the proposed street trees in the rights-of-way immediately adjacent to the building. The combination of evergreen and deciduous shrubs, shade trees, and climbing vines on trellis fences around the perimeter of the parking lot as described above will provide screening and buffering of the parking areas from the adjacent rights-of-way, while reducing the harmful effects of heat, noise and glare associated with motor vehicle use.

**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.** The subject site is a fully developed city block that does not have significant existing natural areas within it. Several small trees around the existing First Federal bank building and within the existing parking lot are present. However, they were not incorporated into the approved site plan and are not feasible to retain based on the extent of site disturbance and construction activity in their immediate vicinity. There are six (6) existing street trees in the Baker Street, 3<sup>rd</sup> Street, and Adams Street rights-of-way adjacent to the subject site, proposed for removal. A Street Tree Removal application (L 6-20) requesting removal of five (5) street trees along will be reviewed separately. The Street Tree Removal application indicates the street trees would be in conflict with the new development, utilities, and public improvements associated with the proposed development of the entire block. An existing street tree near the intersection of Baker Street and 2<sup>nd</sup> Street is proposed to remain. The existing grade around the tree is preserved as much as is practical.

**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.** As described above, the off-street parking areas feature landscape areas around the perimeter of the lots, with parking lot islands used as endcaps to separate parking bays from drive aisles. The landscape areas and parking lot islands are planted with a combination of deciduous trees, evergreen and deciduous shrubs, ornamental grasses, and evergreen groundcover to break up the parking lot and help mitigate the harmful effects of heat, noise and glare associated with motor vehicle use.



**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.** The landscape plan indicates that street trees are proposed in the 3<sup>rd</sup> Street and Baker Street rights-of-way adjacent to the building. The species proposed is *Acer rubrum* 'Bowhall' (Bowhall Red Maple). Bowhall Red Maples are a recommended medium street tree on the McMinnville Street Tree List. Trees proposed within and adjacent to the parking lot areas include Bowhall Red Maples, Princeton Sentry Gingko, and Summit Ash. None of these trees are on the prohibited tree list or exhibit characteristics of the certain trees prohibited in parking areas.

**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 landscape plan indicates that an automatic irrigation system will be provided to all landscaping within the site and to proposed street trees.



**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 #12.** 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.

**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 on new public right-of-way to be dedicated to the City. It will provide for tree-lined streets along the new development and will enhance 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.

**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.** The proposed development is a new commercial development that includes parking lots fronting on a public roadway. Street trees are required in accordance with the standards listed in Section 17.58.090.

### **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:** None.

**FINDING: SATISFIED.** *Acer rubrum* ‘Bowhall’ (Bowhall Red Maple) is the proposed street tree within the NE 3<sup>rd</sup> Street and NE Baker Street rights-of-way. Bowhall Red Maple is a recommended medium street tree on the McMinnville Street Tree List.

#### **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> ‘Bowhall’ Bowhall Red Maple	5	No	40	20		n/a			Upright, pyramidal form

**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-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:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #10.** 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.

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**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.

**FINDING: SATISFIED.** The proposed street trees, Bowhall Red Maples, are medium street trees on the McMinnville Street Tree List, and grow to approximately 40 feet tall and 20 feet wide. The landscape plan indicates they are spaced 30 feet apart in the Baker Street and 3<sup>rd</sup> Street rights-of-way, the maximum spacing for a medium street tree species.

**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:** None.

**FINDING: SATISFIED.** NE 3<sup>rd</sup> Street is classified as a major collector and NE Baker Street is classified as a major arterial in the McMinnville Transportation System Plan. Therefore, street trees in these rights-of-way are required to be a minimum of four (4) feet from the back edge of the sidewalk. The landscape plan indicates sidewalks are 10 feet wide. Street trees are planted in curb-tight planting wells approximately seven (7) feet from the back side of the sidewalk, which is greater than the minimum required distance.

**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:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #7.** Utility locations are shown on the landscape plan, and proposed street tree locations are outside of required setback distances. A condition of approval 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

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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:** None.

**FINDING: SATISFIED WITH CONDITION #5.** There are six (6) existing street trees within the rights-of-way adjacent to the subject site. Three (3) maples are present along NE Baker Street, two (2) maples are present along NE 3<sup>rd</sup> Street, and one (1) maple is present in the NE Adams Street right-of-way. The southernmost street tree in the NE Baker Street right-of-way near the southeast corner of the subject site is proposed to be retained.

A separate Street Tree Removal permit application (L 6-20) requesting the removal of five (5) downtown street trees has been submitted to the McMinnville Planning Department. The trees requested for removal are the five (5) maples in the 3<sup>rd</sup> Street and Baker Street rights-of-way. The landscape plan indicates that to replace the five (5) street trees requested for removal, a total of nine (9) *Acer rubrum* 'Bowhall' (Bowhall Red Maple) trees are proposed as street trees in the 3<sup>rd</sup> Street and Baker Street rights-of-way. A condition of approval is included to approve the species and locations of the nine (9) replacement street trees if and only if Street Tree Removal application L 6-20 is approved authorizing the removal of all five (5) existing street trees within the NE Baker Street and NE 3<sup>rd</sup> Street rights-of-way. If the removal of any of the street trees requested for removal is denied, then the applicant shall submit a revised street tree plan for the subject site that incorporates all existing street trees to remain as well as any required replacement street trees to the Landscape Review Committee for review and approval.

**CONDITION FOR FINDING:** That the species and locations of the nine (9) proposed street trees is approved if and only if Street Tree Removal application L 6-20 is approved authorizing the removal of all four (4) existing street trees within the NE Baker Street and NE 3<sup>rd</sup> Street rights-of-way. If the removal of any street tree within the NE Baker Street and NE 3<sup>rd</sup> Street rights-of-way in Street Tree Removal application L 6-20 is denied, then the applicant shall submit a revised street tree plan per Section 17.58.100 of the McMinnville Municipal Code for the subject site that incorporates all existing street trees to remain as well as any required replacement street trees to the Landscape Review Committee for review and approval.

**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:** None.

**FINDING: SATISFIED WITH CONDITION #9.** Proposed street trees are shown in curb-tight planting wells in the sidewalk. The sidewalk cuts measure four (4) feet by eight (8) feet, with the long dimension parallel to the curb. The subject site is within the Downtown Tree Zone, and the tree planting wells are subject to City standard design drawings developed in May 2014. The tree planting detail provided by the applicant with the landscape plan differs from the City standard design drawing and specifications because no deep watering tubes are proposed. The Public Works has approved this departure since irrigation is being provided within street tree planting wells as indicated on the landscape plan. A condition of approval is included to ensure 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 provided to a minimum

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depth of eighteen (18) inches. In addition, irrigation of street trees is approved in lieu of the standard requirement to provide two (2) deep watering tubes.

**CONDITION FOR FINDING:** 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 provided to a minimum depth of eighteen (18) inches. In addition, irrigation of street trees is approved in lieu of the standard requirement to provide two (2) deep watering tubes.

#### **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.** The nine (9) proposed street trees and one (1) existing street tree to remain are located within the Downtown Tree Zone, therefore it is the City's responsibility to undertake regular maintenance of the 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, and pruning to provide appropriate clearance above sidewalks and streets.

#### **Chapter 17.59 Downtown Design Standards and Guidelines**

**17.59.060(C)** A hedge or wall, thirty (30) inches in height, or dense landscaping within a buffer strip a minimum of five feet in width shall be placed along the street-side edge of all surface parking lots. Landscaping within the buffer strip shall include street trees selected as appropriate to the situation and spaced according to its type, shrubs spaced a minimum of three feet on center, and groundcover. A landscaping plan for this buffer shall be subject to review and approval by the McMinnville Landscape Review Committee.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Buffer strips have been placed along the street-side edge of surface parking lots within the subject site. The buffer strip for the parking lot adjacent to 3<sup>rd</sup> Street is approximately 15 feet wide and an evergreen hedge is proposed with plants spaced at approximately four (4) feet on center. Parking lots that are adjacent to NE Adams and Baker Streets have a buffer strip that is at least five (5) feet in width, and planted with a hedge, trees that will function as street trees, and groundcover. Hedge plants are spaced at approximately three (3) feet on center, and trees are spaced appropriately based on the type and utility locations. The buffer strip between the 2<sup>nd</sup> Street right-of-way and the adjacent parking is only three (3) feet wide as

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approved in Downtown Design Review DDR 4-19. To mitigate the reduced buffer strip width, a 30 inch tall vertical Greenscreen fence is proposed. Climbing evergreen vines would on the fence would provide a hedge-like effect. Other shrub plantings are proposed in the narrow buffer strip to provide dense landscaping. The planter strip widens at key locations to accommodate the planting of trees, which effectively function as street trees along 2<sup>nd</sup> Street. The trees are spaced appropriately based on their type.

### **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.

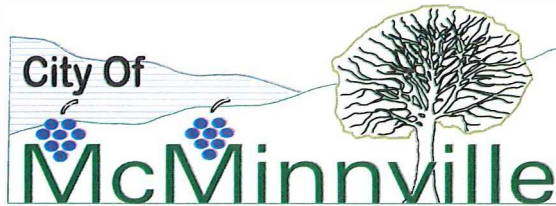
**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION #4.** The trash and recycling enclosure is located in the interior of the subject site, north of the east/west oriented drive aisle, west of the proposed building, and within the large landscape area between the building and parking lot in the northwest corner of the site. The landscape plan shows that landscaping is proposed along the west and north sides of the trash enclosure. The enclosure opens to the south onto the drive aisle, and a pedestrian walkway is immediately adjacent to the enclosure to the east. Landscaping is proposed on two (2) sides of the trash enclosure. The trash enclosure is located on the site such that it will be visible from the adjacent streets and rights-of-ways. 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



**Planning Department**

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

**Office Use Only:**

File No. L31-19  
 Date Received 12-17-19  
 Fee \_\_\_\_\_  
 Receipt No. \_\_\_\_\_  
 Received by SA

## Landscape Plan Review Application

### Applicant Information

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

Applicant Name KELLEY WILSON Phone 503.715.5847 x111

Contact Name SUM DESIGN STUDIO + ARCH.  
 (If different than above)

Phone —

Address 231 SE 12TH

City, State, Zip PORTLAND, OR 97214

Contact Email KELLEY@SUMDESIGNSTUDIO.COM

### Property Owner Information

Property Owner Name FIRST FEDERAL SAVINGS & LOAN Phone 503.472.6171  
 (If different than above)

Contact Name JIM SCHLOTFELDT

Phone —

Address 118 NE 3RD ST.

City, State, Zip MCMINNVILLE, OR 97128

Contact Email JSCHLOTFELDT@FIRSTFEDWEB3.COM

### Site Location and Description

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

Property Address 118 NE 3RD ST.

Assessor Map No. R4 420AB - 8700, - 8600, - 9200 Total Site Area 47,364 SF +/-

Subdivision — Block — Lot —

Comprehensive Plan Designation — Zoning Designation C-3

### Landscaping Information

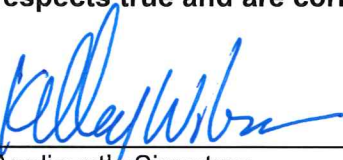
1. Total Landscaped Area: 5,624 SF
2. Percent Landscaped: 11.9%
3. Building Floor Area:  
New Structure: 31,042 SF Existing Structure: 9,559 - BANK BLDG  
+ 6,000 - LOAN BLDG = 15,559 SF Addition: 0
4. Architect Name AKS ENG & FORESTRY, LLC Phone \_\_\_\_\_  
(Landscape Architect; Engineer; or Other Designer)  
Contact Name KRISTI HAUSWALD, LA. Phone \_\_\_\_\_  
Address 12965 SW HERMAN RD, SUITE 100  
City, State, Zip TUALATIN, OR 97062  
Contact Email KRISTIF@AKS-ENG.COM

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

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

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

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

  
Applicant's Signature

12.17.19  
Date

  
Property Owner's Signature

12-17-19  
Date













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

## EXHIBIT 3 - STAFF REPORT

DATE: April 15, 2020  
TO: Landscape Review Committee Members  
FROM: Jamie Fleckenstein, Associate Planner  
SUBJECT: Agenda Item 4B – Landscape Plan Review Application (L 7-20)

### STRATEGIC PRIORITY & GOAL:



### GROWTH & DEVELOPMENT CHARACTER

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

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

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### Report in Brief:

An application for a landscape plan review (L 7-20) for landscaping for the development a new commercial building at McMinnville Plaza to be reviewed by the Landscape Review Committee.

### Background:

The application requests approval of a landscape plan (L 7-20) for the development of a new commercial building at McMinnville Plaza in northeast McMinnville.

The applicant, Darren Dickerhoof of March Hare, LLC, property owner, submitted a landscape plan associated with a building permit for development a new commercial building within the larger McMinnville Plaza commercial complex in northeast McMinnville. The subject property is the vacant parcel southwest of the intersection of Highway 99W and NE Lafayette Avenue (Tax Lot 100, Section 15BB, T. 4. S., R. 4 W., W.M. **See Figure 1 (Vicinity Map).** The property is zoned C-3 (General Commercial). **See Figure 2 (Zoning Map).**

The site is currently used as off-street parking for the surrounding commercial uses. No structures exist on the site. To the west and south is the McMinnville Plaza commercial complex and off-street parking lot. Immediately west of the subject site is an auto parts store. East of the site across Lafayette Avenue is another commercial development that includes several restaurants. To the north, across Highway 99W, is the WinCo Foods and Wilco Farm Store commercial developments. **See Figures 3 and 4 (Existing Conditions).**

The proposed project is the development of a new commercial building that would include a Chipotle restaurant with a drive-through lane, and a second commercial shop. The development is subject to

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### Attachments:

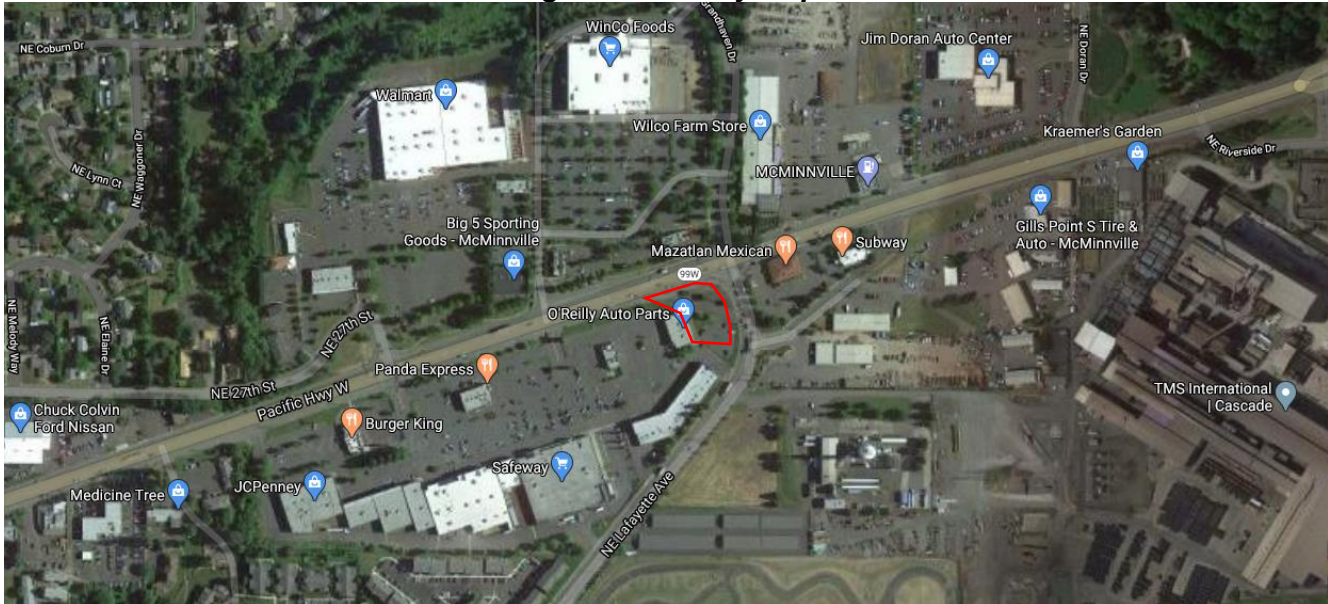
Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at R4415BB00100

Attachment B – Application Materials



McMinnville's Large Format Commercial Development standards and guidelines. The site plan features an approximately 3,500 square foot building in the northeast corner of the subject site. Off-street parking area throughout the remainder of the site accommodate approximately 24 vehicles, and a drive-through lane the restaurant is located around the perimeter of the site. The landscape plan addresses landscaping for the entire site as well as some areas adjacent to the auto parts store where work from the proposed project disturbed the site. Landscaping is also proposed in the adjacent rights-of way. **See Figure 5 (Landscape Plan) and Figure 6 (Plant Schedule).**

**Figure 1: Vicinity Map**



**Figure 2: Zoning Map**



**Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at R4415BB00100

Attachment B – Application Materials

**Figure 3: Existing Conditions (looking SW from Hwy. 99W & Lafayette Ave.)**



**Figure 4: Existing Conditions (looking W from Lafayette Ave.)**



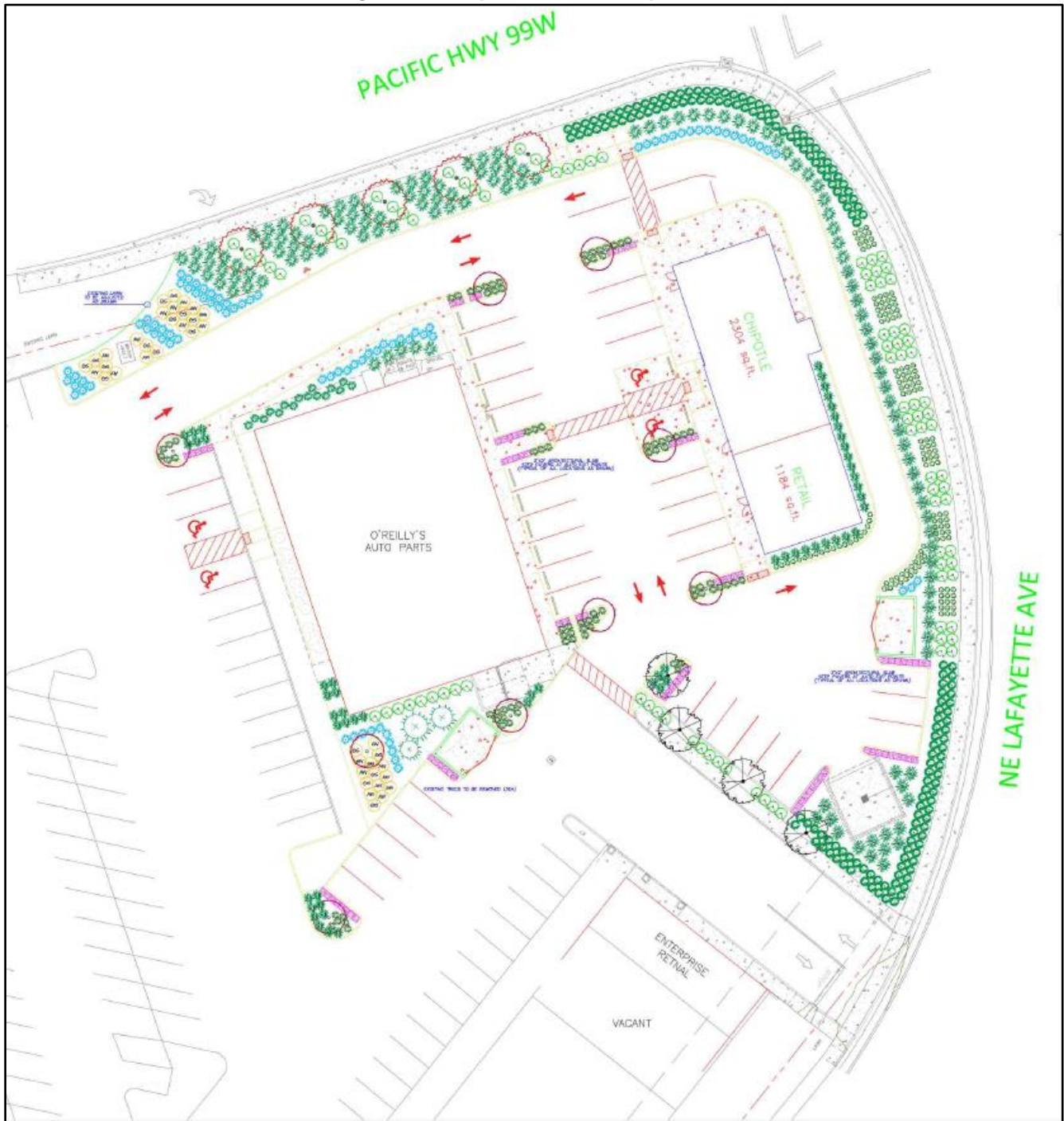
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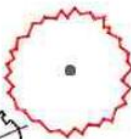






**Figure 5: Proposed Landscape Plan****Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at R4415BB00100

Attachment B – Application Materials

**Figure 6: Proposed Plant Schedule****TREE LEGEND**

ICON:	QTY:	POTANICAL/ COMMON NAME / SIZE:
	5	MAEUS SYLVATICA 'DAWYCK PURPLE' / EUROPEAN BEECH 'DAWYCK PURPLE' / 2' GAL
	4	CARPINUS CAROLINA 'COSQU' / PALISADE AMERICAN HORNBEEAM / 2' GAL
	9	STYRAX OBASSIA / FRAGRANT SNOWBELL / 2' GAL
	3	EXISTING TREE TO BE REMOVED
	3	CALOCEDRUS DECURRENS / WEEPING ALASKAN CEDAR / (3EA TOTAL) / SPACE AS DRAWN (1EA - 10'-12' HT.), (1EA - 7'-8' HT.), (1EA - 6'-7')

**SHRUB LEGEND**

ICON:	QTY:	POTANICAL/ COMMON NAME / SIZE / SPACING
	154	PITTOSPORUM TOBIRA / WHEELER'S DWARF JAPANESE MOCK ORANGE / 5 GAL
	88	MISCANTHUS SINENSIS 'MORNING LIGHT' / MAIDEN GRASS 'MORNING LIGHT' / 5 GAL / 5'-0" O.C.
	43	S / HEBE PINGUIFOLIA 'SOUTHERLANDII' / SOUTHERN HEBE / 5 GAL / 5'-0" O.C.
	-	EXISTING SHRUB TO BE REMOVED
	57	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' / KARL FOERSTER FEATHER REED GRASS / 5 GAL / 3'-6" O.C.
	137	EUPHORIA 'BLACKBIRD' / BLACK BIRD SPURGE / 1 GAL / 1'-0" O.C.
	82	JUNIFERUS SQUMATA 'BLUE STAR' / BLUE STAR JUNIFER / 5 GAL / 3'-0" O.C.
	93	ELONIMUS JAPONICUS 'SILVER KING' / SILVER KING ELONIMUS / 5 GAL / 3'-6"
	84	CAREX TESTACEA / ORANGE NEW ZEALAND SEDGE / 1 GAL
	16	PENNISETUM ALOPECUROIDES 'CASSIAN' / CASSIAN DWARF FOUNTAIN GRASS / 1 GAL
	20	SPIRAEA X BIMALDA 'GOLDFLAME' / GOLDFLAME SPIREA / 2 GAL / 4'-0" O.C.
	19	SPIRAEA X BIMALDA 'ANTHONY WATERER' / ANTHONY WATERER SPIREA / 2 GAL / 4'-0" O.C.

**Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at R4415BB00100

Attachment B – Application Materials

**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 (General Commercial) and subject to Large Format Commercial Development standards and guidelines. 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 Chapter 17.58 is applicable to existing trees on the site because the project is subject to Large Format Commercial Development Review. Criteria for removal of trees are described in Section 17.58.050.

***Analysis of Landscape Plan Review Request***

The focus of the proposed landscape plan is primarily along the street frontages adjacent to the site and the planting in and around the surface parking areas and building entrances. Groupings of trees, shrubs, and groundcovers help achieve many of the planning factors above and help achieve the purpose of the landscape chapter of MMC.

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

<b>Issue</b>	<b>Notes</b>	<b>Condition to Help Meet Criteria</b>
Compatibility with the project and surrounding properties and uses	<ul style="list-style-type: none"> <li>Landscaping proposed around site and parking lot perimeter provides shade, interest, and buffering to key areas</li> <li>Landscaping would establish pattern for other areas of McMinnville Plaza</li> <li>ODOT pedestrian improvements require planting adjustment</li> <li>Some landscaping may obstruct vision clearance from driveway to Lafayette Avenue</li> </ul>	<p>Condition #2: Requires compliance to conditions of LFR 1-20</p> <p>Condition 3: Limits height of landscaping along Lafayette Ave. to 36" or less</p> <p>Condition #11: Requires adjustment of landscaping to accommodate ped push buttons</p>
Screening the proposed use	<ul style="list-style-type: none"> <li>Surrounding lots are commercially zoned, and don't require substantial screening between uses</li> </ul>	<p>Condition #5: Requires landscaping on 3 sides of both new trash enclosures shown on landscape plan</p>

***Attachments:***

*Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at R4415BB00100*

*Attachment B – Application Materials*



Issue	Notes	Condition to Help Meet Criteria
	<ul style="list-style-type: none"> <li>• Trees will buffer and screen building and parking lot</li> <li>• Landscaping not provided on 3 sides of trash enclosures</li> </ul>	
Retention of existing trees	<ul style="list-style-type: none"> <li>• No existing trees on site to remain, incorporation into site plan not practical</li> </ul>	N/A
Parking lot islands and planting	<ul style="list-style-type: none"> <li>• Planting proposed landscape islands with trees are interspersed within the parking area</li> </ul>	N/A
Use of suitable street trees	<ul style="list-style-type: none"> <li>• Street trees not required</li> </ul>	N/A
Irrigation system or water facilities	<ul style="list-style-type: none"> <li>• Landscape areas to receive automatic irrigation system.</li> </ul>	N/A
Tree removal requires City approval	<ul style="list-style-type: none"> <li>• Removal required as part of site plan under review</li> </ul>	Condition #4: Approves tree removal if LFR 1-20 is approved

### **Staff-Suggested Conditions of Approval**

1. That the applicant shall install landscaping as shown on the landscape plan, Sheet L1 with revision date April 7, 2020, and shall comply with required conditions of approval.
2. That the landscape plan shall comply with all applicable conditions of approval of Large Format Commercial Development Review LFR 1-20. If the landscape plan is revised to reflect conditions of approval of LFR 1-20, the revised landscape plan shall be submitted to the Planning Department for review and approval.
3. That along the Lafayette Avenue frontage within the identified vision clearance area, all plant material shall have a mature height of 36 inches or less, or be continually maintained at 36 inches or less.
4. That the removal of the five (5) existing trees from the subject site is approved if, and only if, Large Format Commercial Development Review application LFR 1-20 is approved without the incorporation of the five (5) existing trees into the site plan.
5. That landscaping be provided around a third side of the two (2) trash and recycling enclosures shown on the landscape plan. 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 A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at R4415BB00100

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6. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to any planting excavation to ensure that underground utilities are not damaged.
7. 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.
8. 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.
9. 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.
10. That the applicant shall obtain a miscellaneous permit from the Oregon Department of Transportation District 3 office for the portion of the planting area that falls within Oregon Department of Transportation right-of-way. Please contact Nick Bielenberg (503-986-2876) for the permit.
11. That the landscaping in the area of the upcoming Oregon Department of Transportation pedestrian ramp improvement project at the southwest corner of the Highway 99W and Lafayette Avenue intersection be adjusted to accommodate the placement of pedestrian push buttons.

**Fiscal Impact:**

None.

**Landscape Review Committee Options:**

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

**Staff Recommendation:**

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**Attachments:**

*Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at R4415BB00100*

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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 7-20 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.**

JF

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***Attachments:***

***Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at R4415BB00100***

***Attachment B – Application Materials***



**CITY OF MCMINNVILLE  
PLANNING DEPARTMENT**  
231 NE FIFTH STREET  
MCMINNVILLE, OR 97128  
503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE  
APPROVAL OF A LANDSCAPE PLAN REVIEW FOR R4415BB00100**

**DOCKET:** L 7-20 (Landscape Plan)

**REQUEST:** Approval of a Landscape Plan for a New Commercial Building

**LOCATION:** 0 NE Highway 99W (Tax Lot 100, Section 15BB, T. 4. S., R. 4 W., W.M.)

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

**APPLICANT:** Darren Dickerhoof, March Hare, LLC, property owner

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

**DATE DEEMED  
COMPLETE:** March 26, 2020

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

**HEARING DATE  
& LOCATION:** April 15, 2020, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon, and Zoom Online Meeting ID 518-962-842

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

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

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

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

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the Landscape Plan (L 7-20) **subject to the conditions of approval provided in this document.**

**DECISION: APPROVAL WITH CONDITIONS**

Date: April 15, 2020Date: April 15, 2020



## **I. APPLICATION SUMMARY:**

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

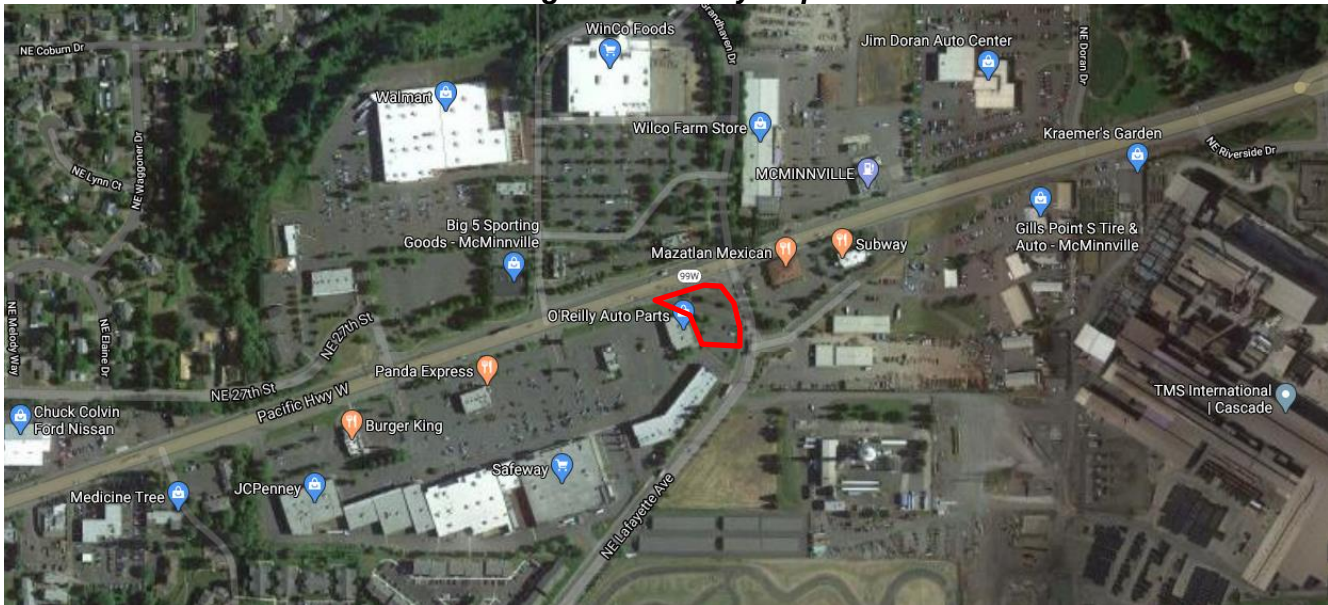
The application requests approval of a landscape plan (L 7-20) for the development of a new commercial building at McMinnville Plaza in northeast McMinnville.

The applicant, Darren Dickerhoof of March Hare, LLC, property owner, submitted a landscape plan associated with a building permit for development a new commercial building within the larger McMinnville Plaza commercial complex in northeast McMinnville. The subject property is the vacant parcel southwest of the intersection of Highway 99W and NE Lafayette Avenue (Tax Lot 100, Section 15BB, T. 4. S., R. 4 W., W.M. **See Figure 1 (Vicinity Map).** The property is zoned C-3 (General Commercial). **See Figure 2 (Zoning Map).**

The site is currently used as off-street parking for the surrounding commercial uses. No structures exist on the site. To the west and south is the McMinnville Plaza commercial complex and off-street parking lot. Immediately west of the subject site is an auto parts store. East of the site across Lafayette Avenue is another commercial development that includes several restaurants. To the north, across Highway 99W, is the WinCo Foods and Wilco Farm Store commercial developments. **See Figures 3 and 4 (Existing Conditions).**

The proposed project is the development of a new commercial building that would include a Chipotle restaurant with a drive-through lane, and a second commercial shop. The development is subject to McMinnville's Large Format Commercial Development standards and guidelines. The site plan features an approximately 3,500 square foot building in the northeast corner of the subject site. Off-street parking area throughout the remainder of the site accommodate approximately 24 vehicles, and a drive-through lane the restaurant is located around the perimeter of the site. The landscape plan addresses landscaping for the entire site as well as some areas adjacent to the auto parts store where work from the proposed project disturbed the site. Landscaping is also proposed in the adjacent rights-of way. **See Figure 5 (Landscape Plan) and Figure 6 (Plant Schedule).**

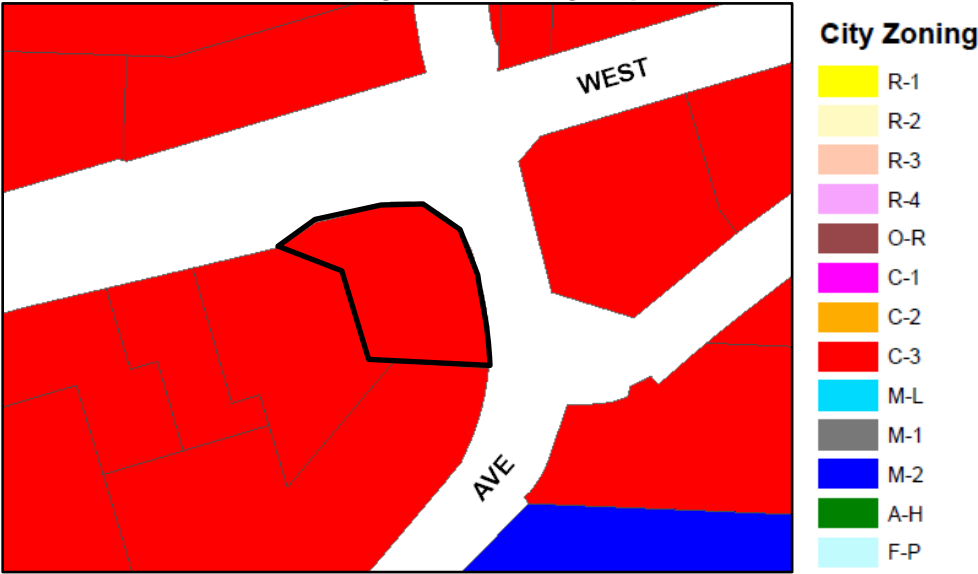
**Figure 1: Vicinity Map**



### ***Attachments :***

Attachment 1 – Application and Attachments

**Figure 2: Zoning Map**



**Figure 3: Existing Conditions (looking SW from Hwy. 99W & Lafayette Ave.)**



**Figure 4: Existing Conditions (looking W from Lafayette Ave.)**





Figure 5: Proposed Landscape Plan

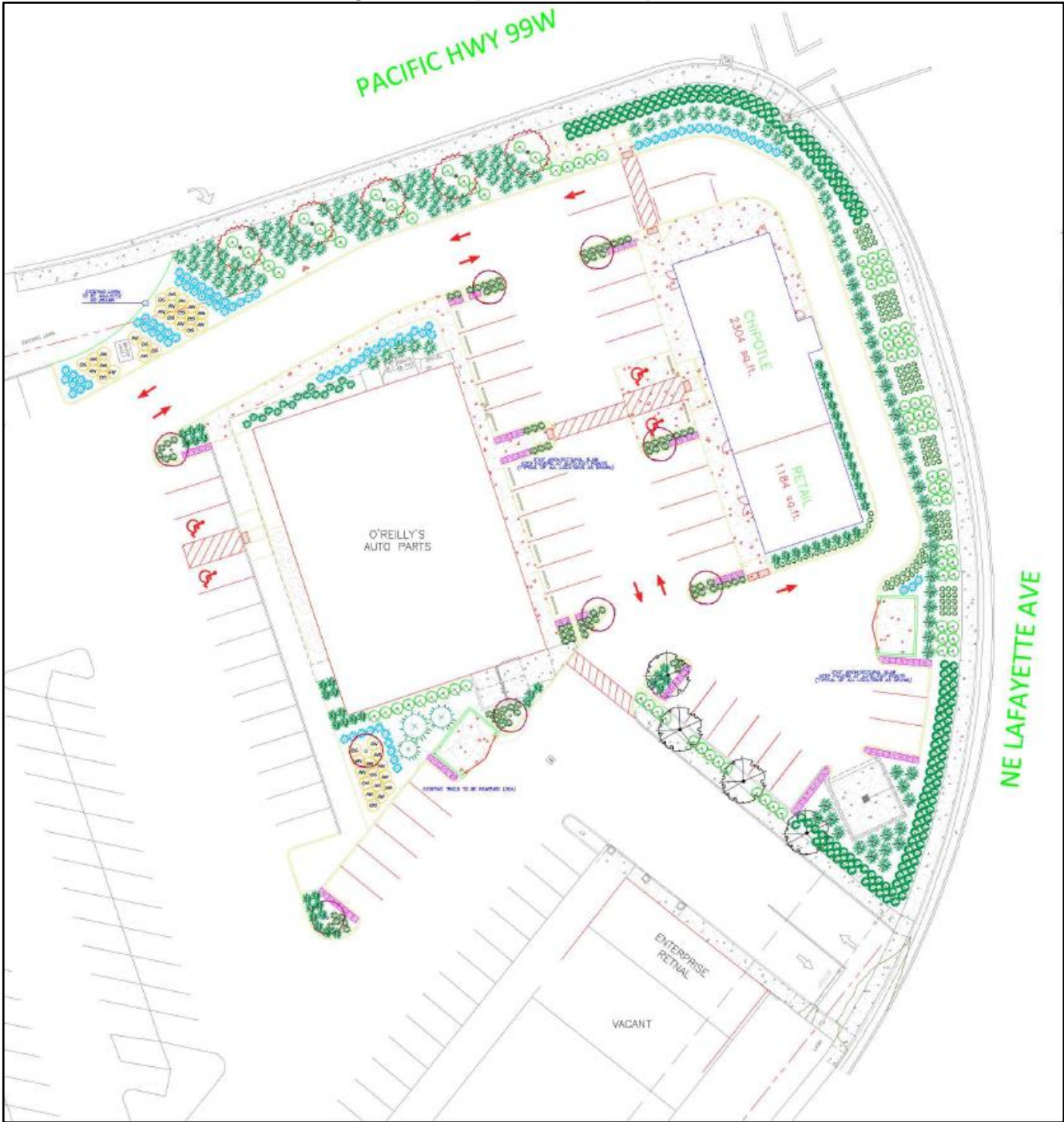
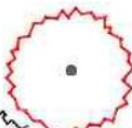


















Figure 6: Proposed Plant Schedule

## TREE LEGEND

ICON:	QTY:	BOTANICAL/ COMMON NAME / SIZE:
	5	FAGUS SYLVATICA 'DAWYCK PURPLE' / EUROPEAN BEECH 'DAWYCK PURPLE' / 1' GAL
	4	CARPINUS CAROLINA 'COSQU' / PALISADE AMERICAN HORNBEAM / 2' GAL
	9	STYRAX OBASSIA / FRAGRANT SNOWBELL / 2' GAL
	3	EXISTING TREE TO BE REMOVED
	3	CALOCEDRUS DECURRENS / WEEPING ALASKAN CEDAR / (3EA TOTAL) / SPACE AS DRAWN (1EA - 10'-12' HT.), (1EA - 7'-8' HT.), (1EA - 6'-7')

## SHRUB LEGEND

ICON:	QTY:	BOTANICAL/ COMMON NAME / SIZE / SPACING:
	156	PITTOSPORUM TODDIA / WHEELER'S DWARF JAPANESE MOCK ORANGE / 5 GAL
	88	MISCANTHUS SINENSIS 'MORNING LIGHT' / MAIDEN GRASS 'MORNING LIGHT' / 5 GAL / 5'-0" OC.
	43	S / HEBE PINGUIFOLIA 'SOUTHERLANDII' / SOUTHERN HEBE / 5 GAL / 5'-0" OC.
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	137	ELPHORDIA 'BLACKBIRD' / BLACK BIRD SPURGE / 1 GAL / 2'-0" OC.
	82	JUNIFERUS 'SQUAMATA' 'BLUE STAR' / BLUE STAR JUNIFER / 5 GAL / 3'-0" OC.
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	20	SPIRAEA X BIMALDA 'GOLDFLAME' / GOLDFLAME SPIREA / 2 GAL / 4'-0" OC.
	19	SPIRAEA X BIMALDA 'ANTHONY WATERER' / ANTHONY WATERER SPIREA / 2 GAL / 4'-0" OC.

**Summary of Criteria & Issues**

Decisions and/or recommendations for approval of the land use application is dependent upon whether or not the application meets 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.

The subject site is zoned C-3 (General Commercial) and subject to Large Format Commercial Development standards and guidelines. 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 Chapter 17.58 is applicable to existing trees on the site because the project is subject to Large Format Commercial Development Review. Criteria for removal of trees are described in Section 17.58.050.

**II. CONDITIONS:**

1. That the applicant shall install landscaping as shown on the landscape plan, Sheet L1 with revision date April 7, 2020, and shall comply with required conditions of approval.
2. That the landscape plan shall comply with all applicable conditions of approval of Large Format Commercial Development Review LFR 1-20. If the landscape plan is revised to reflect conditions of approval of LFR 1-20, the revised landscape plan shall be submitted to the Planning Department for review and approval.
3. That along the Lafayette Avenue frontage within the identified vision clearance area, all plant material shall have a mature height of 36 inches or less, or be continually maintained at 36 inches or less.
4. That the removal of the five (5) existing trees from the subject site is approved if, and only if, Large Format Commercial Development Review application LFR 1-20 is approved without the incorporation of the five (5) existing trees into the site plan.
5. That landscaping be provided around a third side of the two (2) trash and recycling enclosures shown on the landscape plan. 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.
6. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to any planting excavation to ensure that underground utilities are not damaged.
7. That the applicant is reminded that trees are not to be planted within:
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  - 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
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8. 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.

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**Attachments :**

Attachment 1 – Application and Attachments

9. 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.
10. That the applicant shall obtain a miscellaneous permit from the Oregon Department of Transportation District 3 office for the portion of the planting area that falls within Oregon Department of Transportation right-of-way. Please contact Nick Bielenberg (503-986-2876) for the permit.
11. That the landscaping in the area of the upcoming Oregon Department of Transportation pedestrian ramp improvement project at the southwest corner of the Highway 99W and Lafayette Avenue intersection be adjusted to accommodate the placement of pedestrian push buttons.

### **III. ATTACHMENTS:**

1. L 7-20 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 Public Works Department:

1. The proposed planting plan shows trees and shrubs along the Lafayette Avenue side of the property, in the right of way. Unfortunately, in looking at the intersection sight distance from the Enterprise access drive looking north, that vegetation will be in that sight triangle. The required intersection sight distance looking north would be 385' at 40 mph. The stopping sight distance at 40 mph is 305'. Based on these distances, no vegetation over 36" should be allowed along the Lafayette side of the property in that area. Currently, there is only turf as landscaping in that area, and I suspect that it is that way for this reason. I have attached a very rough sketch of the area, showing the sight stopping distance and noting the intersection sight distance.

As we discussed, on-site improvements such as the proposed garbage/recycle enclosure that could impact these sight distances should be relocated outside of that area.

2. The landscaping in the right of way along Highway 99 would be under ODOT jurisdiction, and the applicant should be required to obtain any necessary ODOT review, approvals and permits for that portion of the landscaping.
3. The remainder of the landscaping is outside of the public right of way, and thus outside of our purview.



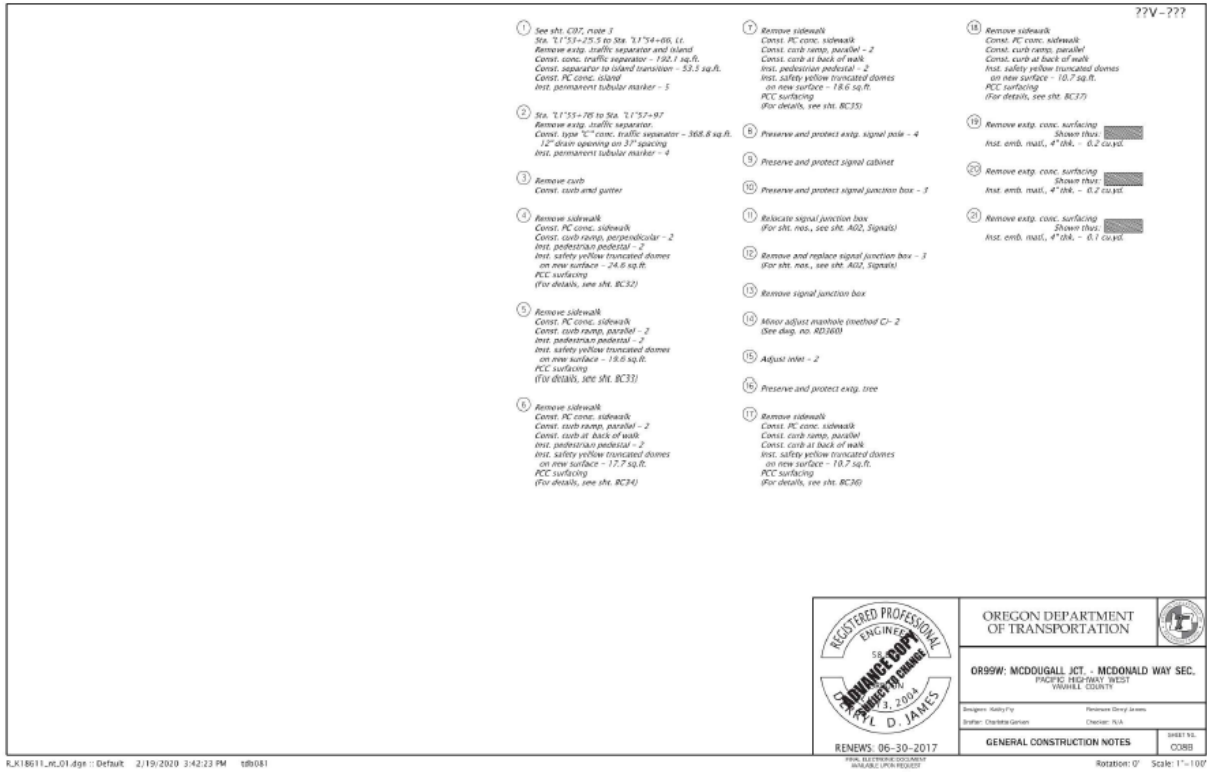
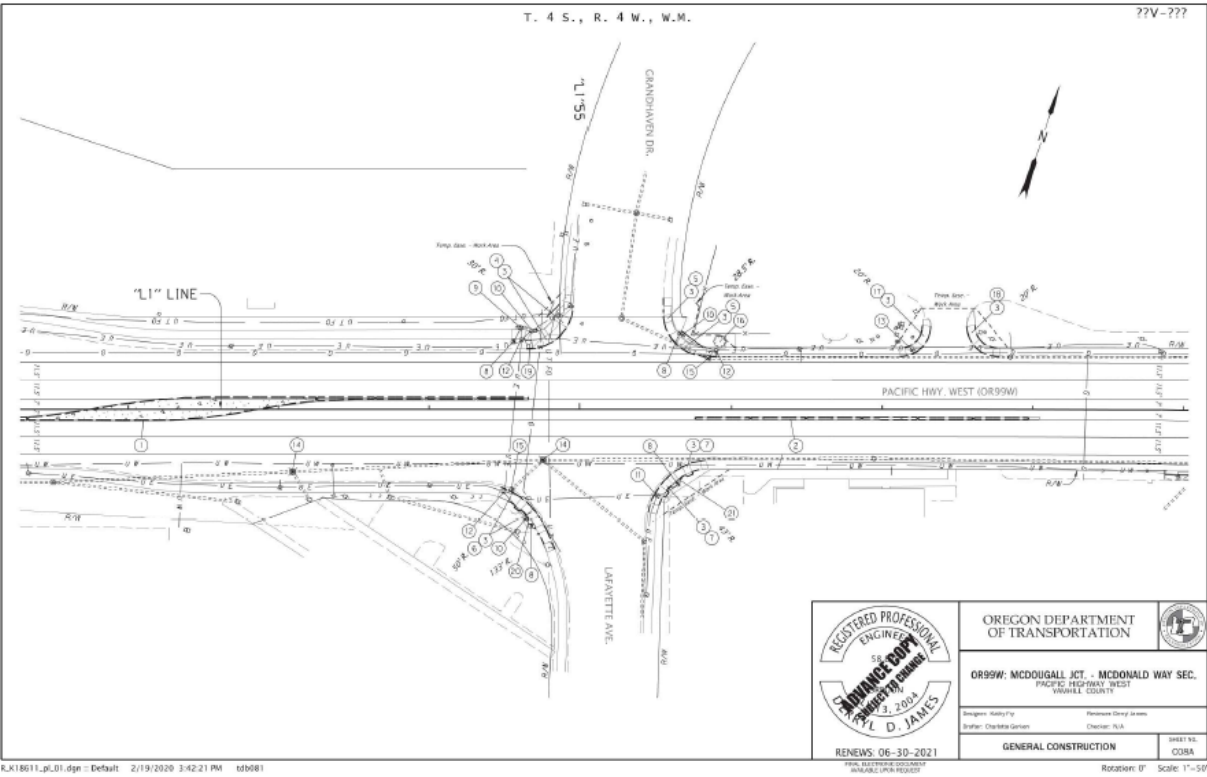


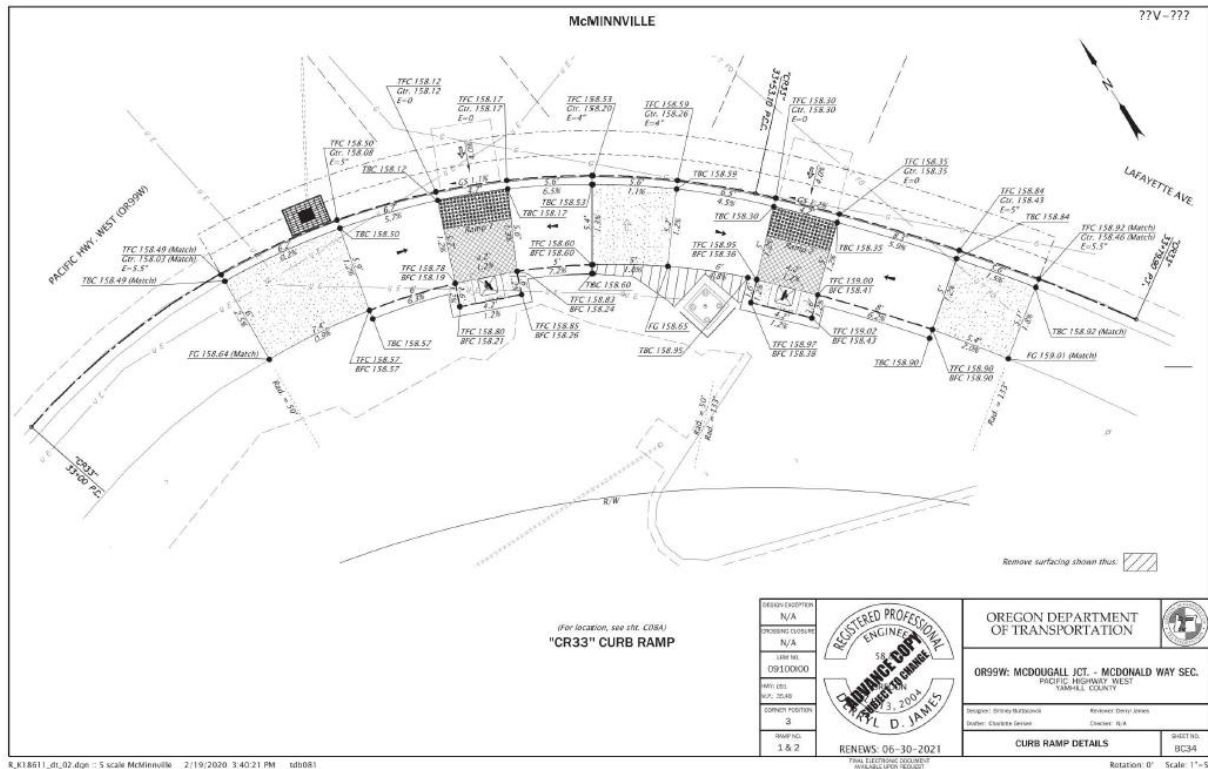
- Oregon Department of Transportation

- A portion of the planting area falls within ODOT right-of-way and will require a miscellaneous permit from the ODOT District 3 office. Please contact Nick Bielenberg (503-986-2876) for the permit. The attached plan sheets show the right-of-way line in relation to the back of the sidewalk.
- There is an upcoming ODOT project along OR-99W that will rebuild the ped ramp at this corner. It should go out to bid later this year. I've attached the plan sheets for this corner. Ped push buttons will be added behind the sidewalk which will interfere with the proposed landscape plan. Please adjust the design accordingly.
- ODOT doesn't have any issue with the remainder of the proposed landscape design, with the understanding that the portion of the design that falls within ODOT right-of-way could be altered after construction at ODOT's discretion. Generally ODOT will protect existing landscaping during construction, but space constraints might cause sections of the planting to be removed to accommodate construction needs.

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**Attachments :**

Attachment 1 – Application and Attachments





## 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 review by the Landscape Review Committee.

## V. FINDINGS OF FACT - PROCEDURAL FINDINGS

- A. Darren Dickerhoof, March Hare, LLC, property owner, submitted a landscape plan review application on March 3, 2020.
- B. The application was deemed complete on March 26, 2020.
- C. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department, McMinnville Water and Light, and Oregon Department of Transportation. Comments received from public agencies are addressed in the Decision Document.
- D. 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.
- E. A public meeting was held by the Landscape Review Committee on April 15, 2020 to review the application and proposed landscape plan.

## VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 0 NE Highway 99W (Tax Lot 100, Section 15BB, T. 4. S., R. 4 W., W.M.)

### Attachments:

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2. **Size:** Approximately 0.56 acres
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** None
8. **Other Features:** There are no significant or distinguishing natural features associated with this property.
9. **Utilities:**
  - a. **Water:** Water service is available to the subject site.
  - b. **Electric:** Power service is available to the subject site.
  - 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 Highway 99W and NE Lafayette Avenue. Highway 99W is identified as a major arterial in the McMinnville Transportation System Plan. Oregon Department of Transportation maintains jurisdiction over the Highway 99W right-of-way. The McMinnville Transportation System Plan identifies Lafayette Avenue as a minor arterial. Section 17.53.101 of the McMinnville Municipal Code identifies the right-of-way width and improvements for these classifications of streets.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable planning factors for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance. The applicable standards for Street Trees are specified in Section 17.58.090 of the Zoning Ordinance.

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

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

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

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

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

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

*Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of 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. 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 will enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. Conditions of approval have been included in the findings described in further detail below to ensure that the proposed planting meets necessary City standards and criteria, which will result in a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.

**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). Therefore, landscaping is required and the applicant has submitted a Landscape Plan for review and approval by the Landscape Review Committee.

**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 Percent Landscaped for the proposed First Federal Savings and Loan commercial development:

	Total Site Area (s.f.)	Landscape Provided (s.f.)	Percentage
Proposed Development	24,394	4,402	18%

The proposed landscaping of 18.0 percent 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.*

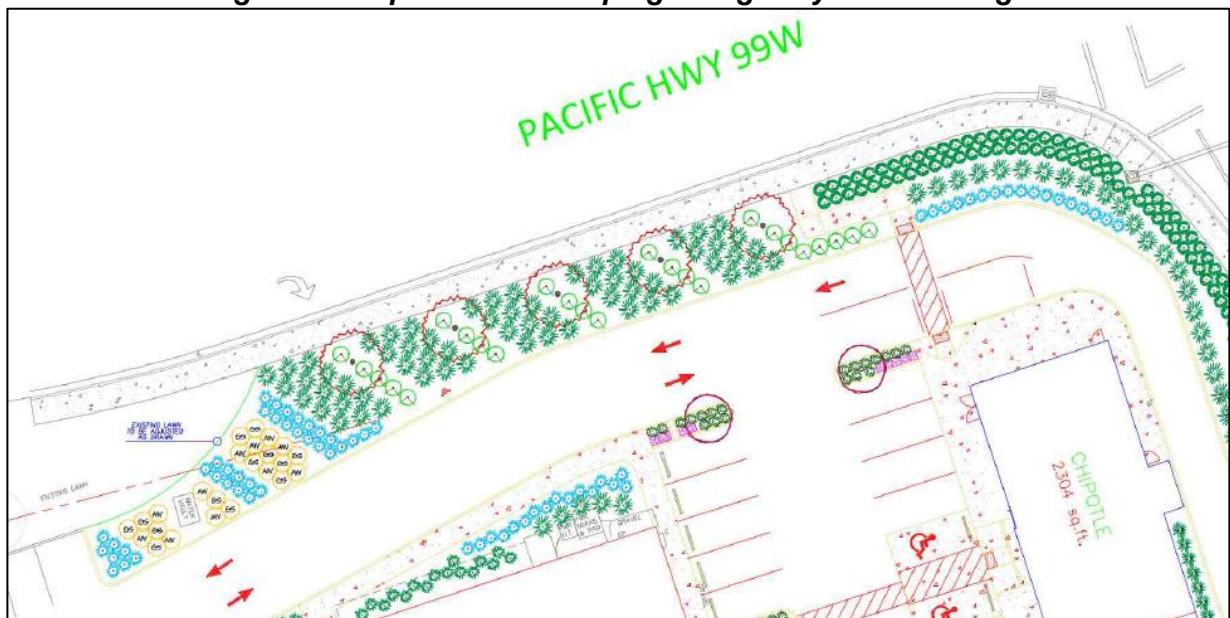
**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITIONS #2 AND #3.** The proposed project is the development of a new commercial building that would include a Chipotle restaurant with a drive-through lane, and a second commercial shop. The development is subject to McMinnville's Large Format Commercial Development standards and guidelines. The site plan features an approximately 3,500 square foot building in the northeast corner of the subject site. Off-street parking area throughout the remainder of the site accommodate approximately 24 vehicles, and a drive-through lane the restaurant is located around the perimeter of the site.

To the west and south of the subject site is the McMinnville Plaza commercial complex and off-street parking. Immediately west of the subject site is an auto parts store. East of the site across Lafayette Avenue is a commercial development that includes several restaurants. To the north, across Highway 99W, is the WinCo Foods and Wilco Farm Store commercial developments.

The landscape plan for the proposed development addresses landscaping for the entire site as well as some areas adjacent to the auto parts store where work from the proposed project disturbed the site. Landscaping is also proposed in the public rights-of way adjacent to the site.

**Figure 7: Proposed Landscaping at Highway 99W Frontage**



Landscaping is proposed along the Highway 99W frontage for the length of the site improvements. At the intersection of Highway 99W and Lafayette, masses of the evergreen shrubs *Pittosporum tobira* 'Wheeler's Dwarf' (Wheeler's Dwarf Japanese Mock Orange) and *Juniperus squamata* 'Blue Star' (Blue Star Juniper) ornamental grass *Miscanthus sinensis* 'Morning Light' (Morning Light Maiden Grass) are proposed. West of a proposed pedestrian walkway to the commercial building are alternating massings of the evergreen shrub *Euonymus japonicus* 'Silver King' (Silver King Euonymus), Morning Light Maiden Grass, Blue Star Juniper, and deciduous flowering shrubs *Spiraea x bumaldii* 'Goldflame' and 'Anthony Waterer' (Anthony Water Spirea and Goldflame Spirea). Within the *Euonymus* plantings are five (5) *Fagus*

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*sylvatica* 'Dawyck Purple' (Dawyck Purple European Beech) trees, spaced approximately 25 feet apart. Dawyck Purple European Beech grow approximately 50 feet tall and 10 feet wide.

**Figure 8: Proposed Landscaping at Lafayette Avenue Frontage**



Along the Lafayette Avenue frontage, masses of Wheeler's Dwarf Japanese Mock Orange, which grows to approximately 24 to 36 inches tall, are found near the Lafayette Avenue/Highway 99W intersection and the entrance to the commercial center. In between, alternating groups of Silver King Euonymus, which grows to approximately six feet tall, and *Euphorbia purpurea* 'Blackbird' (Blackbird Spurge), which grows to approximately 18 to 24 inches tall, are proposed. Along the drive-through aisle, *Hebe pinguifolia* 'Southerlandii' (Southerlandii Hebe), which grows to 18 inches tall, is proposed. To maintain clear vision clearance between the driveway exit from the commercial complex and Lafayette Avenue towards the intersection at Highway 99W, a maximum height limit for plant material of 36 inches is recommended for the clear vision area. Therefore, a condition of approval is included to require that along the Lafayette Avenue frontage within the identified vision clearance area, all plant material shall have a mature height of 36 inches or less, or be continually maintained at 36 inches or less.

**Figure 8: Proposed Interior Landscaping at Parking Areas and Structures**



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Landscaping is proposed at the southeast corner of the proposed building and in parking lot islands spaced throughout off-street parking areas. In the southwest corner along the drive-through aisle, ornamental grass *Calamagrostis x acutiflora* 'Karl Foerster' (Karl Foerster Feather Reed Grass) and Blackbird Spurge are proposed.

The parking lot islands between the proposed commercial building and the O'Reilly's Auto Parts store are planted with the ornamental grass *Carex testacea* (Orange New Zealand Sedge), a low ornamental grass. *Styrax obassia* (Fragrant Snowbell) trees are proposed in five (5) islands. A planting area which is divided by a pedestrian walkway is not proposed to have a tree. The Large Format Commercial Development standards and guidelines provide guidance for the location and planting requirements for planting islands in off-street parking areas. Because the proposed development is subject to Large Format Commercial Development Review, a condition of approval is included to ensure that the landscaping shall comply with conditions of approval of Large Format Commercial Development Review LFR 1-20.

North and south of the existing O'Reilly's Auto Parts Store, new landscape areas are proposed where site infrastructure to accommodate the proposed development has impacted the O'Reilly's site. North of the auto parts store, a new two way drive aisle, pedestrian walkway, and utilities are being installed. In a landscape area between the walkway and existing building, Blue Star Juniper, Morning Light Maiden Grass, and another ornamental grass *Pennisetum alopecuroides* 'Cassian' (Cassian Dwarf Fountain Grass) are proposed. A new planting island separating existing parking front the new drive aisle is consistent with other proposed islands, with Orange New Zealand Sedge, a Fragrant Snowbell tree, and Karl Foerster Feather Reed Grass. South of the store, an existing planting and parking area is the site of a relocated trash enclosure. To accommodate the trash enclosure, three (3) small existing deciduous trees are proposed for removal. In their place, two (2) deciduous Fragrant Snowbell trees and three (3) evergreen *Calocedrus decurrens* (Weeping Alaska Cedar) trees are proposed. Other deciduous and evergreen shrubs and ornamental grasses consistent with those found elsewhere on the site are proposed. A new parking lot planting island would have Orange New Zealand Sedge, a Fragrant Snowbell tree, and Karl Foerster Feather Reed Grass to match the other island west of O'Reilly's.

New planting is proposed along the walkway adjacent to the entry drive leading from Lafayette Avenue to the interior of the commercial site. Proposed plantings are Silver King Euonymus, and four (4) *Carpinus caroliniana* 'CCSQU' (Palisade American Hornbeam) trees. Palisade American Hornbeams grow to 30 feet tall and 10 feet wide.

With the addition of conditions of approval, the landscape plan is compatible with the proposed project, and with surrounding and abutting properties and uses thereon.

**CONDITION FOR FINDING:** That along the Lafayette Avenue frontage within the identified vision clearance area, all plant material must have a mature height of 36 inches or less, or be continually maintained at 36 inches or less.

That the landscape plan shall comply with all applicable conditions of approval of Large Format Commercial Development Review LFR 1-20. If the landscape plan is revised to reflect conditions of approval of LFR 1-20, the revised landscape plan shall be submitted to the Planning Department for review and approval.

**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 proposed use, a commercial development with a drive-through restaurant and a retail shop, is consistent and compatible with the uses on all surrounding properties, which are also commercially developed. Substantial screening between incompatible land uses is not applicable for this development. The building, located in the northeast corner of the site adjacent to Highway 99W and Lafayette Avenue, would be screened and buffered by the proposed trees and landscaping along the adjacent street frontages. The combination of shade trees plantings within the parking lot islands as described above will help provide screening and buffering of the parking areas, while reducing the harmful effects of heat, noise and glare associated with motor vehicle use.

**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.** The subject site has large existing paved areas used as off-street parking areas and does not have significant existing natural areas within it. There are five (5) existing small, deciduous trees on the site and three (3) small deciduous trees adjacent to O'Reilly's Auto Parts that are not proposed to be retained, due to the configuration of the proposed development and site infrastructure. Due to the location and extent of the proposed building, off-street parking, and drive aisles, retention of the five (5) trees does not appear feasible.

**Figure 9: Existing Trees**



**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.** As described above, the off-street parking areas feature landscape areas around the perimeter of the lots, with parking lot islands used as endcaps to separate parking bays from drive aisles, and interior islands to break up parking parking areas. The landscape areas and parking lot islands are planted with a combination of deciduous trees and ornamental

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grasses to break up the parking lot and help mitigate the harmful effects of heat, noise and glare associated with motor vehicle use.

**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.** The landscape plan indicates that street trees are not proposed with the public rights-of way adjacent to the subject site. Dawyck Purple European Beech trees proposed along the Highway 99W frontage are on private property, but essentially function as street trees. The characteristics of the variety are similar to with *Fagus sylvatica 'Fastigiata'* (Fastigate Beech) a recommended medium street tree on the McMinnville Street Tree List. Trees proposed within and adjacent to the parking lot areas include *Styrax obassia* (Fragrant Snowbell). This species is not on the prohibited street tree list or exhibit the undesirable characteristics of the certain trees prohibited in parking areas.

**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 landscape plan indicates that an automatic irrigation system will be provided to all landscaping within the site along the Highway 99W and Lafayette Avenue frontages.

#### CONSTRUCTION NOTES:

IRRIGATION: THE CURRENT SITE HAS AUTOMATIC IRRIGATION AND MAINLINE THROUGHOUT THE PROPERTY AND TO THE CURRENT O'REILLY'S AUTO PARTS LOCATION. THE EXPANSION INTO THE NEW DEVELOPMENT AREA CHIPOTLE AND RETAIL BUILDING AS WELL AS THE ADJACENT STREETSCAPE ALONG 99W AND NE LAFAYETTE AVE DOES NOT HAVE IRRIGATION MAINLINE OR CONTROL WIRES AVAILABLE. NEW MAINLINE, CONTROL WIRES, UNDER PAVEMENT SLEEVING AND CONTROLLER WILL NEED TO BE INSTALLED AS PART OF THIS EXPANSION. INSTALLATION CONTRACTOR NEEDS TO PROVIDE A DESIGN BUILD IRRIGATION PLAN PRIOR TO CONSTRUCTION. COORDINATE THE LOCATION OF IRRIGATION MAINLINE, SLEEVING AND CONTROLLER WITH THE GENERAL CONTRACTOR AS TO ENSURE POWER IS SUPPLIED TO THE PROPER LOCATION FOR THE CONTROLLER AND SLEEVING IS INSTALLED PRIOR TO PAVING.

**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 #9.** 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.

**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**

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

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- 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.** Five (5) existing deciduous trees are present on the subject site, and the development is undergoing development review through the Large Format Commercial Development Review process. Therefore, the provisions of Chapter 17.58 apply to the five (5) existing trees on site.

**17.58.040 Tree Removal/Replacement.**

- 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. [...]

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The provisions of Chapter 17.58 apply to the five (5) existing trees on site, therefore City approval is required for the removal of the five (5) trees.

**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:** None.

**FINDING: SATISFIED WITH CONDITION #4.** The proposed development and site plan are subject to Large Format Commercial Development Review, and an application for the review has been submitted. If the Large Format Commercial Development Review application (LFR 1-20) is approved, then criterion "C" would be satisfied. The removal of the five (5) trees would be part of an approved development project. Therefore, a condition of approval is included to approve the removal of the five (5) existing trees if, and only if, Large Format Commercial Development Review application LFR 1-20 is approved without the incorporation of the five (5) existing trees into the site plan.

**CONDITION FOR FINDING:** That the removal of the five (5) existing trees from the subject site is approved if, and only if, Large Format Commercial Development Review application LFR 1-20 is approved without the incorporation of the five (5) existing trees into the site plan.

**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.** The proposed development is a new commercial development that includes parking lots fronting on a public roadway. However, there are no designated curb-side



planting strips or planting islands along Highway 99W or Lafayette Avenue adjacent to the subject site. Street trees are not required.

### **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 #5.** The trash and recycling enclosure for the proposed commercial development is adjacent to and visible from the Lafayette Avenue right-of-way. The landscape plan indicates landscaping is proposed on two (2) sides of the trash enclosure. The trash enclosure relocated south of the O'Reilly Auto Parts store is located at the end of the entrance/exit drive from Lafayette Avenue, and is visible from the right-of-way. The landscape plan indicates landscaping is proposed on two (2) sides of the trash enclosure. Therefore, a condition of approval is included to require landscaping be provided around a third side of the two (2) trash and recycling enclosures shown on the landscape plan. 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 two (2) trash and recycling enclosures shown on the landscape plan. 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](http://www.mcminnvilleoregon.gov)

**Office Use Only:**

File No. L 7-20  
 Date Received 3-3-2020  
 Fee 801.50  
 Receipt No. 202039  
 Received by SP

## Landscape Plan Review Application

**Applicant Information**

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

Applicant Name DARREN DICKERHOOF Phone 541 740-8610

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

Address P.O. BOX 1800

City, State, Zip CORVALLIS, OR 97339

Contact Email DARREN@DICKERHOOF.COM

**Property Owner Information**

Property Owner Name MARCH HARE, LLC Phone 541 740-8610  
 (If different than above)

Contact Name DARREN DICKERHOOF Phone \_\_\_\_\_

Address P.O. BOX 1800

City, State, Zip CORVALLIS, OR 97339

Contact Email DARREN@DICKERHOOF.COM

**Site Location and Description**

(If metes and bounds description, indicate on separate sheet) LOT EAST OF O'REILLY'S

Property Address ONE HIGHWAY 99W McMinnville, OR 97128

Assessor Map No. R4 415-BB-00100 Total Site Area .56 ACRES

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

Comprehensive Plan Designation \_\_\_\_\_ Zoning Designation \_\_\_\_\_

PROPERTY TAX BILL ATTACHED

### Landscaping Information

1. Total Landscaped Area: 4,402 SF
2. Percent Landscaped: 18.05%
3. Building Floor Area:  
New Structure: 3,488 Existing Structure:                      Addition:
4. Architect Name PACIFIC LANDSCAPE MANAGEMENT Phone 503-648-3900  
(Landscape Architect, Engineer, or Other Designer)  
Contact Name GLENN ARMSTRONG Phone 503-621-7530  
Address 7997 NE WALKER RD.  
City, State, Zip HILLS BORO, OR 97124  
Contact Email GLENN.ARMSTRONG@PACSCAPE.COM

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

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

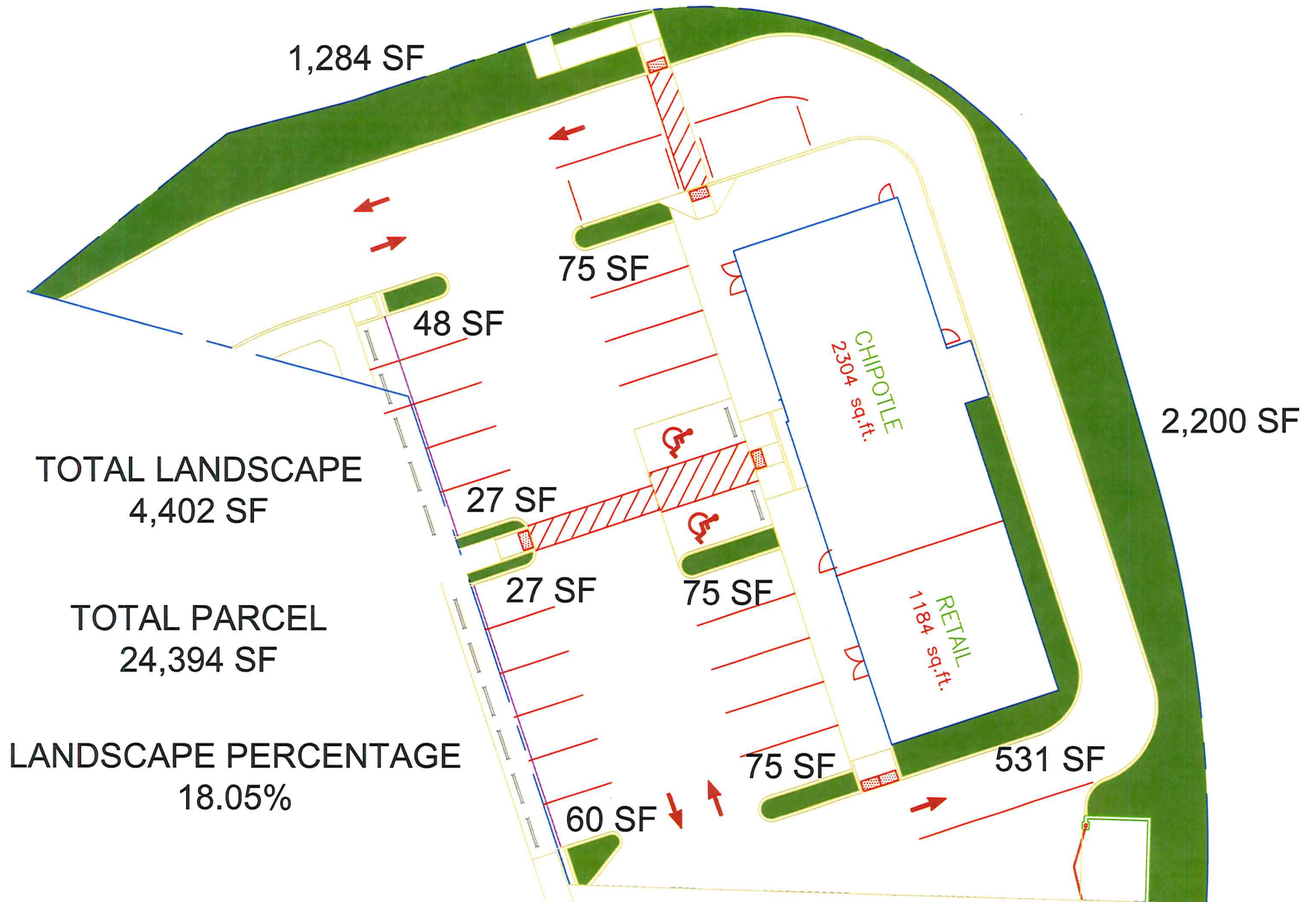
**I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.**

  
Applicant's Signature

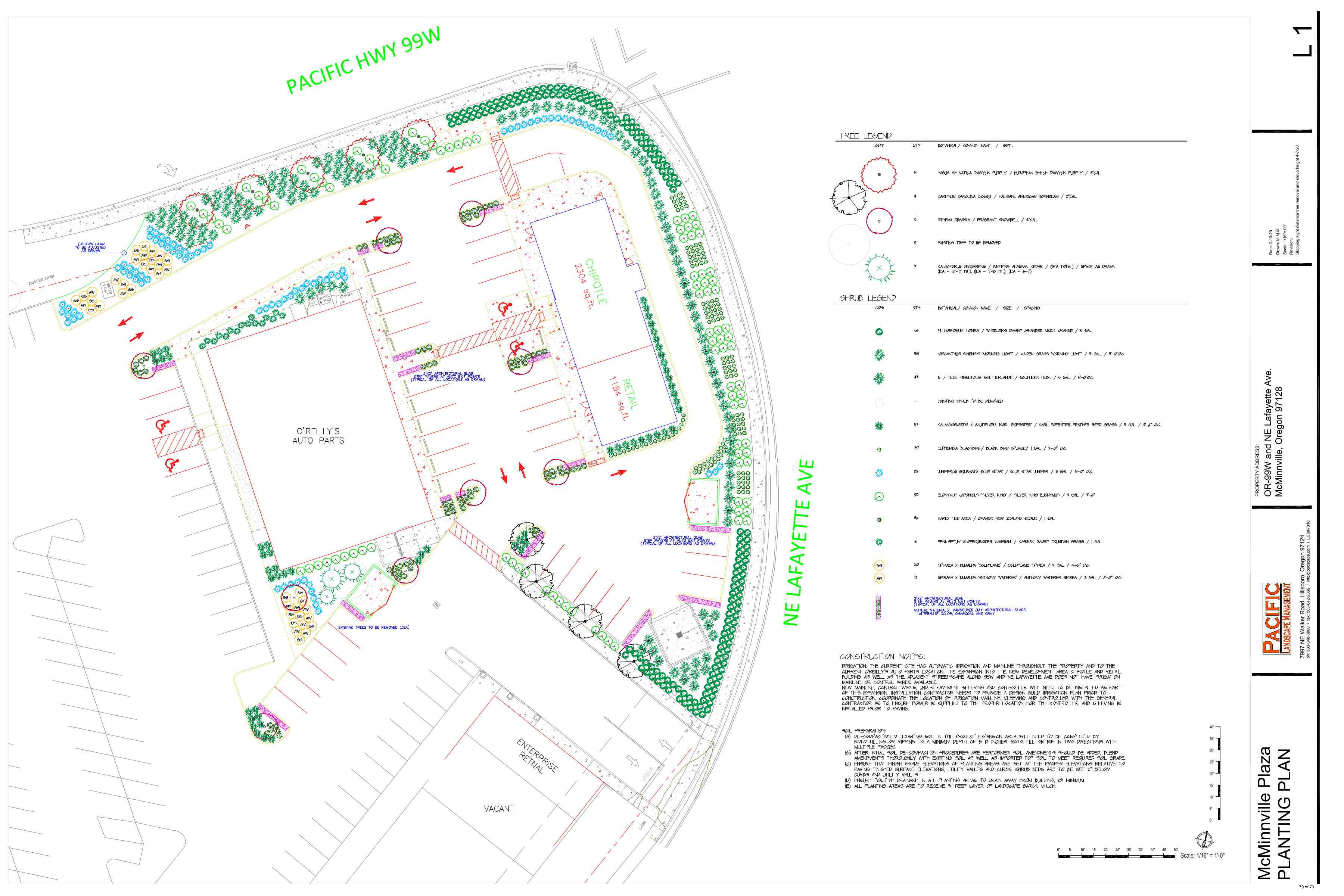
3-3-2020  
Date

  
Property Owner's Signature

3-3-2020  
Date







PACIFIC HWY 99W

NE LAFAYETTE AVE

TREE LEGEND

ICON	QTY	BOTANICAL / COMMON NAME / SIZE
	5	PAULUS SYLVATICA 'DAWYCK PURPLE' / EUROPEAN BEECH 'DAWYCK PURPLE' / 2" CAL.
	4	CARPINUS CAROLINA 'COSQU' / PALISADE AMERICAN HORSEBEAM / 2" CAL.
	9	STYRAX DAWYCK / FRAGRANT SNOWBELL / 2" CAL.
	3	EXISTING TREE TO BE REMOVED
	3	CALOCEDRUS DECAURENS / WEeping ALASKAN CEDAR / (SEA TOTAL) / SPACE AS DRAWN (SEA - 12'-15' HT.), (SEA - 7'-8' HT.), (SEA - 6'-7')

SHRUB LEGEND

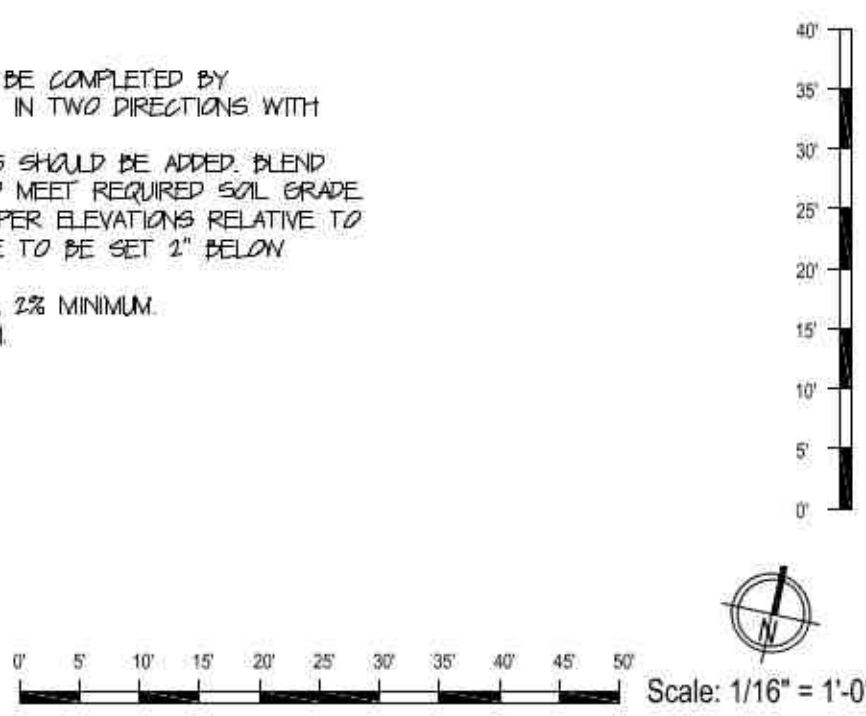
ICON	QTY	BOTANICAL / COMMON NAME / SIZE / SPACING
	154	PITTOSPORUM TORBIA / WHEELERS DWARF JAPANESE MOCK ORANGE / 5 GAL.
	88	MISCANTHUS GINENSIS 'MORNING LIGHT' / MAIDEN GRASS 'MORNING LIGHT' / 5 GAL. / 5'-0" OC.
	43	S / HEDE PENSILVANIA 'SOUTHERLANDI' / SOUTHERN HEDE / 5 GAL. / 5'-0" OC.
	-	EXISTING SHRUB TO BE REMOVED
	57	CALAMAGROSTIS X AQUILIFLORA KARL FORSTERER / KARL FORSTERER FEATHER REED GRASS / 5 GAL. / 3'-0" OC.
	187	ELDERONIA BLACKBERRY / BLACK BIRD SPURGE / 1 GAL. / 2'-0" OC.
	82	JUNIPERUS SQUAMATA BLUE STAR / BLUE STAR JUNIPER / 5 GAL. / 4'-0" OC.
	23	ELONANUS JAPONICUS 'SILVER KING' / SILVER KING ELONANUS / 5 GAL. / 3'-0"
	26	CAREX TESTACEA / ORANGE NEW ZEALAND SEDGE / 1 GAL.
	16	PERNETETUM ALOPECUROIDES 'CASSIAN' / CASSIAN DWARF FOUNTAIN GRASS / 1 GAL.
	20	SPIRAEA X DUMALDA 'GOLDPLANE' / GOLDPLANE SPIREA / 2 GAL. / 4'-0" OC.
	10	SPIRAEA X DUMALDA 'ANTHONY WATERER' / ANTHONY WATERER SPIREA / 2 GAL. / 4'-0" OC.
		2" X 2" ARCHITECTURAL SLAB POINTS (TYPICAL OF ALL LOCATIONS AS DRAWN) - ALTERNATE COLORS: VANCOUVER BAY ARCHITECTURAL SLABS - ALTERNATE COLORS: CHARCOAL AND GRAY

CONSTRUCTION NOTES:

IRRIGATION: THE CURRENT SITE HAS AUTOMATIC IRRIGATION AND MAINLINE THROUGHOUT THE PROPERTY AND TO THE CURRENT O'REILLY'S AUTO PARTS LOCATION. THE EXPANSION INTO THE NEW DEVELOPMENT AREA CHIPOTILE AND RETAIL BUILDING AS WELL AS THE ADJACENT STREETSCAPE ALONG 99W AND NE LAFAYETTE AVE DOES NOT HAVE IRRIGATION MAINLINE OR CONTROL WIRES AVAILABLE. NEW MAINLINE, CONTROL WIRES, UNDER PAVEMENT SLEEVING AND CONTROLLER WILL NEED TO BE INSTALLED AS PART OF THIS EXPANSION. INSTALLATION CONTRACTOR NEEDS TO PROVIDE A DESIGN BUILD IRRIGATION PLAN PRIOR TO CONSTRUCTION. COORDINATE THE LOCATION OF IRRIGATION MAINLINE, SLEEVING AND CONTROLLER WITH THE GENERAL CONTRACTOR AS TO ENSURE POWER IS SUPPLIED TO THE PROPER LOCATION FOR THE CONTROLLER AND SLEEVING IS INSTALLED PRIOR TO PAVING.

SOIL PREPARATION:

- (A) DE-COMPACTING OF EXISTING SOIL IN THE PROJECT EXPANSION AREA WILL NEED TO BE COMPLETED BY ROTOTILLING OR RIPPING TO A MINIMUM DEPTH OF 8-12 INCHES. ROTOTILL OR RIP IN TWO DIRECTIONS WITH MULTIPLE PASSES.
- (B) AFTER INITIAL SOIL DE-COMPACTION PROCEDURES ARE PERFORMED, SOIL AMENDMENTS SHOULD BE ADDED, BLEND AMENDMENTS THOROUGHLY WITH EXISTING SOIL AS WELL AS IMPORTED TOP SOIL TO MEET REQUIRED SOIL GRADE.
- (C) ENSURE THAT FINISH GRADE ELEVATIONS OF PLANTING AREAS ARE SET AT THE PROPER ELEVATIONS RELATIVE TO FINISH FINISHED SURFACE ELEVATIONS, UTILITY VAULTS AND CURBS. SHRUB BEDS ARE TO BE SET 2" BELOW CURBS AND UTILITY VAULTS.
- (D) ENSURE POSITIVE DRAINAGE IN ALL PLANTING AREAS TO DRAIN AWAY FROM BUILDING, 2% MINIMUM.
- (E) ALL PLANTING AREAS ARE TO RECEIVE 3" DEEP LAYER OF LANDSCAPE DARK MULCH.



McMinnville Plaza  
PLANTING PLAN

PROPERTY ADDRESS:  
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Date: 2-19-20  
Drawn: M.M.M.  
Scale: 1/16"=1'-0"  
Revision:  
Stopping sight distance tree removal and shrub height 4-7-20