



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

www.mcminnvilleoregon.gov

**Landscape Review Committee
ZOOM Online Meeting
October 21, 2020 - 12:00 PM**

*Please note that this meeting will be conducted via
ZOOM meeting software due to the COVID-19 event.*

Join ZOOM Meeting online via the following link:

<https://mcminnvilleoregon.zoom.us/j/518962842?pwd=aEdRd2JjaThJSVNXdndKcHJyb0hiZz09>

Meeting ID: 518 962 842

Passcode: 694642

Or join ZOOM Meeting by phone via the following number: 1-669-900-9128

Committee Members	Agenda Items
Rob Stephenson Chair	1. Call to Order
Sharon Gunter Vice-Chair	2. Citizen Comments
Josh Kearns	3. Approval of Minutes
Tim McDaniel	A. May 12, 2020 (Exhibit 1)
John Hall	B. May 20, 2020 (Exhibit 2)
	4. Action Items
	A. L 31-20 – Landscape Plan Review (Exhibit 3) Valley's Edge Phase V Subdivision – Street Tree Plan
	B. L 34-20 – Landscape Plan Review (Exhibit 4) 1500 SW Baker Street – Auntie Linda's Car Sales
	C. L 33-20 – Street Tree Removal (Exhibit 5) 210 SE Davis Street
	D. L 21-18 – Landscape Plan Review (Exhibit 6) 1819 NE Baker Street
	E. L 30-20 – Landscape Plan Review (Exhibit 7) 225 NE Norton Lane – McDonald's
	5. Discussion Items
	6. Old/New Business
	7. Committee Member Comments

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

*Please note that these documents are also on the City's website, www.mcminnvilleoregon.gov. You may also request a copy from the Planning Department.

	8. Staff Comments 9. Adjournment
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EXHIBIT 1 - MINUTES

May 12, 2020
Landscape Review Committee
Regular Meeting

12:00 pm
ZOOM Meeting
McMinnville, Oregon

Members Present: John Hall, Sharon Gunter, Josh Kearns, Tim McDaniel, and Rob Stephenson

Members Absent:

Staff Present: Jamie Fleckenstein - Associate Planner

Guests Present: Zack Geary – City Councilor, Andrew Burton and Lisa Patton

1. Call to Order

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

2. Citizen Comments

None

3. Approval of Minutes

None

4. Action/Docket Item (repeat if necessary)

A. L 13-19 – Landscape Plan Review - 1025 NE 1st Street – Multi-Family Residential Development

Associate Planner Fleckenstein reviewed the landscape plan for a new 16 unit apartment building on NE 1st Street between Kirby and Johnson. The apartment building would be on the southern half of the property and had a zero lot line setback. The other half of the property would be parking and a trash and recycling enclosure. The landscaping proposed met the percentage requirements. It was generally focused along the building entrances where there would be Otto Luyken, Laurel, Nandina, and Snowgoose Cherry trees in a repeating pattern. That pattern would also wrap around the corner into the right-of-way with the exception of the trees. There would be private courtyard space on the backsides of the apartment units and Weigela was proposed for the space between the sidewalk and the courtyards. Around the parking lot there would be Emerald Green Arborvitae to provide screening to the residential properties to the north. It would also be on the east and west sides of the parking lot to provide screening as well. Street trees were proposed around the property. The applicant planned to put in Japanese tree lilac which was not on the approved street tree list, but it

was a tree that had been approved by the Committee for use as a street tree previously. He listed the conditions staff was recommending for the application. The first was for the screening with the evergreen hedge as proposed. The second was no plant exceeding three feet would be allowed in the clear vision areas. There was adequate screening and there were parking lot islands proposed with plantings. The third condition would approve the Japanese tree lilac for the street trees. The fourth condition required spacing the street trees at no more than 20 feet apart. There would be automatic irrigation provided to all of the landscape areas.

Chair Stephenson asked how big the Japanese tree lilacs would be when they were put in. Associate Planner Fleckenstein said they would be a 2 inch caliper.

Chair Stephenson asked if they would be hit by the trucks going up and down 1st Street. Associate Planner Fleckenstein did not think it would be different from any other street tree. These were wide planter strips and there was more room to accommodate street trees.

Chair Stephenson asked what the ground cover for the trees would be.

Andrew Burton, applicant, indicated it would be barkdust. No other plants would be planted there.

Chair Stephenson said for the front planter by the building, the windows were low and some varieties of Weigela got up to 8 feet tall. Associate Planner Fleckenstein said there was a dwarf variety that could be used.

Committee Member Kearns asked if the trees next to the entrances met the criteria for the clear vision triangle. Associate Planner Fleckenstein did not think they would impact the area, but they could be moved to the south.

Committee Member Hall thought the plan was poor quality. It was not drawn to scale and the full name of the species and varieties were not included. He asked if they could require applications to include those in the future. He was disappointed with the barkdust going in on a high visibility area like 1st street.

Associate Planner Fleckenstein thought staff could look into making it a requirement.

Councilor Geary agreed a hand drawn sketch was not reliable enough and did not give enough information to base an important decision on.

Committee Member Hall suggested adding a groundcover instead of the barkdust as the barkdust would become an eyesore.

Committee Member McDaniel thought the roots would be seen on top of the soil as the barkdust washed away.

Committee Member Kearns asked if the criteria required a groundcover.

Associate Planner Fleckenstein said there was no criterion for groundcover, but one of the review factors was looking at the compatibility with the surrounding properties and in neighborhoods like this where street trees were usually in turf or some other groundcover.

Committee Member Kearns asked if there was another alternative, such as river rock, for this high traffic area.

Committee Member McDaniel thought they needed something that could abate sound and mud.

Mr. Burton thought they could put sod in those strips.

There was consensus for sod to replace the barkdust. Associate Planner Fleckenstein would add that as a condition.

Councilor Geary asked if there was space for the evergreen shrubs to be planted along the north edge of the property. Mr. Burton said there was space as the paving company needed to trim the over-paving that was done and there would be a curb installed and dirt.

Committee Member Kearns asked if the small tree list required 2 inch or 1.5 inch caliper trees. Associate Planner Fleckenstein responded the standard for all street trees was 2 inch caliper.

Committee Member Kearns did not think they could find Japanese tree lilac in 2 inch caliper. Associate Planner Fleckenstein said if 2 inch calipers were not available, staff would allow a smaller caliper.

There was discussion regarding the clear vision area and if the street trees needed to be moved. Associate Planner Fleckenstein said Public Works reviewed the application and did not find a conflict with the trees and clear vision area.

There was consensus for the applicant to plant one tree in the center of the northern planter strip on Kirby.

Committee Member Kearns moved to approve L 13-19 with the conditions recommended by staff and the additional conditions regarding sod in the planter strip below the street trees to replace the barkdust, the Weigela should be a dwarf variety, and one street tree would be planted in the center of the northern planter strip on Kirby. The motion was seconded by Committee Member McDaniel and passed 5-0.

C. L 9-20 – Landscape Plan Review - 2623 NW Mt. Hood Drive

Associate Planner Fleckenstein said this was a request to remove six street trees on Mt. Hood Drive and Hillcrest Street. The trees were buckling the sidewalks and lifting the panels. The trees were improperly planted as they were too shallow and high which led to surface rooting in the planter strip and causing damage. Staff recommended approval of the removal and replacement of the trees. There was no approved street tree plan for this area and the applicant would select a tree from the medium street tree list for the replacements.

Committee Member Gunter moved to approve L 9-20. The motion was seconded by Committee Member Kearns and passed 5-0.

B. L 8-20 – Street Tree Removal - 2630 NW Mt. Hood Drive

Associate Planner Fleckenstein said this was a request to remove three street trees, one on Mt. Hood Drive and two on Hillcrest Street, directly across from the application that was just approved. They were exhibiting surface rooting that was impacting the adjacent sidewalks which was causing a trip hazard. The tree on Mt. Hood Drive was too close to the water meter and a replacement tree was not recommended. Staff did recommend replacement of the two trees on Hillcrest.

Committee Member Gunter moved to approve L 8-20. The motion was seconded by Committee Member Hall and passed 5-0.

5. Discussion Items

Chair Stephenson asked if they wanted to add a requirement for applicants to submit better quality plans. There was consensus to add that requirement. Staff would work on crafting the language and looking at what other cities did as best practices.

Councilor Geary suggested staff bring back the full list of code changes to a Work Session to review the items on the list.

6. Old/New Business

None

7. Committee/Commissioner Comments

None

8. Staff Comments

None

9. Adjournment

Chair Stephenson adjourned the meeting at 1:00 p.m.



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EXHIBIT 2 - MINUTES

May 20, 2020
Landscape Review Committee
Regular Meeting

12:00 pm
ZOOM Meeting
McMinnville, Oregon

Members Present: John Hall, Sharon Gunter, Josh Kearns, and Rob Stephenson
Members Absent: Tim McDaniel
Staff Present: Jamie Fleckenstein - Associate Planner
Guests Present: Scott Hill – Mayor, Kellie Menke – City Councilor, Grace Allen and Chae Pak

1. Call to Order

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

2. Citizen Comments

None

3. Approval of Minutes

None

4. Action/Docket Item (repeat if necessary)

A. L 5-20 – Landscape Plan Review - 1031/1039 NE Lafayette Avenue – Granary Row

Associate Planner Fleckenstein described the Granary Row project. It was a new commercial development on Lafayette Avenue that would house four micro restaurants with public seating and dining space that was shared among the restaurants. It was in the NE Gateway District which was targeted to a pedestrian friendly environment. This was the first development under the Gateway District guidelines in this area and it would be the trendsetter for the neighborhood and spur other developments. The buildings were supposed to be close to the street to encourage the pedestrian interface. The landscaping in the front of the building was limited to the right-of-way due to the outdoor dining space and covered pergola to provide shelter for the outdoor space. There would be street trees and planters on Lafayette Avenue to provide screening and buffering. There would be a driveway along the side of the building that led to a multi-functional area that could be used as both a parking area and outdoor event space. The landscaping around the perimeter of the parking lot was against the north side of the building in raised concrete planters. Around the parking area would

be lawn with three trees along the property line and some planters similar to what was on Lafayette to screen the parking stalls. The planters would be movable to accommodate any outdoor events. Staff recommended approval with conditions. One condition had to do with removing the street tree located closest to the driveway access due to concerns about obstructing clear vision. Another condition was to move the planters that were immediately next to the curb on Lafayette back to be in line with the posts of the pergola. That raised an issue with the NE Gateway District standards that required landscaping between the front building line of the building and the public right-of-way. There was a condition that limited the height of the landscaping to 3 feet or less to maintain site visibility which met the Gateway District standards.

Chair Stephenson suggested if the planters were moved, they could put in a third street tree.

Associate Planner Fleckenstein said there were overhead power lines where the street trees would be planted and the street trees needed to be 25 feet high or less. Because Lafayette was an arterial street, there was a high clearance requirement for street trees. There would need to be 18 feet of clearance above the arterial. Only a few street tree species would be suitable for this environment. There was a condition that identified the trees from the street tree list that would work for this area. There would also be a spacing requirement between the trees of 20 feet maximum and currently the spacing was proposed to be 30 feet apart. He thought three street trees would fit with the reduced spacing.

Associate Planner Fleckenstein discussed the landscaping in the back of the building. The property was surrounded by other developed commercial and residential properties. There were existing sight obscuring fences between this property and the residential properties to the north and south. There was no fence on the rear property line, but there was a row of dense evergreen vegetation. The landscaping was turf around the perimeter of the parking lot with the addition of three Pacific Dogwood trees. The plantings proposed for the planters were Panicum Virgatum, which was a tall ornamental grass. There was a condition that would limit the height of the planter and plant material to 42 inches so it would not obstruct vision in the parking lot. There was another condition to add a six foot high sight obscuring fence on the rear property line to provide screening and containment of the outdoor event space from the adjacent property. There was a trash and recycling enclosure that would not be visible from the right-of-way and did not require landscaping on three sides.

Committee Member Hall suggested using other planting materials other than turf in the narrower areas that were less than 4 feet in width. It needed to be a groundcover that would be less water intensive and easier to maintain.

Committee Member Kearns said they could use synthetic grass in those areas.

Chae Pak, applicant, agreed he could plant some other groundcover in those areas. He thought synthetic was a good option. It would be easier to maintain and would drain well.

Committee Member Gunter asked what the lifespan would be on the synthetic. Committee Member Kearns thought it would be 20-25 years.

Chair Stephenson suggested adding trees in the parking lot. Associate Planner Fleckenstein said the intent was for the interior landscape to be contained in the planter boxes because the space would be used for outdoor festivals and gatherings. The applicant was trying to avoid permanent planter areas with trees that might restrict the location of tents or vendor booths. It was meant to be a flexible space that could be configured however needed.

Committee Member Hall asked if the trees could be placed in a moveable planter box. Mr. Pak said he had done an analysis on that and due to being able to move it, they could not get a sizeable tree there. At some point they had to weigh the difference between how much space a planter box would be and being able to move and keep the trees healthy.

Committee Member Gunter suggested increasing the number of planter boxes and using them as a center divider between the two parking lot aisles. Mr. Pak said they had originally proposed that, but changed it so the planter boxes were shielding the parking area visibility from the right-of-way as the Gateway District required. The amount of planter boxes was the amount of storage area they had when they had to move the boxes. They would have to come up with some other idea for the moveable boxes if they planned to have more because there would not be any spacing left to move them for an event.

Chair Stephenson thought they could be moved onto the synthetic turf. Mr. Pak said the boxes were substantially heavy.

Committee Member Hall asked about the events they were planning to hold. Mr. Pak said in the summer they would do a beer garden where there would be vendors and music. Several operators and vendors were already interested in that. In the winter they were looking at putting tents up for an ale fest.

Chair Stephenson thought the applicant should come back with the final revised plan for approval.

Associate Planner Fleckenstein said the NE Gateway District landscaping standards had strict standards for parking lot landscaping and defined a parking lot island as 5 feet wide with curbs and deciduous trees be spaced no more than 60 feet apart. The applicant was requesting a waiver to not provide the permanent landscaping within the parking lot. There was a condition of approval that if the design waiver was not granted through the NE Gateway design review process then the landscaping for the parking lot would need to be redesigned and resubmitted. Waiting to make a decision would allow the design process to be completed.

Committee Member Kearns moved to continue L 5-20. The motion was seconded by Committee Member Hall and passed 4-0.

There was discussion regarding the changes the applicant would be bringing back.

B. L 10-20 – Street Tree Removal - 1948 NW Penny Lane

Associate Planner Fleckenstein discussed the request for two street tree removals on NW Penny Lane. The applicant had clarified that the tree closest to the driveway and water meters was the one to be removed and thought the other tree could be root pruned. The tree to be removed was planted five feet from the driveway and five feet from two water meters. It was starting to raise and buckle the sidewalk panels. Staff recommended approval of the removal without a replacement due to the lack of proper clearance from the water meters and driveway. There was a condition that any root pruning of the other tree would need to be done by an arborist and if the arborist thought the root pruning would damage the tree or disturb more than 10% of the tree's root system that tree would also be approved for removal.

Committee Member Kearns moved to approve L 10-20 with the conditions recommended by staff. The motion was seconded by Chair Stephenson and passed 4-0.

C. L 12-20 – Street Tree Removal - 2446 SW Barbara Street

Chair Stephenson left the meeting at 12:47 p.m.

Associate Planner Fleckenstein reviewed the tree removal request on SW Barbara Street. The tree was standing dead and needed to be removed and replaced.

Committee Member Gunter asked what caused the tree to die. Associated Planner Fleckenstein did not know. Other trees in the area seemed to be doing well.

Committee Member Kearns moved to approve L 12-20. The motion was seconded by Committee Member Gunter and passed 3-0.

5. Discussion Items

Associate Planner Fleckenstein said at the last meeting they had discussed revising the landscape code and requirements for submittals. It would be built into the upcoming work plan for the Committee.

6. Old/New Business

None

7. Committee Comments

None

8. Staff Comments

Associate Planner Fleckenstein discussed next month's meeting agenda items.

9. Adjournment

Vice Chair Gunter adjourned the meeting at 12:53 p.m.



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EXHIBIT 3 - STAFF REPORT

DATE: October 21, 2020
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 4A - Street Tree Plan Review Application (L 31-20)

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

REPORT IN BRIEF:

This proceeding is a review by the Landscape Review Committee of an application for a street tree plan (L 31-20) for the Valley's Edge Phase V subdivision. Staff has reviewed the application for consistency with the applicable criteria, and recommends approval of the application, subject to the conditions specified in the attached Decision Document.

PROJECT DESCRIPTION:

The application (L 31-20) requests approval of a Street Tree Plan for Valley's Edge Phase V, a 25 lot subdivision in McMinnville's West Hills. The subject property is located north of W. 2nd Street and east of NW Canyon Creek Drive (a portion of Tax Lot 801, Section 24, T. 4. S., R. 5 W., W.M.) and is zoned R-2PD (Single-Family Residential Planned Development). **See Figure 1: Vicinity Map.** The site is currently undeveloped. The proposed street tree plan addresses the specification and placement of required street trees for the subdivision. **See Figure 2: Proposed Street Tree Plan.**

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Street Tree Plan at Cottages at Chegwyn Village Phase II (L 15-20)

Figure 1: Vicinity Map

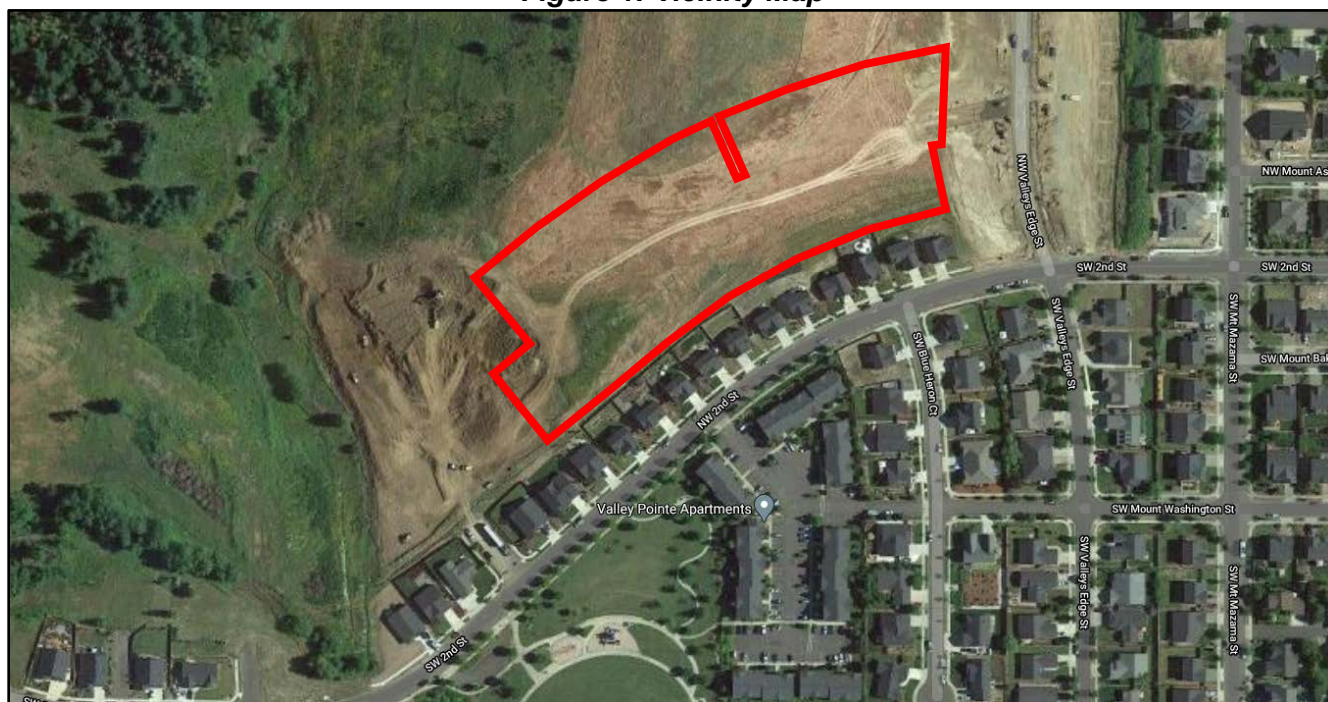
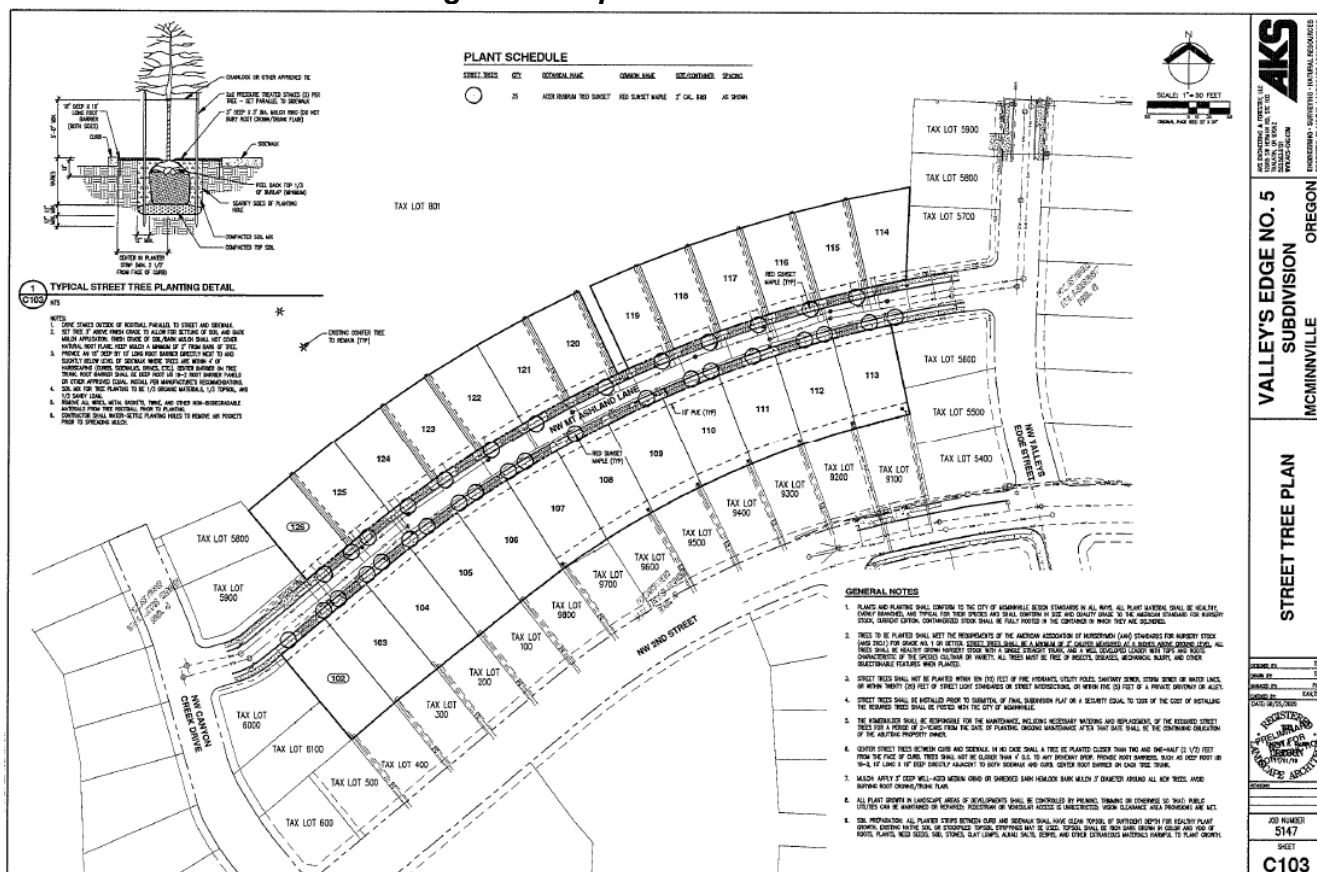


Figure 2: Proposed Street Tree Plan



Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Street Tree Plan at Valley's Edge Phase V Subdivision (L 31-20)

STAFF REVIEW:

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 MMC requires street trees for new subdivisions with curbside planter strips, which are being provided in Valley's Edge Phase V. Standards for the selection, location, and planting of required street trees are found in Section 17.58.090 of the MMC. Therefore, the application is subject to the Street Tree Standards in Section 17.58.090 of the MMC and the applicable landscape review factors in Section 17.57.050.

Compliance with Standards and Review Factors

Below are tables summarizing the application's compliance with critical standards and review factors. The Decision Document for the land-use application has the detailed analysis and findings for this compliance:

Landscape Plan Review Factors

Issue	Notes	Condition to Help Meet Criteria
Compatibility with the project and surrounding properties and uses	<ul style="list-style-type: none"> Proposed street tree (Red Sunset Red Maple) is a continuation of street trees on the same street in adjacent subdivisions 24 of 25 lots have at least 1 street tree Street trees promote a residential atmosphere similar to that of surrounding subdivisions 	N/A
Screening the proposed use	N/A	N/A
Retention of existing trees	N/A	N/A
Parking lot islands and planting	N/A	N/A
Use of suitable street trees	<ul style="list-style-type: none"> <i>Acer rubrum</i> 'Red Sunset' (Red Sunset Red Maple) is a Recommended Medium Street Tree on the McMinnville Street Tree List 	N/A

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Street Tree Plan at Valley's Edge Phase V Subdivision (L 31-20)

Issue	Notes	Condition to Help Meet Criteria
Irrigation system or water facilities	<ul style="list-style-type: none"> Irrigation is not proposed on the plan Home builder/property owner responsible for watering Lots are served with water 	N/A

Street Tree Standards Review

Issue	Notes	Condition to Help Meet Criteria
Street tree species from McMinnville Street Tree List	<ul style="list-style-type: none"> <i>Acer rubrum</i> 'Red Sunset' (Red Sunset Red Maple) is a Recommended Medium Street Tree on the McMinnville Street Tree List 	N/A
Street tree size and health at planting	<ul style="list-style-type: none"> 2" caliper trees and minimum health standards specified on plan 	Condition #3: Requires street trees to meet City standards for size and health at planting
Street tree spacing	<ul style="list-style-type: none"> Street trees spaced at approx. 25' max. Setbacks from utilities and improvements maintained 	Condition #1: Requires street trees to meet spacing standards Condition #6: Requires spacing from utilities and improvements
Planter strip width	<ul style="list-style-type: none"> Local streets require min. 3' wide planter strip 5' wide planter strip provided 	N/A
Existing street trees	N/A	N/A
Sidewalk cuts in concrete	N/A	N/A
Street tree maintenance	<ul style="list-style-type: none"> Street trees required to be continually maintained Street trees required to be pruned for street/sidewalk clearance 	Condition #7: Requires pruning of trees for clearance Condition #8: Requires continual maintenance of trees

Staff-Suggested Conditions of Approval

1. That street trees in the Valley's Edge Phase V subdivision shall be spaced at no more than 30 feet in any possible location, unless a utility or improvement is present that creates a setback requirement.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during planting process.
3. That all 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.

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Street Tree Plan at Valley's Edge Phase V Subdivision (L 31-20)

4. That planting of street trees shall be subject to the design drawings and specification developed by the City in May 2014. The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, street trees shall be provided with two (2) deep watering tubes to promote deep root growth.
5. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to schedule a planting inspection prior to backfilling.
6. 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.

Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum standards.

7. That the street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets.
8. That street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer for a period of 2-years from the time of planting. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

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 applicant should use the adopted City detail for the final approved street tree plan.
 2. We would definitely defer to Jamie’s expertise here, but is there any concern about species diversity? I could well be mistaken, but it seems that many of the recent subdivisions in this area of the community have had red maples.
 3. Applicant to contact Public Works (503.434.7316) for planting inspections prior to backfill.
- McMinnville Water & Light

MW&L has no comments on this street tree plan.

Public Comments

Public notice is not required, no public comments were received.

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Street Tree Plan at Valley’s Edge Phase V Subdivision (L 31-20)

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 31-20 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.

JF

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Street Tree Plan at Valley’s Edge Phase V Subdivision (L 31-20)



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
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**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE
APPROVAL OF A STREET TREE PLAN FOR THE VALLEY'S EDGE PHASE V SUBDIVISION**

DOCKET: L 31-20 (Landscape Plan Review)

REQUEST: Approval of a Street Tree Plan for the Valley's Edge Phase V subdivision

LOCATION: North of W. 2nd Street and east of NW Canyon Creek Drive (a portion of Tax Lot 801, Section 24, T. 4. S., R. 5 W., W.M.)

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

APPLICANT: Paul Sellke, PE, GE, of AKS Engineering & Forestry, on behalf of West Hills Properties, LLC, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

**DATE DEEMED
COMPLETE:** September 21, 2020

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

**HEARING DATE
& LOCATION:** October 21, 2020, Community Development Center, 231 NE 5th 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 31-20) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Date: _____

Date: _____

Attachment 1 – Application and Attachments

I. APPLICATION SUMMARY:

Subject Property & Request

The application (L 31-20) requests approval of a Street Tree Plan for Valley's Edge Phase V, a 25 lot subdivision in McMinnville's West Hills. The subject property is located north of W. 2nd Street and east of NW Canyon Creek Drive (a portion of Tax Lot 801, Section 24, T. 4. S., R. 5 W., W.M.) and is zoned R-2PD (Single-Family Residential Planned Development). **See Figure 1: Vicinity Map.** The site is currently undeveloped. The proposed street tree plan addresses the specification and placement of required street trees for the subdivision. **See Figure 2: Proposed Street Tree Plan.**

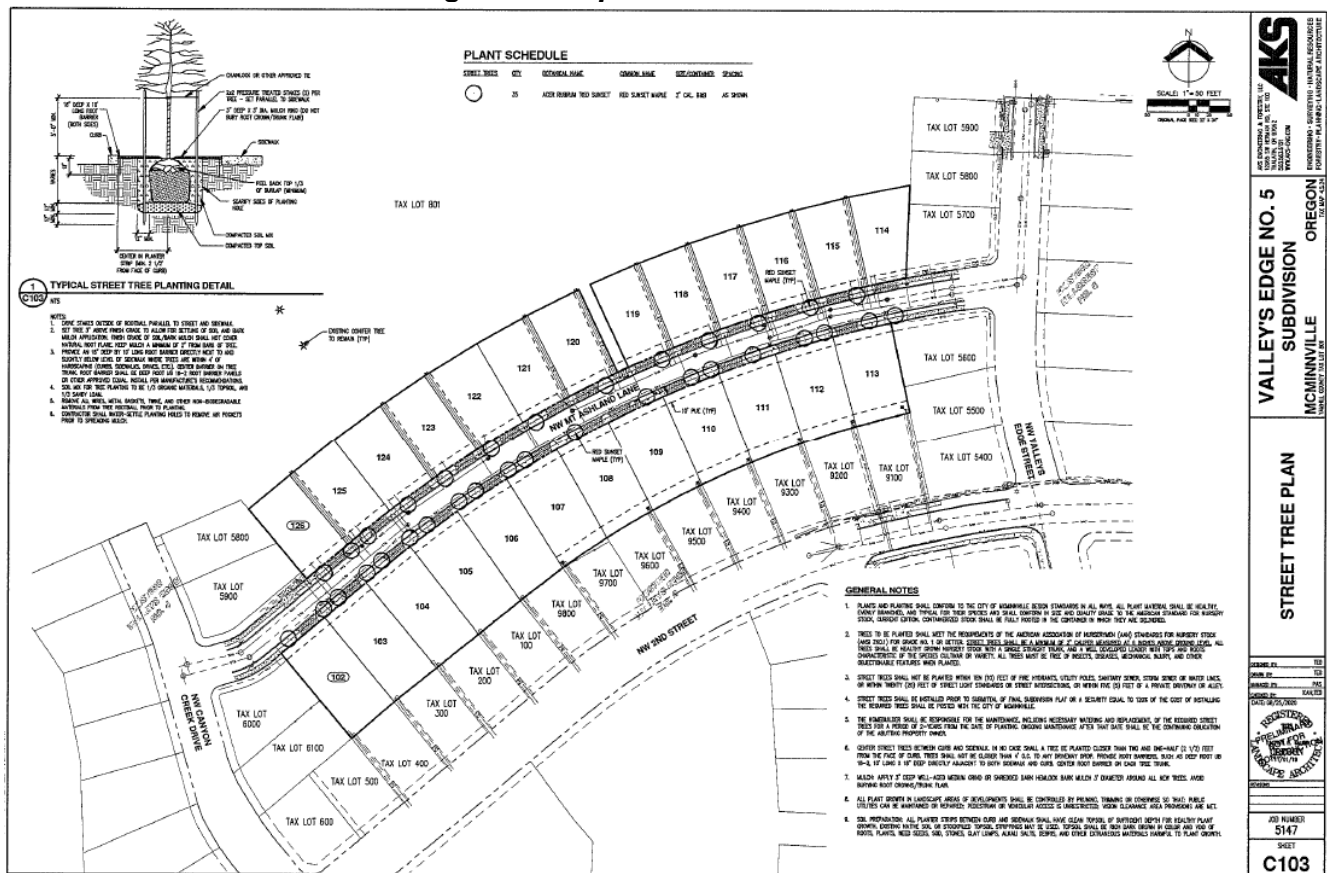
Figure 1: Vicinity Map



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Figure 2: Proposed Street Tree Plan



Summary of Criteria & Issues

The McMinnville Municipal Code (MMC) requires street trees for new subdivisions with curbside planter strips, which are being provided in Valley's Edge Phase V. Standards for the selection, location, and planting of required street trees are found in MMC Section 17.58.090. Therefore, the application is subject to the Street Tree Standards in MMC Section 17.58.090 and the applicable landscape review factors in MMC Section 17.57.050. Conclusionary findings for each applicable standard and review factor are provided in Section VII of this Decision Document below.

II. CONDITIONS:

1. That street trees in the Valley's Edge Phase V subdivision shall be spaced at no more than 30 feet in any possible location, unless a utility or improvement is present that creates a setback requirement.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during planting process.
3. That all 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.
4. 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

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sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, street trees shall be provided with two (2) deep watering tubes to promote deep root growth.

5. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to schedule a planting inspection prior to backfilling.
6. 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.

Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum standards.

7. That the street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets.
8. That street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer for a period of 2-years from the time of planting. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

III. ATTACHMENTS:

1. L 31-20 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 applicant should use the adopted City detail for the final approved street tree plan.
 2. We would definitely defer to Jamie's expertise here, but is there any concern about species diversity? I could well be mistaken, but it seems that many of the recent subdivisions in this area of the community have had red maples.
 3. Applicant to contact Public Works (503.434.7316) for planting inspections prior to backfill.
- McMinnville Water & Light

MW&L has no comments on this street tree plan.

Public Comments

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

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Paul Sellke, PE, GE, of AKS Engineering & Forestry, on behalf of West Hills Property LLC, property owner, submitted a Landscape Plan Review application on August 27, 2020 for the Street Tree Plan for the Valley's Edge Phase V subdivision.
2. The application was deemed complete on September 21, 2020.
3. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
4. No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
5. A public meeting was held by the Landscape Review Committee on October 21, 2020 to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** Northwest of W. 2nd Street & Brookside Street intersection (a portion of Tax Lot 801, Section 24, T. 4. S., R. 5 W., W.M.)
2. **Size:** Approximately 11.97 acres
3. **Comprehensive Plan Map Designation:** Residential
4. **Zoning:** R-2PD (Single-Family Residential Planned Development)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** Undeveloped
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None
8. **Other Features:** The site was moderately sloped, but grading activity to prepare the site for public improvements and buildable lots has provided evenly sloping grades in the public rights-of-way and level building lots.
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.

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- 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:** NW Mt. Ashland Drive is identified as a Local Residential street in the McMinnville Transportation System Plan, with a 50 foot wide right-of-way including a 28 foot curb-to-curb street width, a 5 foot wide curb-tight planter strip, and a 5 foot wide sidewalk on each side.

VII. CONCLUSIONARY FINDINGS:

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

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

Comprehensive Plan Volume II:

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

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

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

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

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

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. Street trees will be installed along the public right-of-way along all new streets within the new subdivision. The trees will be located within curb-side planting strips, and will be of a species from the approved McMinnville Street Tree List. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards.

- Policy 132.24.00:** *The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way. Examples of how the Compete Streets policy is implemented:*
1. *Incorporate features that create a pedestrian friendly environment, such as: [...]*
 - g. *Street furniture, street trees, and landscaping*

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. Street trees will be installed along the public right-of-way along all new streets within the new subdivision. The trees will be located within curb-side planting strips, and will be of a species from the approved McMinnville Street Tree List. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. Street trees will be installed along the public right-of-way along all new streets within the new subdivision. The trees will be located within curb-side planting strips, and will be of a species from the approved McMinnville Street Tree List. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards.

- Policy 132.43.05:** *Encourage Safety Enhancements – In conjunction with residential street improvements, the City should encourage traffic and pedestrian safety improvements that may include, but are not limited to, the following safety and livability enhancements:*
3. *Landscaping barriers between roadway and non-motorized uses;*
 4. *Landscaping that promotes a residential atmosphere;*

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. Street trees will be installed along the public right-of-way along all new streets within the new subdivision. The trees will be located within curb-side planting strips, and will be of a species from the approved McMinnville Street Tree List. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards. The trees will promote a residential atmosphere and provide a barrier between the roadway and non-motorized uses.

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

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

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

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

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

McMinnville Zoning Ordinance

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

Chapter 17.03. General Provisions

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

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.*

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- 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 MMC 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 MMC 17.03.020.

APPLICANT'S RESPONSE: None.

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

17.57.070 Area Determination – Planning Factors.

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

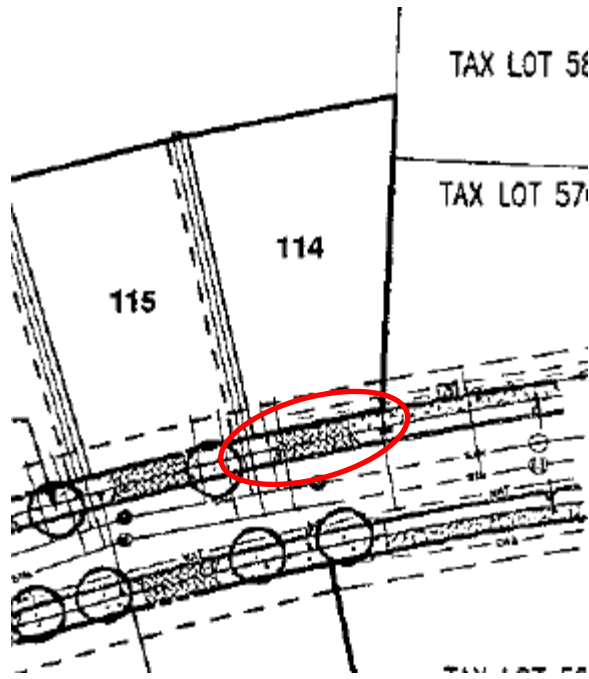
17.57.070(B)(1). *Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.*

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The street tree plan is compatible with the proposed residential subdivision and the abutting and surrounding properties and uses. The proposed tree is a selection from the McMinnville Street Tree List, and trees are proposed in a dedicated planting strip at standard spacings from utilities and each other. The street tree plan will help promote a residential atmosphere within the subdivision.

All but one (1) of the 25 residential lots have at least one (1) proposed street tree in the adjacent right-of-way. An examination of the lot 114 below reveals constraints that make street trees impractical.

Lots 114:



Lot 114 presents a narrower frontage than other lots due to its location at the edge of the subdivision. When accounting for the width of the driveway to access the lot, and required setbacks from the water meter and other utilities, there is insufficient space in the planter strip for a street tree. Therefore, no street trees are required adjacent to Lot 114.

Adjacent subdivisions were approved with Red Sunset Red Maples as the street tree at the ends of Mt. Ashland Drive where it intersects Canyon Creek Drive and Valley's Edge Street. The proposed street tree for Mt. Ashland Drive, the single street within the Valley's Edge Phase V subdivision, is also Red Sunset Red Maple, consistent with the street trees at each end. The proposal would make for a uniform streetscape appearance for Mt. Ashland Drive across several subdivisions.

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. There are no conflicting land-uses abutting the public right-of-way where street trees are proposed, or surrounding the subdivision. Therefore, this review factor is not applicable.

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 site was previously farmed, so no existing trees are present on the site. Therefore, this review factor is not applicable.

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

APPLICANT'S RESPONSE: None.

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FINDING: SATISFIED. Parking areas are not included in the subdivision, therefore this planning factor is not applicable.

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 applicant is proposing to install one (1) street tree species within the subdivision. The specified species is *Acer rubrum 'Red Sunset'* (Red Sunset Red Maple). *Acer rubrum 'Red Sunset'* (Red Sunset Red Maple) is found on the McMinnville Street Tree List as a Recommended Medium Tree Species.

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. General Note #5 on the Street Tree Plan states:

5. The homebuilder shall be responsible for the maintenance, including necessary watering and replacement, of the required street trees for a period of 2-years from the time of planting. Ongoing maintenance after that date shall be the continuing obligation of the abutting property owner.

Although an irrigation system in the planter strip is not proposed, watering is required of the trees by the homebuilder and homeowner. Each lot is served with water.

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 #8. General Note #5 on the Street Tree Plan states:

5. The homebuilder shall be responsible for the maintenance, including necessary watering and replacement, of the required street trees for a period of 2-years from the time of planting. Ongoing maintenance after that date shall be the continuing obligation of the abutting property owner.

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 street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer for a period of 2-years from the time of planting. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

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; 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 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 as proposed and with required conditions will establish tree cover on new public rights-of-way to be dedicated to the City as the subdivision is developed, provide for tree-lined streets within the new residential neighborhood, and will enhance the appearance of the City. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards, which will result in the appropriate planting and maintenance of the street trees.

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 street tree plan as proposed will include street trees adjacent to the lots created as part of the subdivision, and the street trees will be installed in a designated curb-side planting strip fronting each new and existing public right-of-way.

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. A revised street tree list updating the McMinnville Street Tree List approved by Resolution 2016-22 was developed by the Landscape Review Committee and approved by Resolution 2019-26.

The applicant is proposing to install one (1) street tree species within the subdivision. The specified species is *Acer rubrum* 'Red Sunset' (Red Sunset Red Maple). *Acer rubrum* 'Red Sunset' (Red Sunset Red Maple) is found on the McMinnville Street Tree List as a Recommended Medium Tree Species.

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 #3. General Note #2 on the Street Tree Plan states:

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2. Trees to be planted shall meet the requirements of the American Association of Nurserymen (AAN) standards for nursery stock (ANSI Z60.1) for Grade No. 1 or better. Street trees shall be a minimum of 2" caliper measured at 6 inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk and 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.

A condition of approval has been included to ensure that street trees shall be a minimum two (2) inches in caliper measured at six (6) inches above ground level and meet other City standards for quality of the street trees at the time of planting.

CONDITION FOR FINDING: That all 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.

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 WITH CONDITION #1. The applicant is proposing to install one (1) street tree species within the subdivision. The specified species is *Acer rubrum* 'Red Sunset' (Red Sunset Red Maple). *Acer rubrum* 'Red Sunset' (Red Sunset Red Maple) is found on the McMinnville Street Tree List as a Recommended Medium Tree Species.

Lots 102-113 on the south side of Mt. Ashland Drive typically have more frontage than do lots 114-126 on the north side of the street. This generally means more space in the planter strip for trees. Many of the lots on the south side of the street have two street trees compared to only one per lot on the north side of the street. The trees, when planted in pairs, are generally evenly spaced at approximately 25 feet apart, which is below the maximum spacing for medium trees. The spacing between the pairs on the south side of the street and the single trees on the north side is approximately 55 feet. Although the 55 foot spacing exceeds the maximum spacing, it is necessitated by specific site limitations, specifically applying spacing standards from utilities and private driveways. A condition of approval requires street trees to be planted at a maximum 30 feet apart, unless a utility or improvement is present that creates a setback requirement.

CONDITION FOR FINDING: That street trees in the Valley's Edge Phase V subdivision shall be spaced at no more than 30 feet in any possible location, unless a utility or improvement is present that creates a setback requirement.

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.*

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APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The subdivision includes a local residential street. The applicant has provided a five (5) foot wide planting strip along all streets within the subdivisions, which is greater than the three (3) foot minimum requirement. The species of street trees being proposed is considered a "medium" sized tree in the McMinnville Street Tree List. Medium sized trees are recommended for a minimum five (5) foot wide planter strip based on the McMinnville Street Tree List, and this is being satisfied with the proposed planter strip.

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 #6. General Note #3 on the Street Tree Plan states:

3. 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.

The proposed street tree plan provides locations of proposed utilities, street light standards, private driveways, and other improvements in the public right-of-way. Street trees are generally proposed in locations outside of the setbacks established by the spacing standards. A condition of approval has been included to ensure the setbacks from utilities and other right-of-way improvements be maintained.

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

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

Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum standards.

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*

Attachments:

Attachment 1 – Application and Attachments

planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Section 17.58.040.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITIONS #7, 8. General Note #5 on the Street Tree Plan states:

5. The homebuilder shall be responsible for the maintenance, including necessary watering and replacement, of the required street trees for a period of 2-years from the time of planting. Ongoing maintenance after that date shall be the continuing obligation of the abutting property owner.

A condition of approval has been included to ensure that the street trees are continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

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

That street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer for a period of 2-years from the time of planting. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

JF



Planning Department

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

569-20-000524-Plng

Office Use Only:	
File No.	<u>L 31-20</u>
Date Received	<u>8/27/2020</u>
Fee	<u>801.75</u>
Receipt No.	<u>202888</u>
Received by	<u>SP</u>

Landscape Plan Review Application

Applicant Information

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

Applicant Name AKS Engineering & Forestry Phone 503-563-6151

Contact Name Paul Sellke, PE, GE
(If different than above)

Phone _____

Address 12965 SW Herman Rd., Suite 100

City, State, Zip Tualatin, OR 97062

Contact Email PaulS@aks-eng.com

Property Owner Information

Property Owner Name West Hills Properties, LLC Phone 503-434-0425
(If different than above)

Contact Name Howard Aster

Phone _____

Address PO Box 731

City, State, Zip McMinnville, OR 97128

Contact Email howardaster@hotmail.com

Site Location and Description

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

Property Address North of NW 2nd St and east of NW Canyon Creek Dr

Assessor Map No. R4 - 524 - 00801

Total Site Area 11.97 acres

Subdivision Valley's Edge No 5

Block _____ Lot TL 801

Comprehensive Plan Designation Res

Zoning Designation R-2 PD

Landscaping Information

1. Total Landscaped Area: N/A - Street trees within planter strip along proposed street frontage
2. Percent Landscaped: N/A
3. Building Floor Area:
New Structure: N/A Existing Structure: N/A Addition: N/A
4. Architect Name AKS Engineering & Forestry LLC Phone
(Landscape Architect, Engineer, or Other Designer)
Contact Name Kirsti Hauswald Phone 360-882-0419
Address 9600 NE 126th Ave, Suite 2520
City, State, Zip Vancouver, WA 98682
Contact Email kirstih@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.

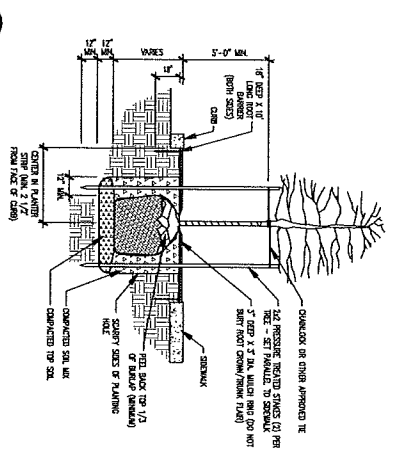
Howard Carter
Applicant's Signature

Aug 26, 20
Date

Howard Carter
Property Owner's Signature

Aug 26, 20
Date

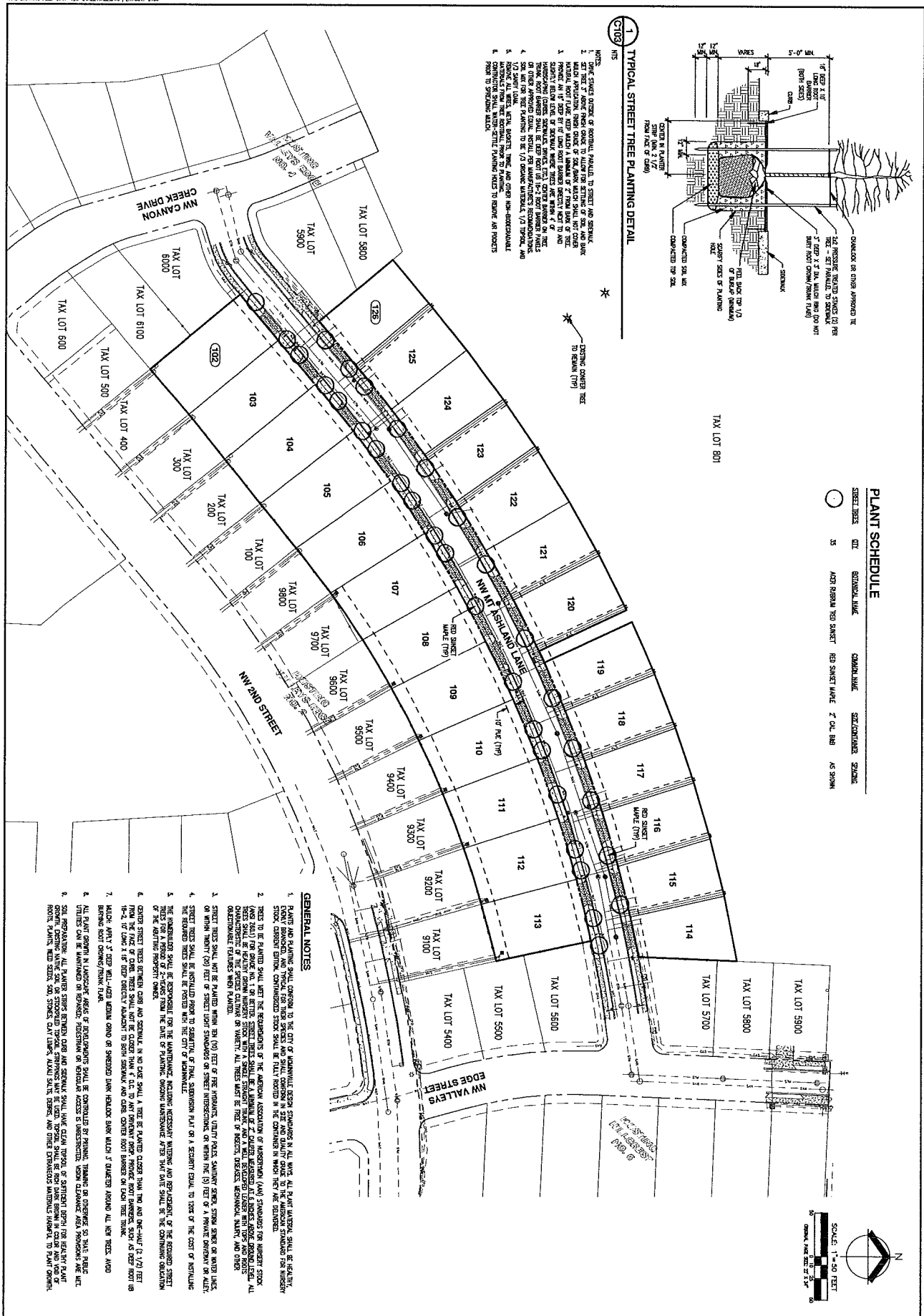
1 TYPICAL STREET TREE PLANTING DETAIL



1. STREET TREES SHALL BE PLANTED PARALLEL TO STREET AND SIDEWALK.
2. STREET TREES SHALL BE PLANTED IN THE MIDDLE OF THE STREET.
3. STREET TREES SHALL BE PLANTED IN THE MIDDLE OF THE STREET.
4. STREET TREES SHALL BE PLANTED IN THE MIDDLE OF THE STREET.
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9. STREET TREES SHALL BE PLANTED IN THE MIDDLE OF THE STREET.
10. STREET TREES SHALL BE PLANTED IN THE MIDDLE OF THE STREET.

PLANT SCHEDULE

SHEET INDEX	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	STATUS
15	15	ACER RUBRA 'RED SUMMIT'	RED SUMMIT MAPLE	7" CAL. B&B	AS SHOWN



GENERAL NOTES

1. PLANTS AND PLANTING SHALL CONFORM TO THE CITY OF MINNEAPOLIS DESIGN STANDARDS IN ALL WAYS. ALL PLANT MATERIAL SHALL BE HEALTHY, STOCK, CROWNED, BROWN, CROWNED STOCK SHALL BE FULLY BROWNED IN THE CROWN AND THE TRUNK SHALL BE FULLY BROWNED IN THE CROWN.
2. TREES TO BE PLANTED SHALL MEET THE REQUIREMENTS OF THE AMERICAN ASSOCIATION OF ARBORISTS (AAA) STANDARDS FOR STREET TREES. TREES SHALL BE PLANTED IN THE MIDDLE OF THE STREET, PARALLEL TO THE STREET, AND THE TRUNK SHALL BE PLANTED IN THE MIDDLE OF THE STREET.
3. STREET TREES SHALL BE PLANTED IN THE MIDDLE OF THE STREET, PARALLEL TO THE STREET, AND THE TRUNK SHALL BE PLANTED IN THE MIDDLE OF THE STREET.
4. STREET TREES SHALL BE PLANTED IN THE MIDDLE OF THE STREET, PARALLEL TO THE STREET, AND THE TRUNK SHALL BE PLANTED IN THE MIDDLE OF THE STREET.
5. THE PLANTING SHALL BE COMPLETED BY THE DATE OF PLANTING. THE PLANTING SHALL BE COMPLETED BY THE DATE OF PLANTING.
6. STREET TREES SHALL BE PLANTED IN THE MIDDLE OF THE STREET, PARALLEL TO THE STREET, AND THE TRUNK SHALL BE PLANTED IN THE MIDDLE OF THE STREET.
7. PLANTING SHALL BE COMPLETED BY THE DATE OF PLANTING. THE PLANTING SHALL BE COMPLETED BY THE DATE OF PLANTING.
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10. PLANTING SHALL BE COMPLETED BY THE DATE OF PLANTING. THE PLANTING SHALL BE COMPLETED BY THE DATE OF PLANTING.

C103

RECEIVED

5/14/2020

AKS ENGINEERING & FORESTRY, LLC

12965 SW HERMAN RD, STE 100

PORTLAND, OR 97262

TEL: 503.281.1111

WWW.AKS-ENG.COM

ENGINEERING • SURVEYING • NATURAL RESOURCES

FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

STREET TREE PLAN

VALLEY'S EDGE NO. 5

SUBDIVISION

MCMINNVILLE

OREGON

TAX MAP 4524

TAX LOT 801



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

EXHIBIT 4 - STAFF REPORT

DATE: October 21, 2020
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 4B – Landscape Plan Review Application (L 34-20)

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

REPORT IN BRIEF:

This proceeding is a review by the Landscape Review Committee of an application for a landscape plan (L 34-20) for a new car sales office at 1500 SE Baker Street. Staff has reviewed the application for consistency with the applicable criteria, and recommends approval of the application, subject to the conditions specified in the attached Decision Document.

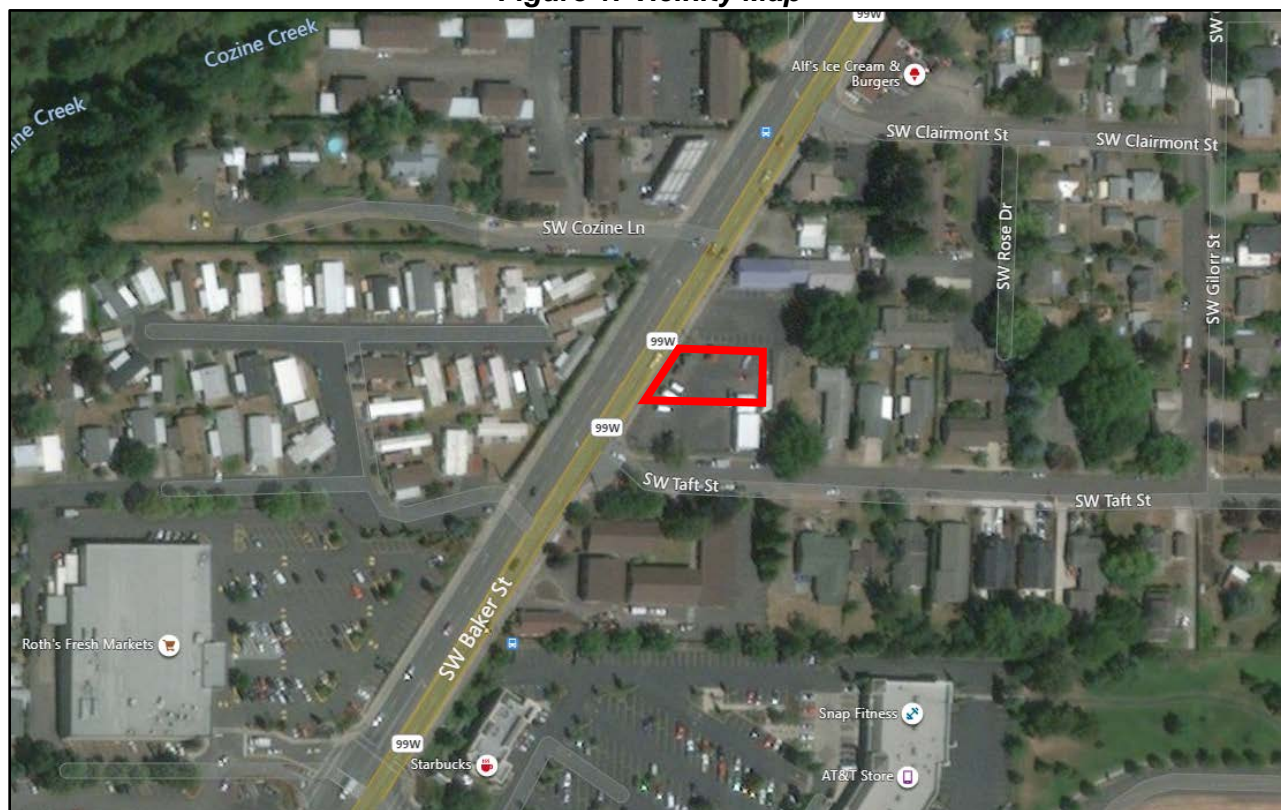
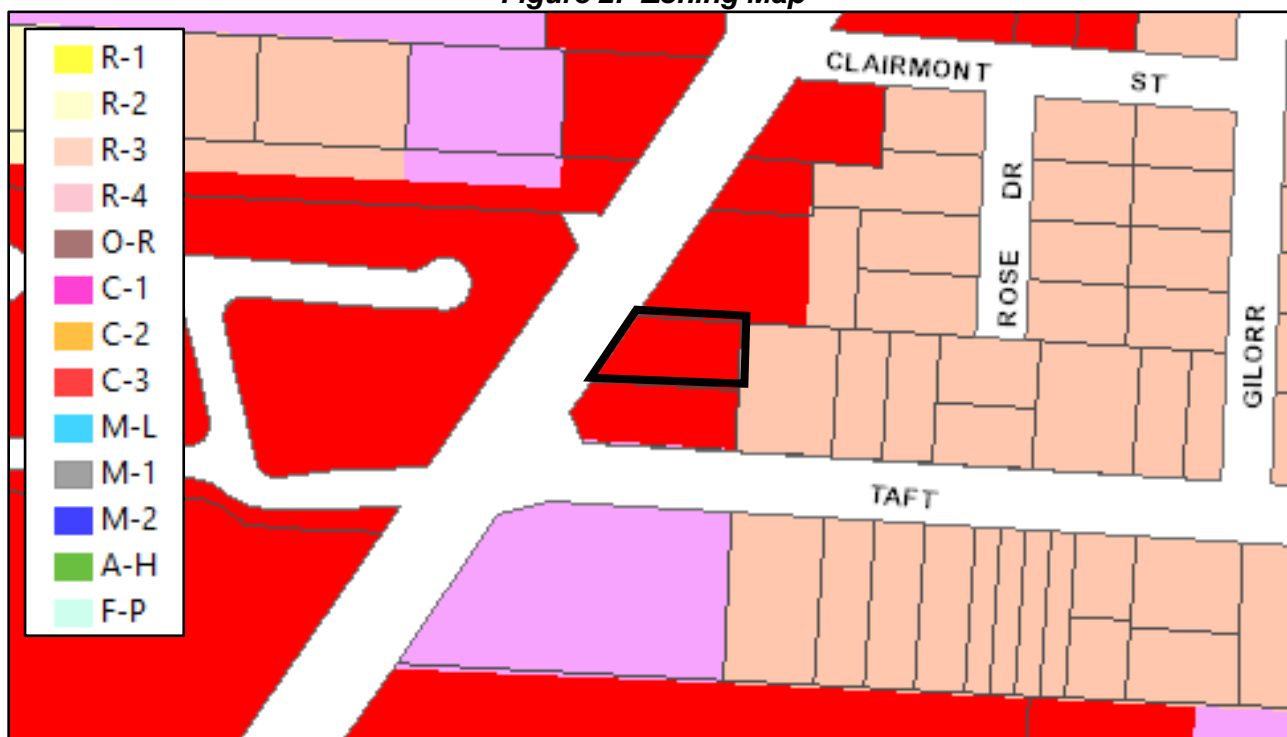
PROJECT DESCRIPTION:

The subject property is located at 1500 SE Baker Street, and is more specifically described as Tax Lot 5600, Section 29AB, 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 subject property is approximately 0.22 acres (9,583 square feet) and was previously developed. Although no structures are present, the site is entirely paved. Adjacent property to the north and south is zoned C-3 (General Commercial). North of the subject site is a church, and a marijuana dispensary is to the south. East of the site is residential land zoned R-3 (Two-Family Residential), and west of the subject site, across Highway 99W, is a mobile home park on land zoned C-3 (General Commercial).

The proposed site plan for the auto sales lot features the addition of a small office building (96sf), an ADA accessible ramp and deck (132sf), and ADA accessible parking area (320sf) to the easternmost portion of the lot. The remaining, unaltered paved area will be used for car sales. **See Figure 3 (Site Plan).** The landscape plan addresses landscaping for the redeveloped portion of the property, including planter boxes around the ramp and deck. **See Figure 4 (Landscape Plan) and Figure 5 (Planting Plan).**

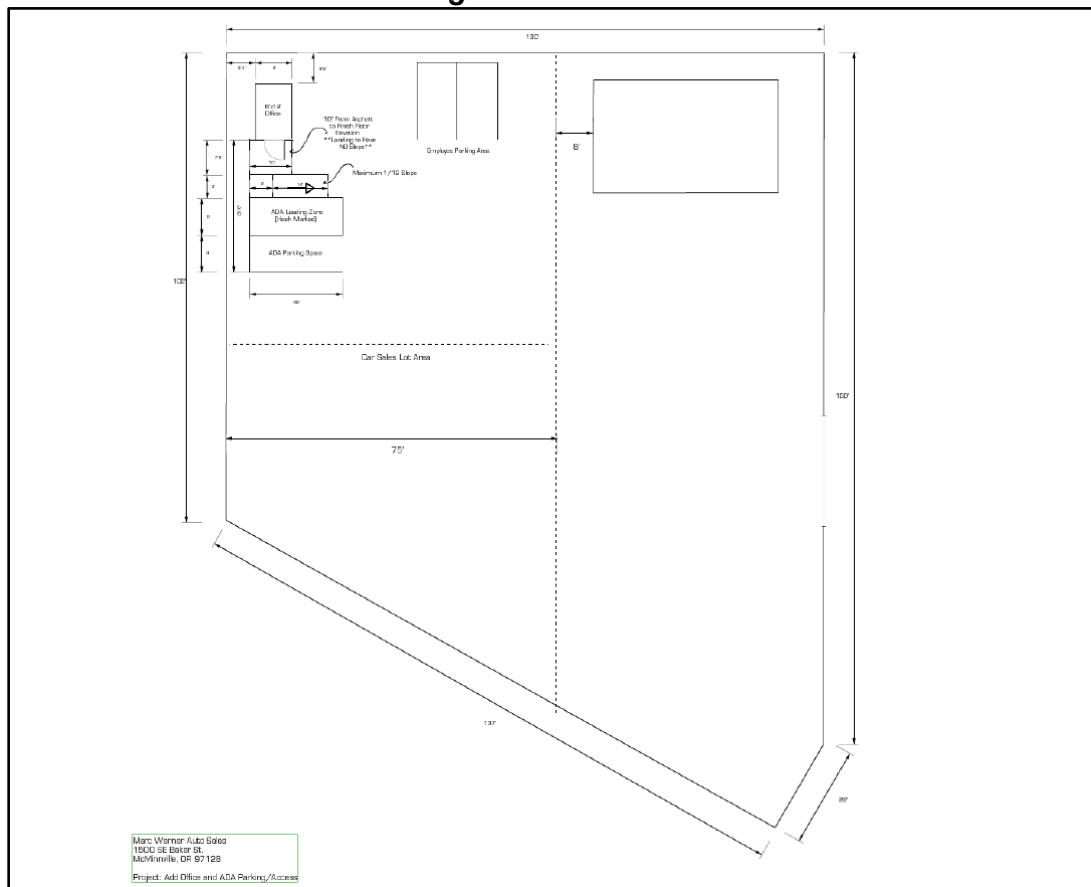
Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Urgent Care Clinic at 1755 SW Baker Street

Figure 1: Vicinity Map**Figure 2: Zoning Map****Attachments:**

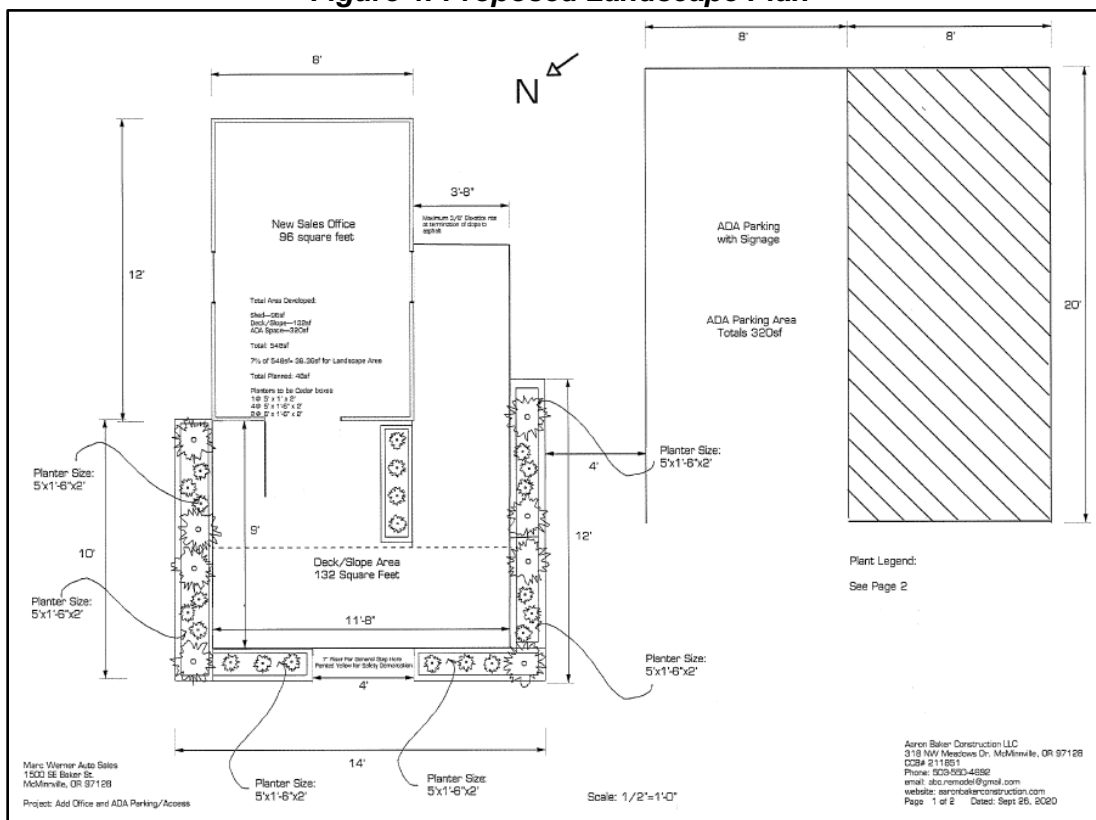
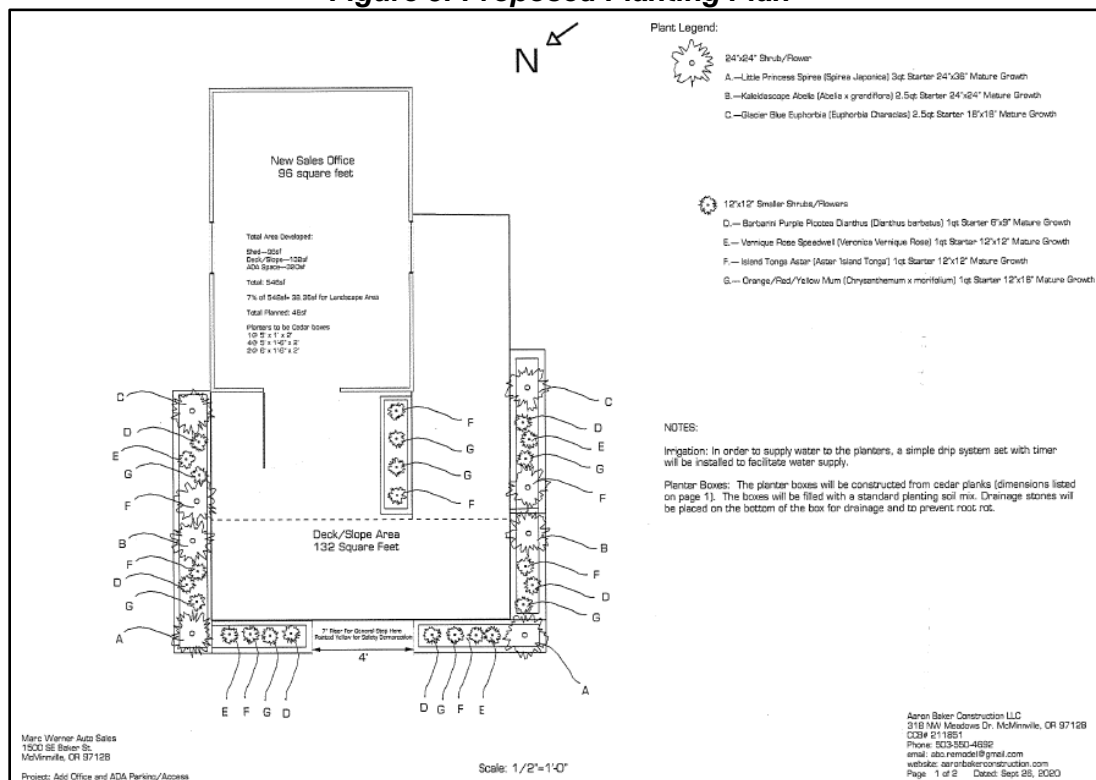
Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Auto Sales Office at 1500 SE Baker Street

Figure 3: Site Plan



Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Auto Sales Office at 1500 SE Baker Street

Figure 4: Proposed Landscape Plan**Figure 5: Proposed Planting Plan****Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Auto Sales Office at 1500 SE Baker Street

STAFF REVIEW:

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

Landscaping in the C-3 (General Commercial) zone is subject to commercial standards and requirements outlined in McMinnville Municipal Code (MMC) Chapters 17.57-Landscaping.

Compliance with Review Factors

Below are tables 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:

MMC 17.57.070(A)(2)

	Total Site Area (s.f.)	Project Area (s.f.)	Landscape Provided (s.f.)	Percentage Provided	Percentage Required (Commercial)
Auto Sales Office	9,583	548	48	8.8%	7.0%

MMC 17.57.070(B)

Issue	Notes	Condition to Help Meet Criteria
Compatibility with the project and surrounding properties and uses	<ul style="list-style-type: none"> Planters provided around new entry ramp Landscape plan leaves car sales lot unimproved, consistent with use Adjacent property uses planters/pots Existing fence adjacent to residential property 	None
Screening the proposed use	<ul style="list-style-type: none"> Existing fence adjacent to residential property Planters screen deck structure from right-of-way 	None
Retention of existing trees	<ul style="list-style-type: none"> No existing trees or natural areas on site 	None
Parking lot islands and planting	<ul style="list-style-type: none"> Parking lot planting not required since parking lot is not being improved/redeveloped 	None
Use of suitable street trees	<ul style="list-style-type: none"> Street trees not required (No dedicated curbside planter strips) No prohibited trees within the parking area 	None

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Auto Sales Office at 1500 SE Baker Street

Issue	Notes	Condition to Help Meet Criteria
Irrigation system or water facilities	<ul style="list-style-type: none"> • Drip irrigation to be provided to planters 	None

Staff-Suggested Conditions of Approval

1. That the applicant shall install landscaping as shown on the landscape plans received by the Planning Department on September 25, 2020 and shall comply with required conditions of approval.
2. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

COMMENTS:**Agency Comments**

This matter was not referred to public agencies for comment.

Public Comments

No public comments were received prior to the issuance of this report.

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.

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Auto Sales Office at 1500 SE Baker Street

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 34-20 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.

JF

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Auto Sales Office at 1500 SE Baker Street



CITY OF MCMINNVILLE
PLANNING DEPARTMENT
231 NE FIFTH STREET
MCMINNVILLE, OR 97128
503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN REVIEW FOR AN AUTO SALES OFFICE AT 1500 SE BAKER STREET

DOCKET: L 34-20 (Landscape Plan Review)

REQUEST: Approval of a Landscape Plan for a new auto sales office at 1500 SE Baker Street

LOCATION: 1500 SE Baker Street (Tax Lot 5600, Section 29AB, T. 4. S., R. 4 W., W.M.)

ZONING: C-3 (General Commercial)

APPLICANT: Aaron Baker, Aaron Baker Construction LLC, on behalf of Marc Werner, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: October 6, 2020

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

DECISION DATE & LOCATION: October 21, 2020, Community Development Center, 231 NE 5th 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 not referred to public agencies for comment. 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 34-20) **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

Planning Staff: _____
Jamie Fleckenstein, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

Attachments:

Attachment 1 – Application and Attachments

I. APPLICATION SUMMARY:

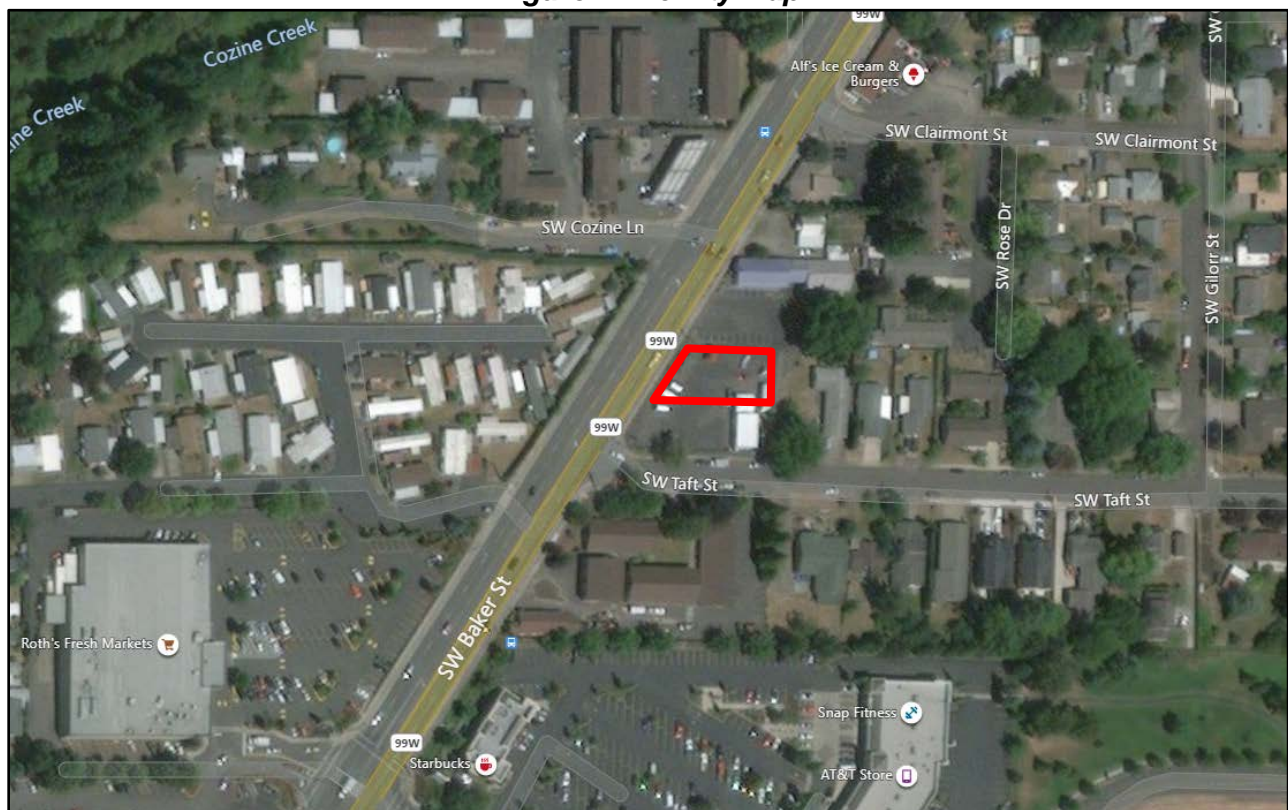
Subject Property & Request

The applicant, Aaron Baker, Aaron Baker Construction, LLC, on behalf of Marc Werner, property owner, submitted a landscape plan review application (docket L 34-20) seeking approval of a landscape plan for the development of an auto sales office building.

The subject property is located at 1500 SE Baker Street, and is more specifically described as Tax Lot 5600, Section 29AB, 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 subject property is approximately 0.22 acres (9,583 square feet) and was previously developed. Although no structures are present, the site is entirely paved. Adjacent property to the north and south is zoned C-3 (General Commercial). North of the subject site is a church, and a marijuana dispensary is to the south. East of the site is residential land zoned R-3 (Two-Family Residential), and west of the subject site, across Highway 99W, is a mobile home park on land zoned C-3 (General Commercial).

The proposed site plan for the auto sales lot features the addition of a small office building (96sf), an ADA accessible ramp and deck (132sf), and ADA accessible parking area (320sf) to the easternmost portion of the lot. The remaining, unaltered paved area will be used for car sales. ***See Figure 3 (Site Plan)***. The landscape plan addresses landscaping for the redeveloped portion of the property, including planter boxes around the ramp and deck. ***See Figure 4 (Landscape Plan) and Figure 5 (Planting Plan)***.

Figure 1: Vicinity Map



Attachments:

Attachment 1 – Application and Attachments

Figure 2: Zoning Map

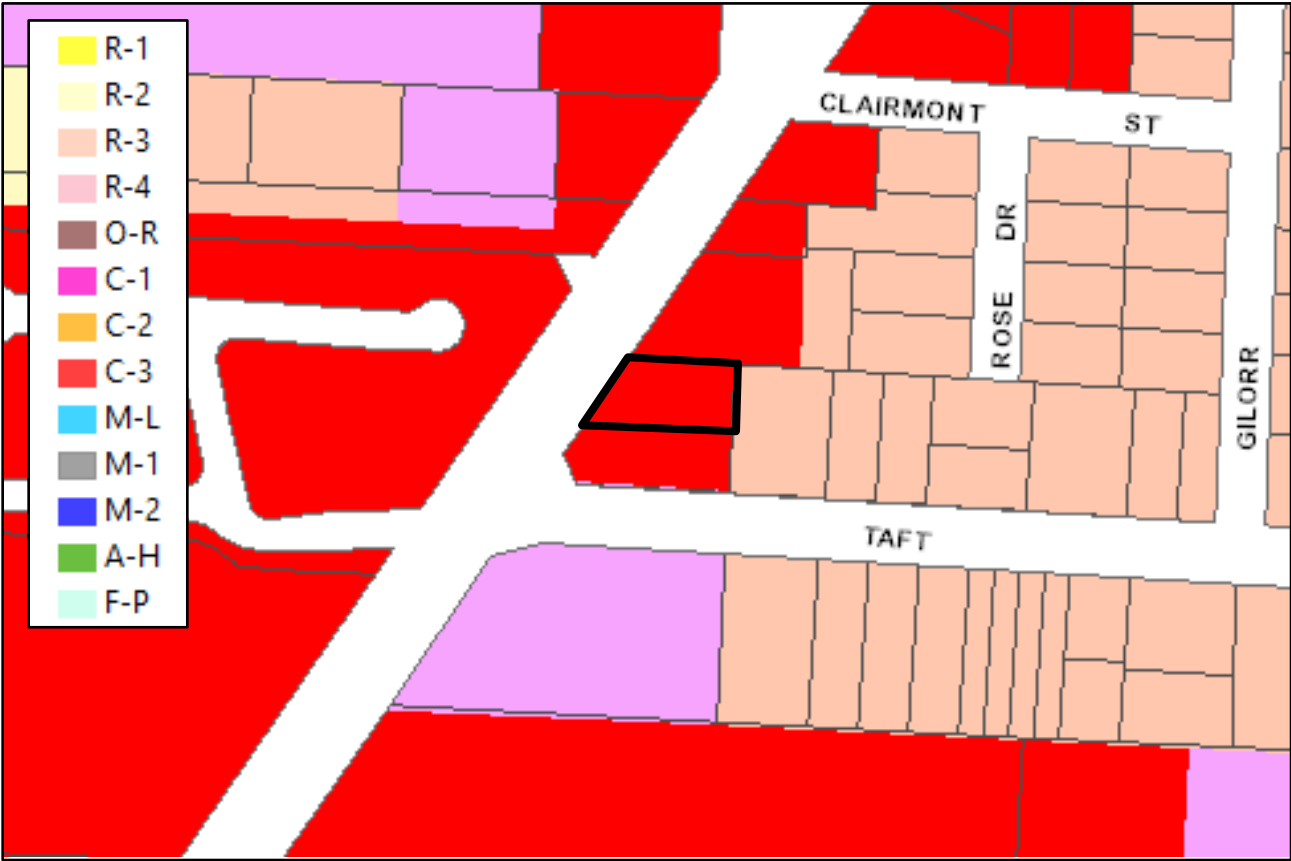


Figure 3: Site Plan

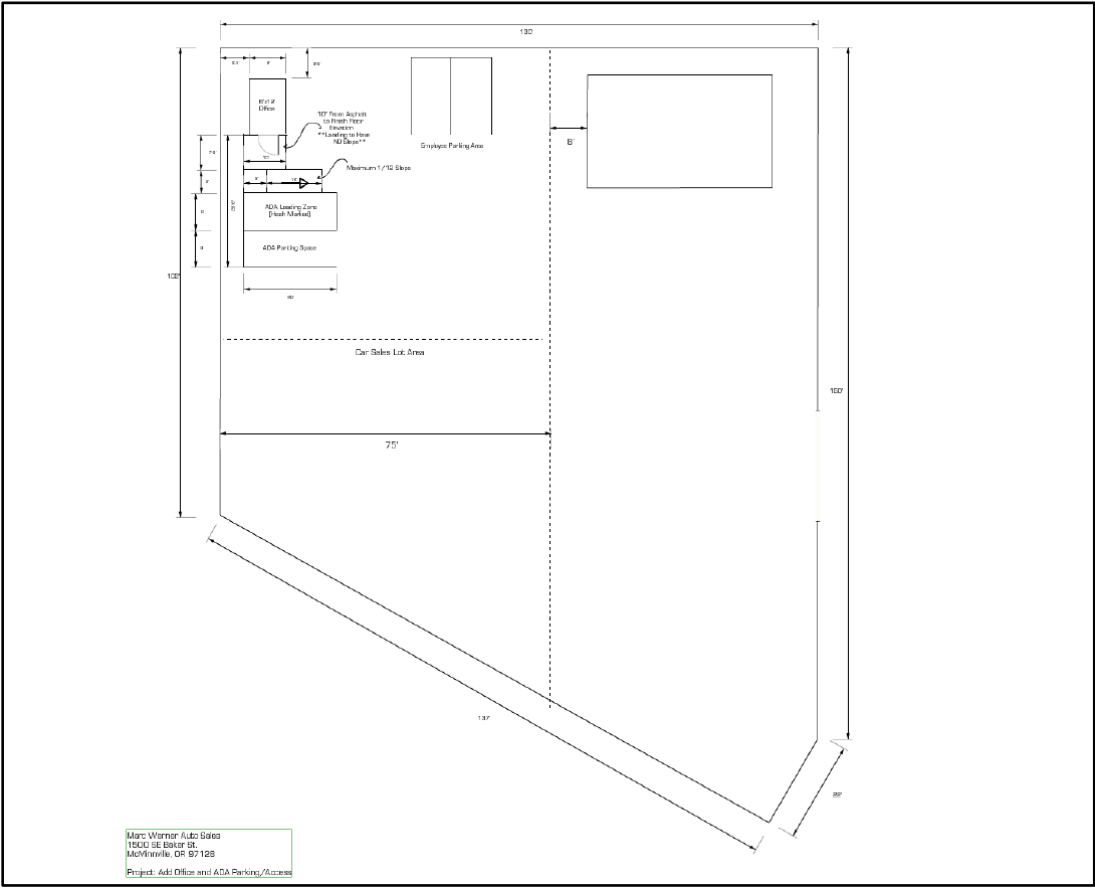


Figure 4: Proposed Landscape Plan

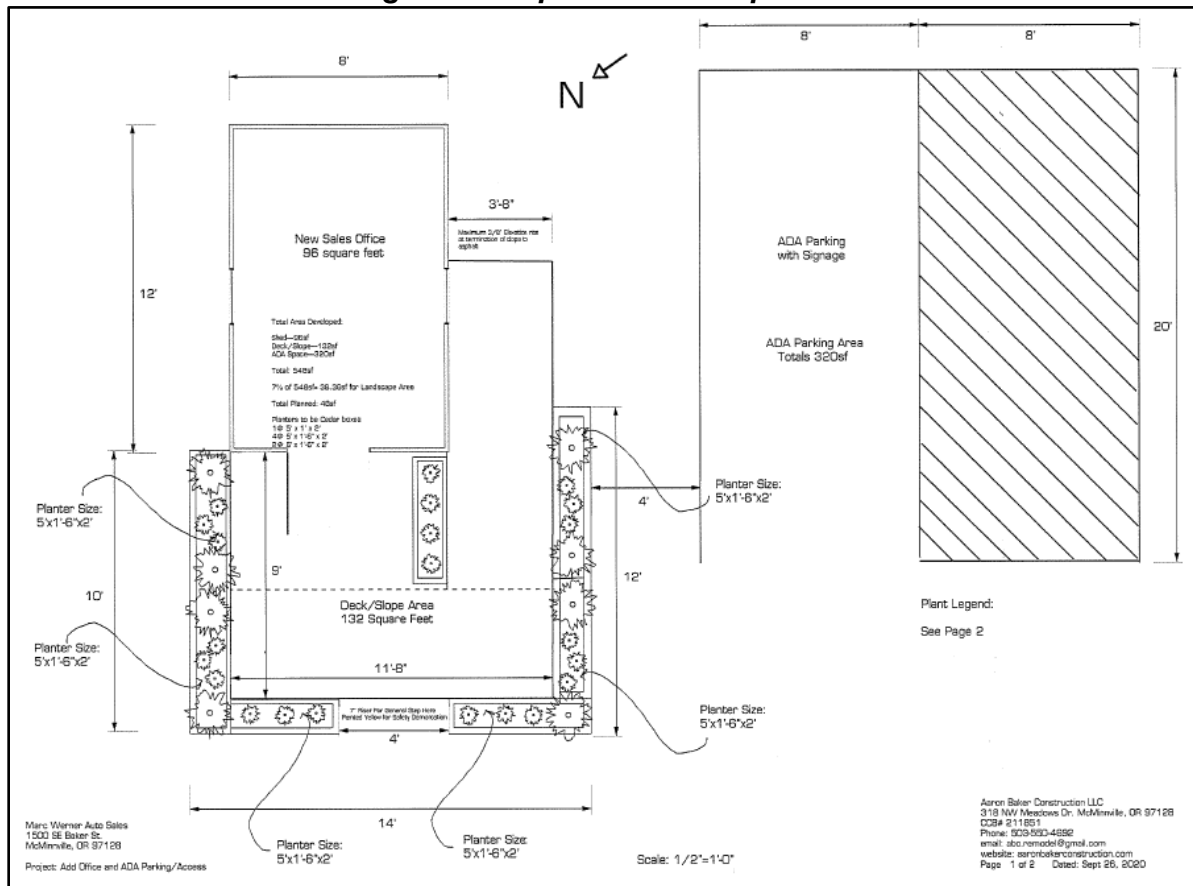
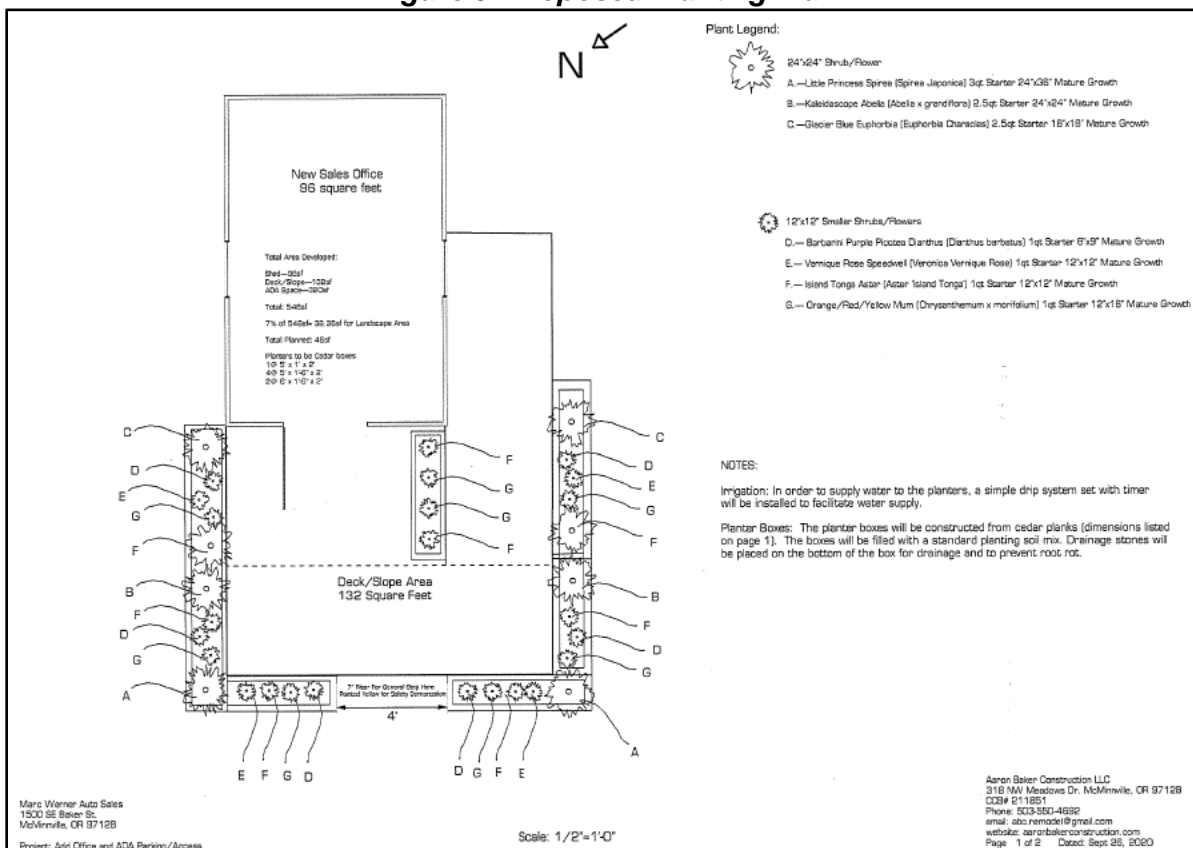


Figure 5: Proposed Planting Plan



Attachments:

Attachment 1 – Application and Attachments

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 proposed development is on land zoned C-3 (General Commercial). McMinnville Municipal Code (MMC) Section 17.57.030 requires landscaping in the C-3 zone. Therefore landscaping is required subject to the criteria and standards described in MMC Chapter 17.57-Landscaping.

II. CONDITIONS:

1. That the applicant shall install landscaping as shown on the landscape plans received by the Planning Department on September 25, 2020 and shall comply with required conditions of approval.
2. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

III. ATTACHMENTS:

1. L 34-20 Application and Attachments (on file with the Planning Department)

IV. COMMENTS:

Agency Comments

This matter was not referred to public agencies for comment:

Public Comments

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

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Aaron Baker, Aaron Baker Construction, LLC, on behalf of Marc Werner, property owner, submitted a landscape plan review application on September 25, 2020.
2. The application was deemed complete on October 6, 2020.
3. The application is subject to a 30 day review timeframe, which expires November 5, 2020.

Attachments:

Attachment 1 – Application and Attachments

4. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
5. No public notice of the application was provided by the City of McMinnville, as Landscape Plan 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.
6. A public meeting was held by the Landscape Review Committee on October 21, 2020 to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 1500 SE Baker Street (Tax Lot 5600, Section 29AB, T. 4 S., R. 4 W., W.M.)
2. **Size:** 0.22 acres (9,583 square feet)
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** Parking Lot
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None
8. **Other Features:** None.
9. **Utilities:**
 - a. **Water:** Water service is available to the subject site.
 - b. **Electric:** Power service is available to the subject site. Overhead power is present along the south side of Baker Street (Highway 99W) adjacent to the 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. Overhead communication is present along the south side of Baker Street (Highway 99W) adjacent to the site.
10. **Transportation:** Baker Street (Highway 99W) is identified as a Major Arterial in the 2010 McMinnville Transportation System Plan (TSP). A curb-tight sidewalk is present along the property frontage, with no planter strip.

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

Attachments:

Attachment 1 – Application and Attachments

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.

Attachments:

Attachment 1 – Application and Attachments

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:

- A. R-4 (Multiple-Family Residential zone, except the construction of a Single-Family or Two Family Residential unit);
- B. C-1 (Neighborhood Business zone);
- C. C-2 (Travel Commercial zone);
- D. C-3 (General Commercial zone);
- E. O-R (Office/Residential zone);
- F. M-L (Limited Light Industrial zone);
- G. M-1 (Light Industrial zone);
- H. M-2 (General Industrial zone).

APPLICANT'S RESPONSE: None.

Attachments:

Attachment 1 – Application and Attachments

FINDING: SATISFIED. The proposed development is within the C-3 (General Commercial) zone, therefore landscaping is required subject to landscaping requirements of commercial uses and the criteria and standards described in Chapter 17.57 – Landscaping.

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. Staff concurs with the applicant’s finding, and notes that the revised landscape plan application indicates the following Percent Landscaped for the proposed development:

	Total Site Area (s.f.)	Project Area (s.f.)	Landscape Provided (s.f.)	Percentage
Auto Sales Office	9,583	548	48	8.8%

The proposed landscaping area of 8.8 percent exceeds the seven percent minimum landscaping requirement for commercial development. Therefore this standard is met.

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:

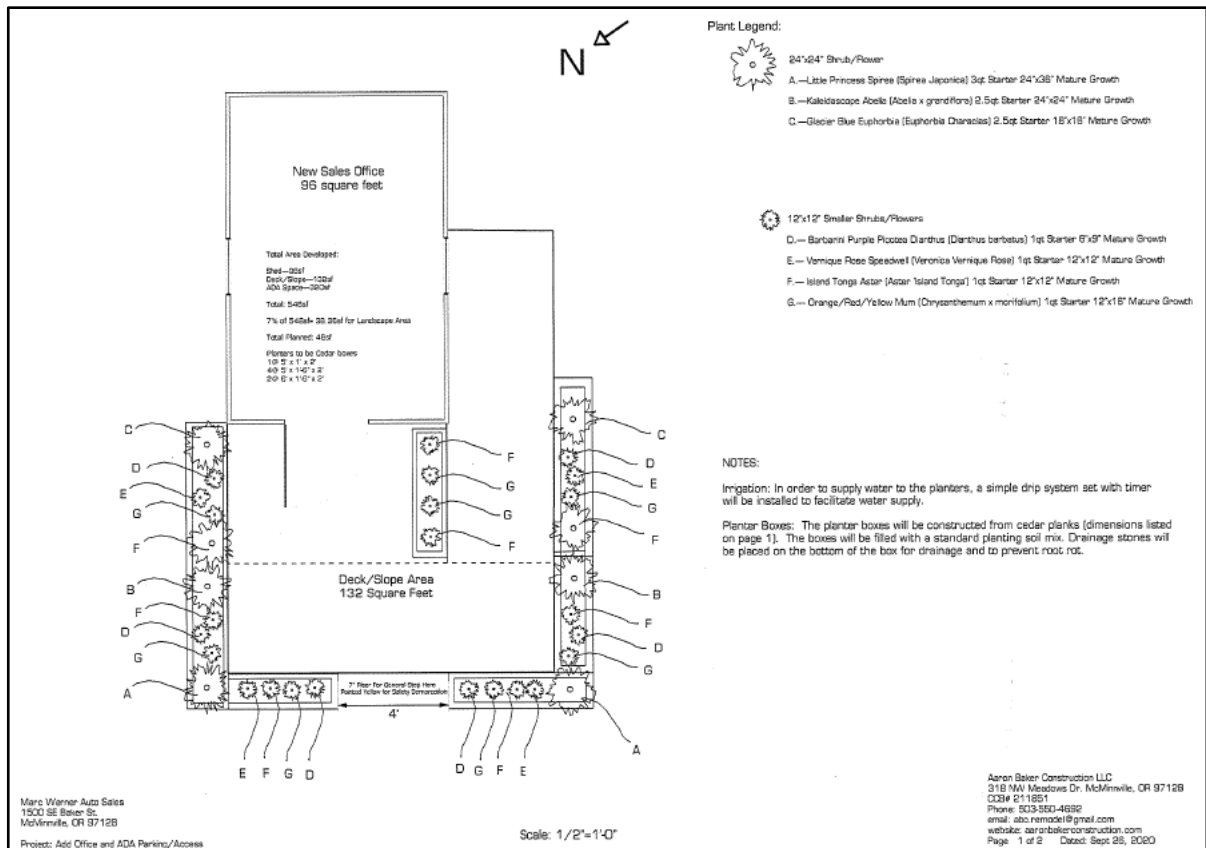
17.57.070(B)(1). Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The proposed site plan for the auto sales lot features the addition of a small office building (96sf), an ADA accessible ramp and deck (132sf), and ADA accessible parking area (320sf) to the easternmost portion of the lot. The remaining, unaltered paved area will be used for car sales. The landscape plan addresses landscaping for the redeveloped eastern portion of the property, and includes planter boxes around the ramp and deck.

Adjacent property to the north and south is zoned C-3 (General Commercial). North of the subject site is a church, and a marijuana dispensary is to the south. East of the site is residential land zoned R-3 (Two-Family Residential), and west of the subject site, across Highway 99W, is a mobile home park on land zoned C-3 (General Commercial).

Proposed Landscaping



Landscaping is proposed in wooden planters built around three sides of the entry ramp leading to the car sales office. Planters are to be five (5) feet long, one and a half (1½ feet wide), two (2) feet tall, and built of cedar planks.

Planting proposed for the planters consists of a variety of small evergreen and deciduous shrubs and perennial and annual flowering plants. Planters are anchored with *Spiraea japonica* 'Little Princess' (Little Princess Spiraea), a deciduous ornamental shrub reaching two (2) to three (3) feet tall and wide, the evergreen *Abelia x grandiflora* 'Kaleidoscope' (Kaleidoscope Abelia) that reaches two (2) feet tall and wide, and *Euphorbia characias* 'Glacier Blue' (Glacier Blue Euphorbia) that reaches 18 inches tall and wide. Intermixed with these shrubs throughout the planters are smaller perennial and annual flowering plants including *Dianthus* spp. (Pink), *Veronica* spp. (Speedwell), *Aster* spp. (Daisy), and *Chrysanthemum* spp. (Mum). The plantings will provide aesthetic appeal seasonal interest.

The lot is currently fenced, with chain link fencing around all but the eastern edge of the property adjacent to residentially zoned land. There, an existing solid wood fence exists, and will remain.

Immediately south of the subject site is a marijuana dispensary, where landscaping requirements were satisfied through the use of planters and pots when a new building was added to the existing parking lot.

Overall the characteristics of the proposed landscaping is compatible with the project and the adjacent surrounding properties. Planting is focused around highly visible locations of the new development and will help create a more aesthetically pleasing appearance within the site. The mix of shrubs and flowering plants will provide seasonal interest and color. Overall, staff finds the landscape plan is compatible with the proposed project and surrounding properties and uses.

Attachments:

Attachment 1 – Application and Attachments

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 is screened from neighboring residential properties to the east by the existing wooden fence that will remain. The proposed planters and landscaping will screen the structure of the new entry ramp to the car sales office and the building from the Highway 99W right-of-way.

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. No existing trees or significant natural areas are present on the site to be incorporated into the development of the project. Therefore, this review factor is not applicable.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The entirety of the parcel is a paved asphalt lot with the proposed use of car sales. One (1) ADA accessible parking stall will be striped close to the sales office, and the remainder of the parking lot is to be unaltered and used for car sales. Since the parking lot is not going to be re-configured due to the proposed development, which includes the surface demarcation of a single parking stall, this factor is not applicable.

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 proposed development is a car sales office for a car sales lot, and as described in more detail in findings for Chapter 17.58 Trees, street trees are not required because there are currently no curbside planter strips adjacent to the property. No prohibited tree is proposed in the parking area.

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 a drip irrigation system on a timer will be provided to each of the proposed planters.

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 OF APPROVAL #3. A condition of approval is included to require that all landscaping approved by the Landscape Review Committee and

Attachments:

Attachment 1 – Application and Attachments

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 continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Chapter 17.58. Trees

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 auto sales office on commercially zoned land. Public improvements within the adjacent Highway 99W right-of-way do not include a designated curbside planting strip. Sidewalks adjacent to the site are curb-tight. Therefore, street trees are not required in the right-of-way adjacent to the site.

JF



Planning Department

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

Office Use Only:

File No. L-34-20
Date Received 9-25-2000
Fee 801.35
Receipt No. _____
Received by SA

Landscape Plan Review Application

Applicant Information

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

Applicant Name Aaron Baker Construction LLC Phone (503) 550-4692

Contact Name Aaron Baker Phone _____
(If different than above)

Address 313 NW Meadows Dr.

City, State, Zip McMinnville, OR 97128

Contact Email abc remodel@gmail.com

Property Owner Information

Property Owner Name _____ Phone _____
(If different than above)

Contact Name Marc Werner Phone 971-237-7240

Address 1500 SE Baker St

City, State, Zip MAC

Contact Email marclinda71@gmail.com

Site Location and Description

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

Property Address 1500 SE Baker St, MAC

Assessor Map No. R4 429 AB - 05600 Total Site Area _____

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation Com Zoning Designation C-3

Landscaping Information

1. Total Landscaped Area: _____
2. Percent Landscaped: Planned = 7% of 548 sf. = 38.36 sf.
3. Building Floor Area: office ADA Parking = 320 sf.
New Structure: 96 sf. Existing Structure: N/A Addition: Deck = 132 sf.
4. Architect Name Designer - Aaron Baker Phone 503-550-4692
(Landscape Architect; Engineer; or Other Designer)
Contact Name Aaron Baker Phone _____
Address 318 NW Meadows Dr
City, State, Zip MAC
Contact Email abc remodel@gmail.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.

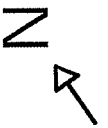
I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.


Applicant's Signature

9-23-2020
Date

Property Owner's Signature

Date



Plant Legend:



24"x24" Shrub/Flower

A.—Little Princess Spiraea (Spiraea japonica) 3qt Starter 24"x36" Mature Growth

B.—Kaleidoscope Abelia (Abelia x grandiflora) 2.5qt Starter 24"x24" Mature Growth

C.—Glacier Blue Euphorbia (Euphorbia characias) 2.5qt Starter 18"x18" Mature Growth



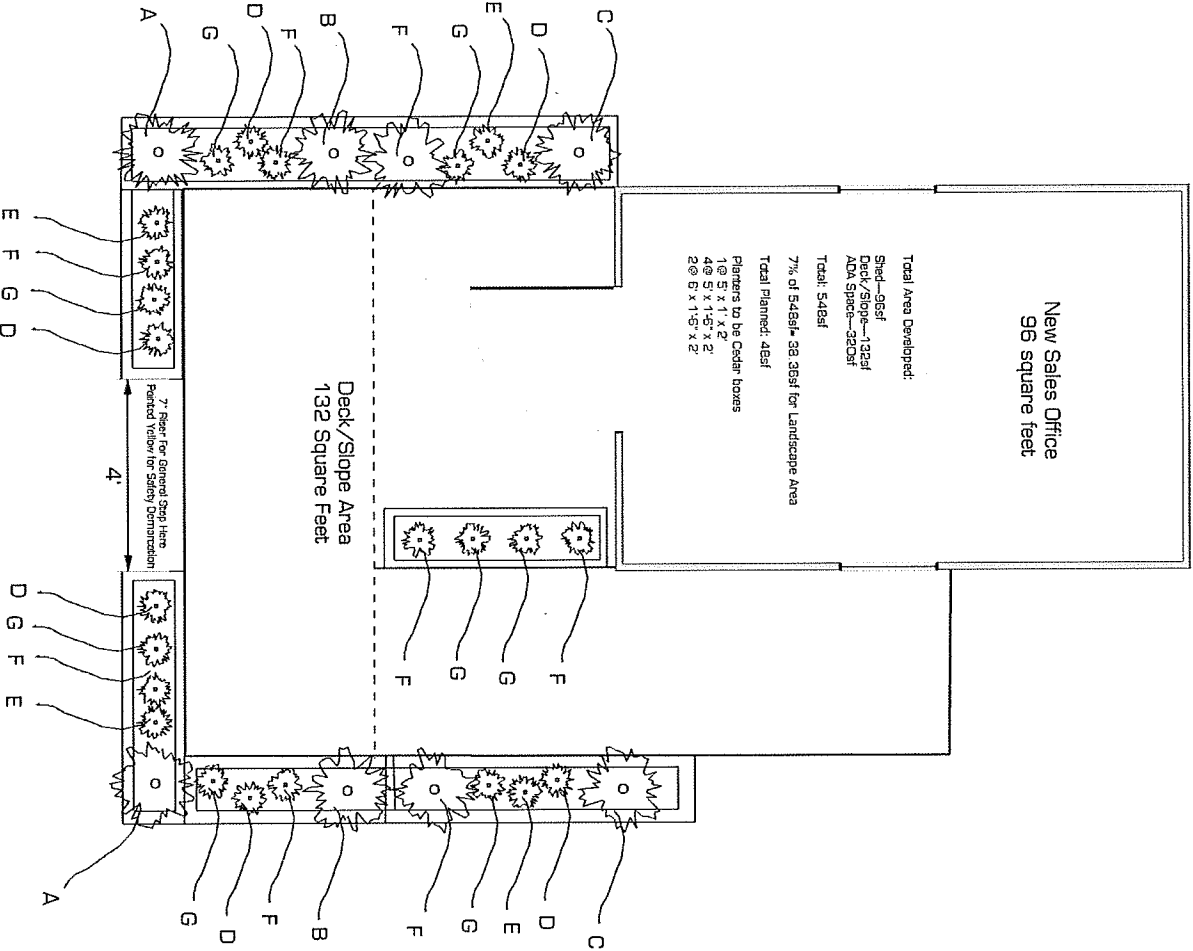
12"x12" Smaller Shrubs/Flowers

D.—Barbanni Purple Picotea Dianthus (Dianthus barbatus) 1qt Starter 6"x9" Mature Growth

E.—Vernique Rose Speedwell (Veronica Vernique Rose) 1qt Starter 12"x12" Mature Growth

F.—Island Tonga Aster (Aster Island Tonga) 1qt Starter 12"x12" Mature Growth

G.—Orange/Red/Yellow Mum (Chrysanthemum x morifolium) 1qt Starter 12"x16" Mature Growth



NOTES:

Irrigation: In order to supply water to the planters, a simple drip system set with timer will be installed to facilitate water supply.

Planter Boxes: The planter boxes will be constructed from cedar planks (dimensions listed on page 1). The boxes will be filled with a standard planting soil mix. Drainage stones will be placed on the bottom of the box for drainage and to prevent root rot.



Marc Werner Auto Sales
1300 SE Baker St.
McMinnville, OR 97128

Project: Add Office and ADA Parking/Access

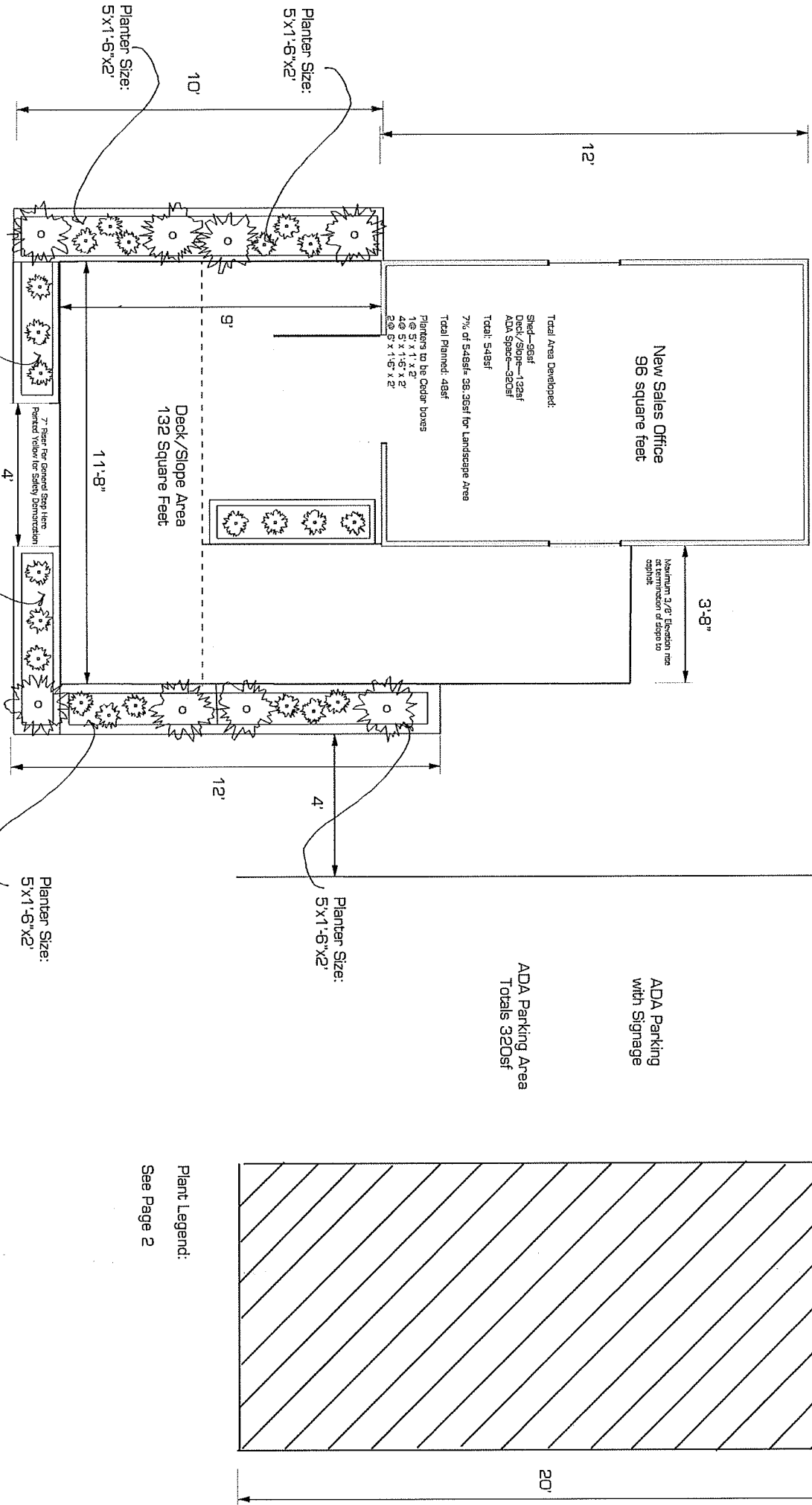
Planter Size:
5'x1'-6"x2'

Planter Size:
5'x1'-6"x2'

Scale: 1/2"=1'-0"

Plant Legend:
See Page 2

Aaron Baker Construction LLC
318 NW Meadows Dr. McMinnville, OR 97128
CCB# 211851
Phone: 503-550-4892
email: abc.remold@gmail.com
website: aaronbakerconstruction.com
Page 1 of 2 Dated: Sept. 26, 2020





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

EXHIBIT 5 - STAFF REPORT

DATE: October 21, 2020
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 4C - Street Tree Removal Application (L 33-20)

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

Report in Brief:

An application to remove two (2) Birch street trees adjacent to 210 SE Davis Street (L 33-20) to be reviewed by the Landscape Review Committee.

Background:

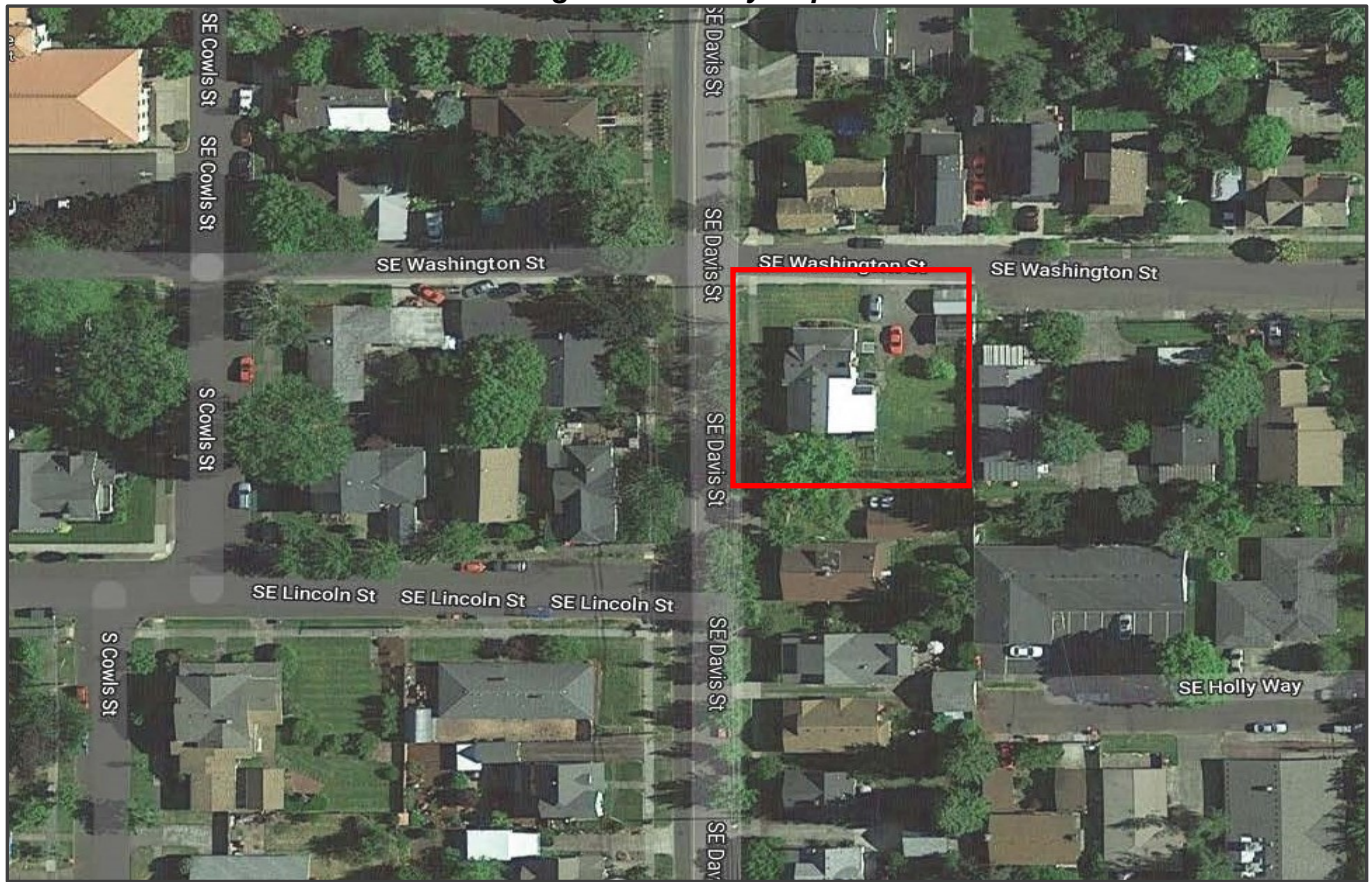
The application requests the removal of two (2) Birch trees from the public right-of-way adjacent to the subject property because they are dead. Removal of a tree located within the public right-of-way which is unsafe, dead, or diseased requires City approval.

The subject property is located at 210 SE Davis Street within the College Addition subdivision. **See Figure 1 (Vicinity Map).** The property is zoned R-4 (Multiple-Family Residential) and is developed with a single-family residence. The trees that are requested for removal are within the SE Davis Street right-of-way. **See Figure 2 (Site Plan), Figure 3 (Existing Trees), and Figure 4 (Existing Trees).**

Attachments:

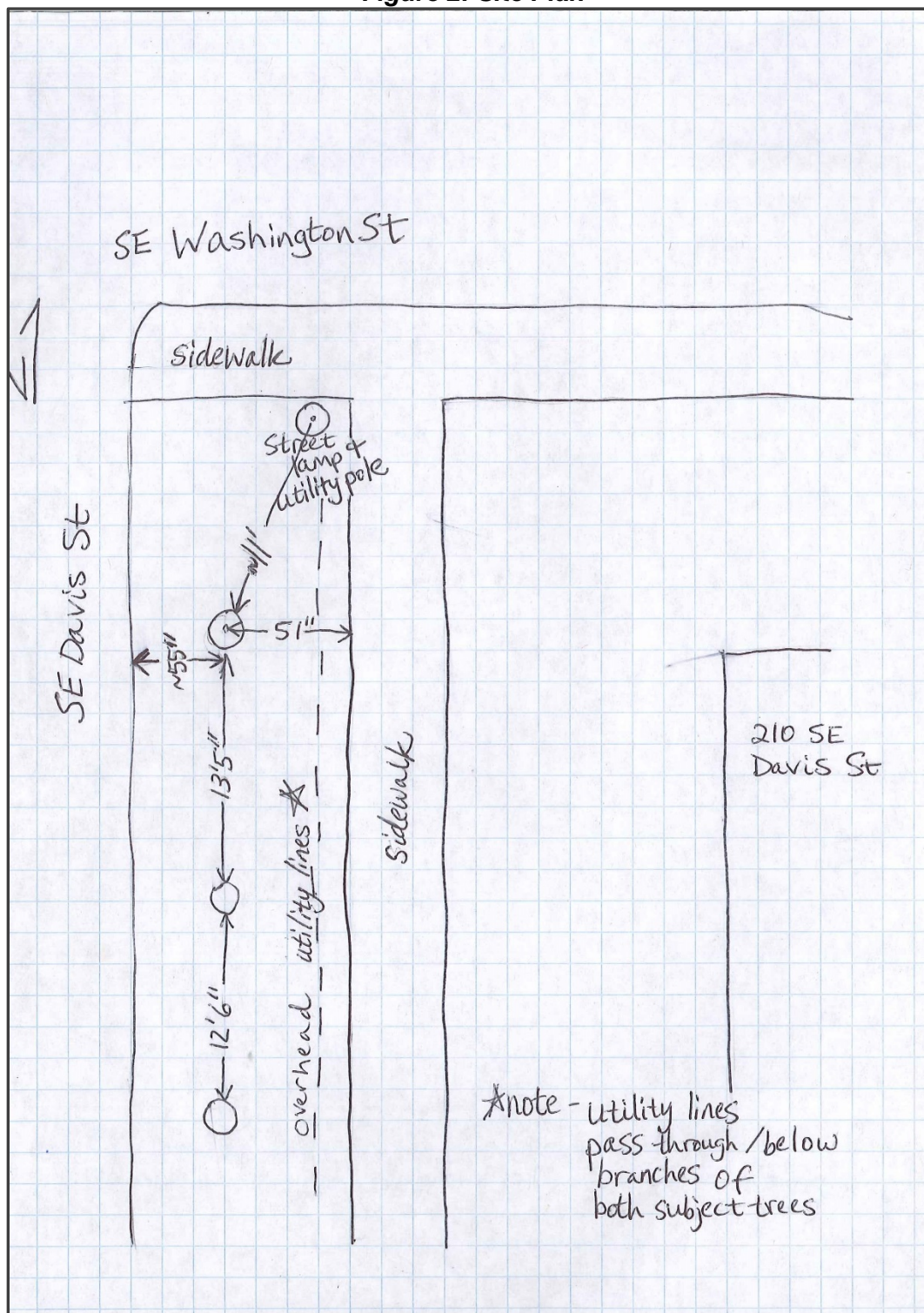
Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Street Tree Removal At 210 SE Davis Street

Figure 1: Vicinity Map



Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Tree Removal At 2446 SW Barbara Street

Figure 2: Site Plan**Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Tree Removal At 2446 SW Barbara Street

Figure 3: Existing Tree



Figure 4: Existing Tree



Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Tree Removal At 2446 SW Barbara Street

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

The application requests approval of a tree removal permit for two (2) Birch trees located within the public right-of-way. The Tree Removal Permit request is subject to the Tree Removal review criteria in Section 17.58.050 of the McMinnville Municipal Code (MMC).

Section 17.58.050 of the MMC requires a permit for Tree Removal to 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.

The applicant has requested the removal of two (2) Birch trees because they are standing dead. The trees have no evidence of sapwood or new growth in the branches, no new leaves, and shows no sign of vigor. Although no arborist report was submitted with the application, the evidence that the trees are dead is clear to a layman.

Since the trees are dead, criterion A for approval has been met, and removal of the trees is recommended.

Requirement of two (2) replacement street trees is recommended by Staff. No street tree plan for the College Addition is on file with the Planning Department, so a replacement tree selected from the recommended small street trees in the McMinnville Street Tree List appropriate for planting under wires, or other species/variety approved by the McMinnville Landscape Review Committee, would be of appropriate size and character to remain consistent with surrounding street trees.

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.

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Tree Removal At 2446 SW Barbara Street

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 TREE REMOVAL APPLICATION L 33-20 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.

JF

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Tree Removal At 2446 SW Barbara Street



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

503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A TREE REMOVAL AT 210 SE DAVIS STREET

DOCKET: L 33-20 (Street Tree Removal)

REQUEST: Approval to remove two (2) Birch trees from the public right-of-way adjacent to the subject property because they are dead

LOCATION: 210 SE Davis Street (Tax Lot 13200, Section 21CB, T. 4. S., R. 4 W., W.M.)

ZONING: R-4 (Multiple-Family Residential Planned Development)

APPLICANT: Karen Michele Kolet Gamble, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: October 1, 2020

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

DECISION DATE & LOCATION: October 21, 2020, Community Development Center, 231 NE 5th Street, McMinnville, Oregon, and Zoom Online Meeting ID 518 962 842.

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

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

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

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

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the street tree removal (L 33-20) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Date: _____

Date: _____

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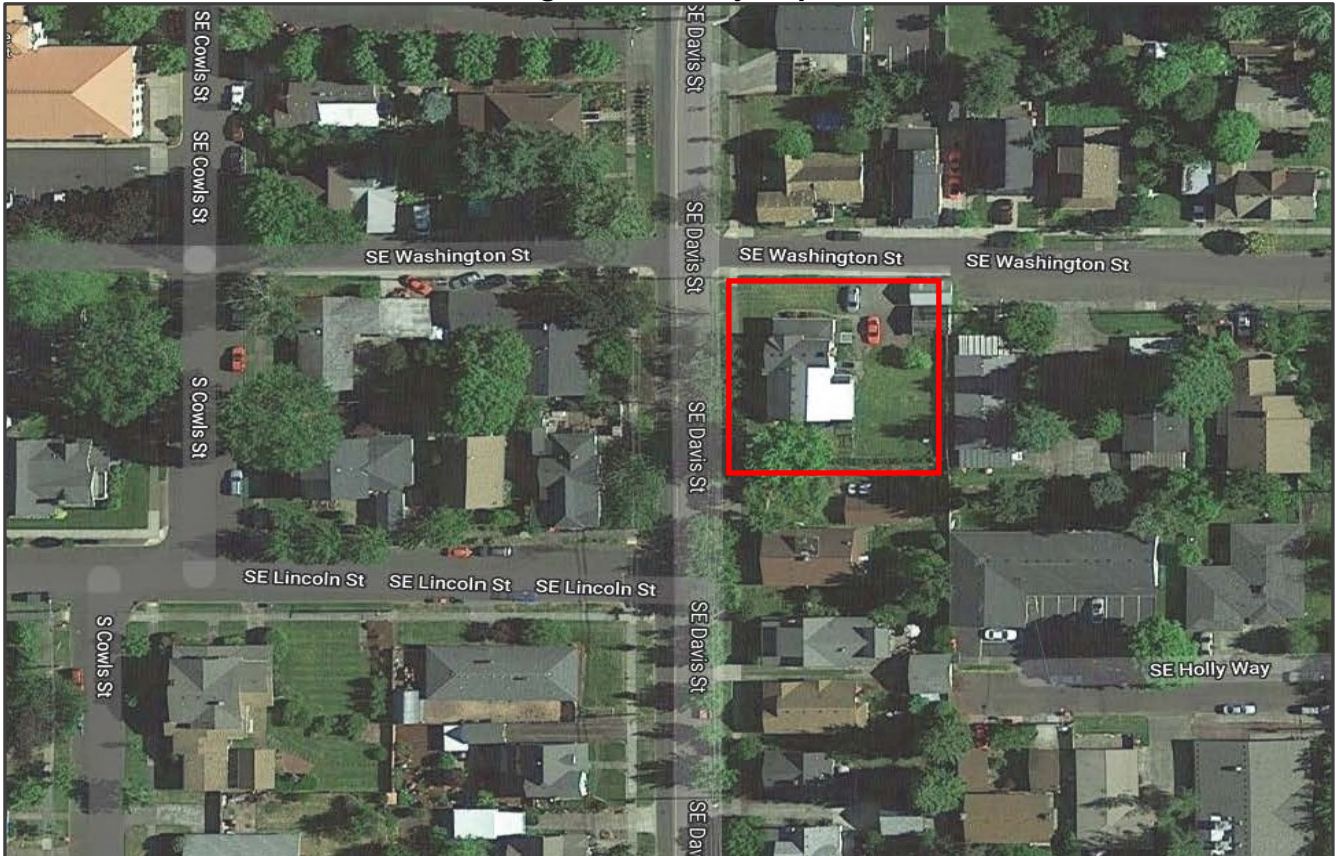
I. APPLICATION SUMMARY:

Subject Property & Request

The application requests the removal of two (2) Birch trees from the public right-of-way adjacent to the subject property because they are dead. Removal of a tree located within the public right-of-way which is unsafe, dead, or diseased requires City approval.

The subject property is located at 210 SE Davis Street within the College Addition subdivision. **See Figure 1 (Vicinity Map).** The property is zoned R-4 (Multiple-Family Residential) and is developed with a single-family residence. The trees that are requested for removal are within the SE Davis Street right-of-way. **See Figure 2 (Site Plan), Figure 3 (Existing Trees), and Figure 4 (Existing Trees).**

Figure 1: Vicinity Map



Attachments:

Attachment 1 – Application and Attachments

Figure 2: Site Plan

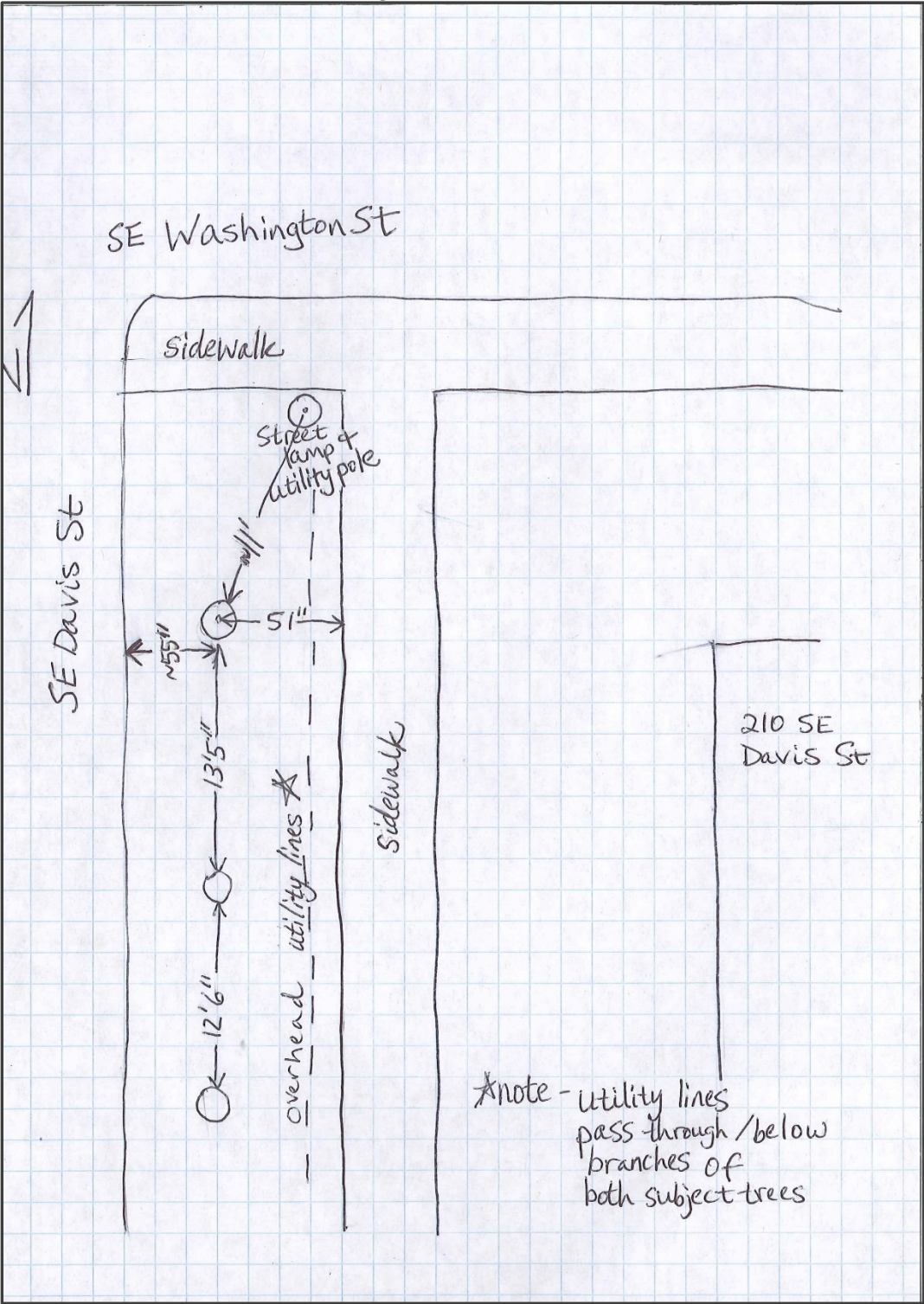


Figure 3: Existing Trees



Figure 4: Existing Trees



Summary of Criteria & Issues

The application is subject to review criteria in McMinnville Municipal Code (MMC) Section 17.58.050 of the McMinnville Zoning Ordinance, which requires a permit for Tree Removal to 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.

The applicant has provided documentation to support the request for a Tree Removal Permit. This will be discussed in detail in Section VII (Conclusionary Findings) below.

II. CONDITIONS:

1. That all costs and liability associated with tree removal, stump grinding, and tree replacement shall be borne by the applicant.
2. That the applicant shall call for locates (dial 811) for all underground utilities prior to removing the trunk and roots. This is a free service and the law. Upon request, utility locates can be flagged without marking up hard surfaces.
3. That the applicant is reminded to use extreme caution when working in the area of existing water services and power lines. Non-qualified workers need to maintain a minimum distance of 10' from high voltage lines. Please contact McMinnville Water and Light if you have any questions or concerns. If any facilities are damaged during tree removal or replacement, please contact MW&L immediately at 503-472-6158.
4. That the trees' stump and remaining surface roots shall be removed at least six (6) inches below grade to allow for a suitable replanting site. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations.
5. That two (2) replacement street trees be planted in the SE Davis Street planter strip. The trees shall be a recommended small street tree from the McMinnville Street Tree List appropriate for planting under wires, or other species/variety approved by the McMinnville Landscape Review Committee.
6. That replacement 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.
7. That replacement trees shall be planted per the approved City detail. The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a minimum depth of

Attachments:

Attachment 1 – Application and Attachments

eighteen (18) inches. In addition, the tree shall be provided with two (2) deep watering tubes to promote deep root growth.

8. That the applicant shall contact the McMinnville Public Works Department at 503-434-7316 to discuss specific staking, watering tube requirements, and to schedule an inspection prior to backfilling the replacement tree's planting pit.
9. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
10. That the planter strip area shall be restored to original grade immediately following the planting of the replacement trees.
11. That the applicant shall complete the tree removal and tree replacement within six (6) months of approval, or April 21, 2021.

III. ATTACHMENTS:

1. L 33-20 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 and incorporated into the conditions of approval:

- McMinnville Public Works:

Site Review

1. The two trees in question are overly mature birch trees.
2. The trees are planted in an irrigated parking strip about 8' wide, with turf as ground cover.
3. There are overhead power and communication facilities along the east side of Davis.
4. Both trees have been topped to accommodate the overhead facilities.
5. Both trees appear to be dead.
6. There is no damage to the adjacent curb and gutter.

Recommendations

1. Given the condition of the tree in question, staff would recommend approval of this request.
 - a. Suggested conditions of approval: a. Applicant to be responsible for all costs related to removal and replacement.
 - b. Applicant required to grind stump to a minimum of 6" below grade.
 - c. If removal or replanting are performed by a contractor, contractor to call for a utility locate prior to remove and replanting. If applicant is doing the work, the applicant to call for a utility locate prior to removal and planting.
 - d. Applicant to replace the trees with minimum 2" caliper trees of a variety acceptable to the Planning Department.

Attachments:

Attachment 1 – Application and Attachments

- e. Replacement trees to be planted as per approved City detail.
- f. Applicant to contact Public Works at 503.434.7316 for a planting inspection prior to backfilling.

- McMinnville Water & Light:

McMinnville has the following comments:

“Water: Protect existing water meter.

Power: High Voltage Power Lines in the area. Non-qualified workers need to maintain a minimum distance of 10’ from high voltage lines. Please contact McMinnville Water and Light if you have any questions or concerns.”

Public Comments

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

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. Karen Michele Kolet Gamble, property owner, submitted a Street Tree Removal Permit application on September 18, 2020.
2. The application was deemed complete on October 1, 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 Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
5. A public meeting was held by the McMinnville Landscape Review Committee on October 21, 2020 to review the application and proposed street tree removal request.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 210 SE Davis Street (Tax Lot 13200, Section 21CB, T. 4. S., R. 4 W., W.M.)
2. **Size:** 0.262 acres
3. **Comprehensive Plan Map Designation:** Residential
4. **Zoning:** R-4 (Multiple-Family Residential)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** Single-family dwelling

Attachments:

Attachment 1 – Application and Attachments

7. Inventoried Significant Resources:

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

8. Other Features: None.**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: SE Davis Street is classified as a Minor Collector Street in the 2010 McMinnville Transportation System Plan (TSP).**VII. CONCLUSIONARY FINDINGS:**

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

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

Comprehensive Plan Volume II:

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

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

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

GOAL 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

Attachments:

Attachment 1 – Application and Attachments

Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville Zoning Ordinance

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

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. Removal and replacement of the subject street trees would meet the purpose of the Trees Chapter of the Zoning Ordinance. Trees would be situated and maintained to minimize hazard, nuisance, damage, and maintenance costs; the appearance, beauty and charm of the City would be enhanced; and the maximum amount of tree cover on public lands would be maintained.

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

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The trunk of the trees proposed for removal are located within a curbside planting strip completely within the public right-of-way adjacent to the subject property. Therefore, the provisions of Chapter 17.58 Trees shall apply to this tree removal request.

17.58.040 Tree Removal/Replacement.

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

APPLICANT'S RESPONSE: None.

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

Attachments:

Attachment 1 – Application and Attachments

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #4. A condition of approval has been included to assure that the tree removal will be performed to accepted City standards.

CONDITION FOR FINDING: That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade to allow for a suitable replanting site. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITIONS #1-3, #10. Conditions of approval have been included to assure that the applicant shall be responsible for all costs associated with the tree removal, and that steps are taken to ensure safety to individuals and public and private property.

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

That the applicant shall call for locates (dial 811) for all underground utilities prior to removing the trunk and roots. This is a free service and the law. Upon request, utility locates can be flagged without marking up hard surfaces.

That the applicant is reminded to use extreme caution when working in the area of existing water services and power lines. Non-qualified workers need to maintain a minimum distance of 10' from high voltage lines. Please contact McMinnville Water and Light if you have any questions or concerns. If any facilities are damaged during tree removal or replacement, please contact MW&L immediately at 503-472-6158.

That the planter strip area shall be restored to original grade immediately following the planting of the replacement trees.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION OF APPROVAL #5. The two (2) trees in the SE Davis Street right-of-way are located in a curb-side planter strip that is approximately nine (9) feet wide. No utilities or driveways are present that require setbacks. There is sufficient space in the SE Davis Street planter strip adjacent to the subject property to replace the trees proposed for removal. Overhead utility and power lines are present in the planter strip.

There is no approved street tree plan for the College Addition subdivision on file with the Planning Department. Because there is no approved street tree for the subject site, the replacement trees

Attachments:

Attachment 1 – Application and Attachments

selected from the recommended small street trees in the McMinnville Street Tree List appropriate for planting under wires, or other species/variety approved by the McMinnville Landscape Review Committee, would be of appropriate size and character to remain consistent with surrounding street trees.

CONDITION FOR FINDING: That two (2) replacement street trees be planted in the SE Davis Street planter strip. The trees shall be a recommended small street tree from the McMinnville Street Tree List appropriate for planting under wires, or other species/variety approved by the McMinnville Landscape Review Committee.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION OF APPROVAL #4. A condition of approval has been included to ensure that the applicant shall remove the tree stump and surface roots, and restore any damaged turf areas in the public right-of way.

CONDITION FOR FINDING: That the tree's stump and remaining surface roots shall be removed at least six (6) inches below grade to allow for a suitable replanting site. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION OF APPROVAL #11. A condition of approval has been included to ensure that the applicant shall complete the tree removal within six (6) months of approval.

CONDITIONS FOR FINDING: That the applicant shall complete the tree removal within six (6) months of approval, or April 21, 2021.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. Other conditions are not necessary.

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: The tree nearest the corner is 100% dead. The tree next to that is mostly dead.

FINDING: SATISFIED. Staff concurs with the applicant's finding, but would note that an arborist's report was not included in the application materials. The trees in question are standing dead. The trees have no evidence of sapwood or new growth in the branches, no new leaves, and shows no sign of vigor. Although no arborist report was submitted with the application, the evidence that the trees are dead is clear to a layman. Therefore, since the trees are dead, criterion 'A' is met and removal of the tree is recommended.

17.58.090 Street Tree Standards.

- A. The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.
- B. Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
- C. Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. Within commercial and industrial development staggered, or irregular spacing is permitted, as may be approved by the McMinnville Landscape Review Committee. When planting replacement trees within the Downtown Tree Zone, consideration shall be given to the height of adjacent buildings.
- D. When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half (2 1/2) feet from the face of a curb. These standards may be superseded by design drawings and specifications as periodically developed and adopted by the City.
- E. Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.
- F. Existing street trees shall be retained unless approved by the Planning Director for removal during site development or in conjunction with a street construction project. Sidewalks of variable width and elevation may be utilized as approved by the Planning Director to save existing street trees. Any street tree removed through demolition or construction within the street

Attachments:

Attachment 1 – Application and Attachments

right-of-way, or as approved by the City, shall be replaced within the street right-of-way at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to the City an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the existing street tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5-9. Conditions of approval have been included to ensure that the City's street tree standards are met during the replacement of the street trees.

CONDITIONS FOR FINDING: That two (2) replacement street trees be planted in the SE Davis Street planter strip. The trees shall be a recommended small street tree from the McMinnville Street Tree List appropriate for planting under wires, or other species/variety approved by the McMinnville Landscape Review Committee.

That replacement 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.

That replacement trees shall be planted per the approved City detail. The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a minimum depth of eighteen (18) inches. In addition, the tree shall be provided with two (2) deep watering tubes to promote deep root growth.

That the applicant shall contact the McMinnville Public Works Department at 503-434-7316 to discuss specific staking, watering tube requirements, and to schedule an inspection prior to backfilling the replacement tree's planting pit.

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.

JF



Planning Department

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

504-20-000552-Plng

Office Use Only:

File No. L33-20
Date Received 9-18-20
Fee 150.
Receipt No. _____
Received by SA

Street Tree Removal

Applicant Information

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

Applicant Name Karen Michele Kolet Gamble Phone 503 449 6612

Contact Name _____ Phone 503 628 0936
(If different than above)

Address PO Box 3717

City, State, Zip Hillsboro, OR 97123

Contact Email michele@kolet.net

Property Owner Information

Property Owner Name _____ Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

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

Property Address 210 SE Davis St., McMinnville

(Property nearest to tree(s) for removal)

Assessor Map No. R4 421 - CB - 13200 Total Site Area .26 acres

Subdivision College Addition Block _____ Lot 6 of 7 (partial)

Comprehensive Plan Designation Res Zoning Designation R-4

Additional Information

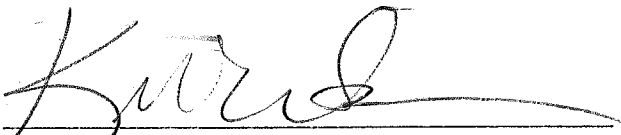
1. How many trees are requested for removal? 2
2. What type (species) of tree(s) are they? Birch
3. What is the diameter of the tree(s), measured four feet above ground level? ~39" (both)
4. Why are you requesting the removal of the noted tree(s)? (See "Removal Criteria" on attached Information Sheet.) Explain which of the criteria is addressed through this application. _____

The tree nearest the corner is 100% dead. The tree next to that is mostly dead.

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

- ☒ A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), showing the location of the tree(s) subject to the removal request, property lines, sidewalks, adjacent utilities (including overhead), north direction arrow, and adjacent streets.
- ☒ Arborist report, photographs, and/or other information which would help substantiate or clarify your request.

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


Applicant's Signature

9/7/2020
Date

Property Owner's Signature

Date

SE Washington St

N

SE Davis St

Sidewalk

Street
lamp &
utility pole

55"

51"

13'5"

12'6"

overhead utility lines

Sidewalk

210 SE
Davis St

*note - utility lines
pass through / below
branches of
both subject trees



View from my property's porch,
streetlight on corner is visible.

View from across the street including
Mature, healthy tree in line w/
2 dead ones I am applying
to remove.

Power line tension cable visible
at left.

need to apply for permit



CCB #63604
LCB #5814

6795 SW 111th Avenue
Beaverton, OR 97008
www.generaltree.com

Proposal for Service

Professional tree, shrub and lawn care since 1924.
Thursday, September 3, 2020

Portland 503-656-2656
Toll Free 1-888-656-5401
FAX 503-656-3219

Job: Kolet Gamble 20200901 Customer: 438096

Billing Address:

Michele Kolet Gamble
210 SE Davis St
Mcminnville, OR 97128
Phone: 503-449-6612

Estimate bld by: Juan Rodarte

j.rodarte@generaltree.com

Worksite: 210 SE Davis St
Mcminnville, OR 97128

Proposal Notes Note: to perform this job, client need to have a approved permit from City of Mcminnville to remove tree
Option 2

#	Item	Description	Qty	Cost
1	Birch	Removal 2 Birch Front of House (parking strip):	2	\$1,260.00
		<ul style="list-style-type: none"> Safe and careful dismantling of Tree to near ground level. Haul wood 		
		Includes clean-up of debris as directed.		
2	Stump(s)	Stump Grinding 2 Birch Stump Front of House (parking strip):	0	\$250.00
		<ul style="list-style-type: none"> Grind stump 6" to 8" below ground We will leave grindings mounded unless otherwise noted. 		
		We will not be held responsible for damage to any unmarked underground utilities such as irrigation systems, night lighting, etc.		

Subtotal: \$1,510.00
Tax: \$0.00
Option 2 Total: \$1,510.00



(<http://www.tcia.org/TCIA/Directories/FindQualifiedTreeCare.aspx>)

From: **GENERAL TREE SERVICE** j.rodarte@generaltree.com
Subject: Proposal From General Tree Service
Date: September 3, 2020 at 10:34 AM
To: michele@kolet.net



Dear Michele

I have attached a link button for the revised proposal work we discussed (2 birch removals and 2 stumps ground, i will add the second stump for same price for you)

About the permit... City of McMinnville request to Client and home owners request for permit because they need some personal information fill up.

When you open this proposal, you might find a green button on the top right of the screen that says "Accept" you can click there and type your name in the box to approve this proposal

Please let me know if you have any concerns.

Thank you,

Juan C. Rodarte

ISA Certified Arborist PN-9029A

Area Representative

General Tree Service

Cell: (971) 329-1122 Text "OK"

Email: J.rodarte@generaltree.com



[View My Proposal](#)

KoletGamble20
20090...ree.pdf



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

EXHIBIT 6 - STAFF REPORT

DATE: October 21, 2020
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 4D – Landscape Plan Review Application (L 21-18)

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

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

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

REPORT IN BRIEF:

This proceeding is a public meeting of the Landscape Review Committee to continue the Landscape Plan Review (L 21-18) for new landscaping associated with the addition to a commercial structure at 1819 NE Baker Street (Tax Lot 11900, Section 17DA, T. 4 S., R. 4 W., W.M.). The application was deemed complete on July 19, 2018, and was considered by the Landscape Review Committee at their August 15, 2018 meeting. The committee voted to continue the application to allow the applicant to better respond to review factors, including providing the required amount of landscaping. The applicant submitted a revised landscape plan for consideration. Staff has reviewed the revised application for consistency with the applicable criteria, and recommends approval of the application, subject to the conditions specified in the attached Decision Document.

PROJECT DESCRIPTION:

The subject property is located at 1819 NE Baker Street. **See Figure 1 (Vicinity Map).** The property is zoned C-3 (General Commercial) **See Figure 2 (Zoning Map).** All adjacent property to the south, east, and northeast, is zoned C-3 (General Commercial) and developed with commercial uses. Property to the northwest is zoned R-4 (Multi-family residential), and to the west of the site is property zoned R-3 (Two-family residential).

The site is developed with a winery supply retail store. A 4,300 square foot addition to the commercial structure, the subject of this application, was constructed and additional off-street parking spaces were provided to meet off-street parking requirements. The original landscape plan submitted in 2018 for the addition included no new landscaping. The landscape review committee voted to continue the application to allow the applicant the opportunity to submit a revised landscape plan including the additional

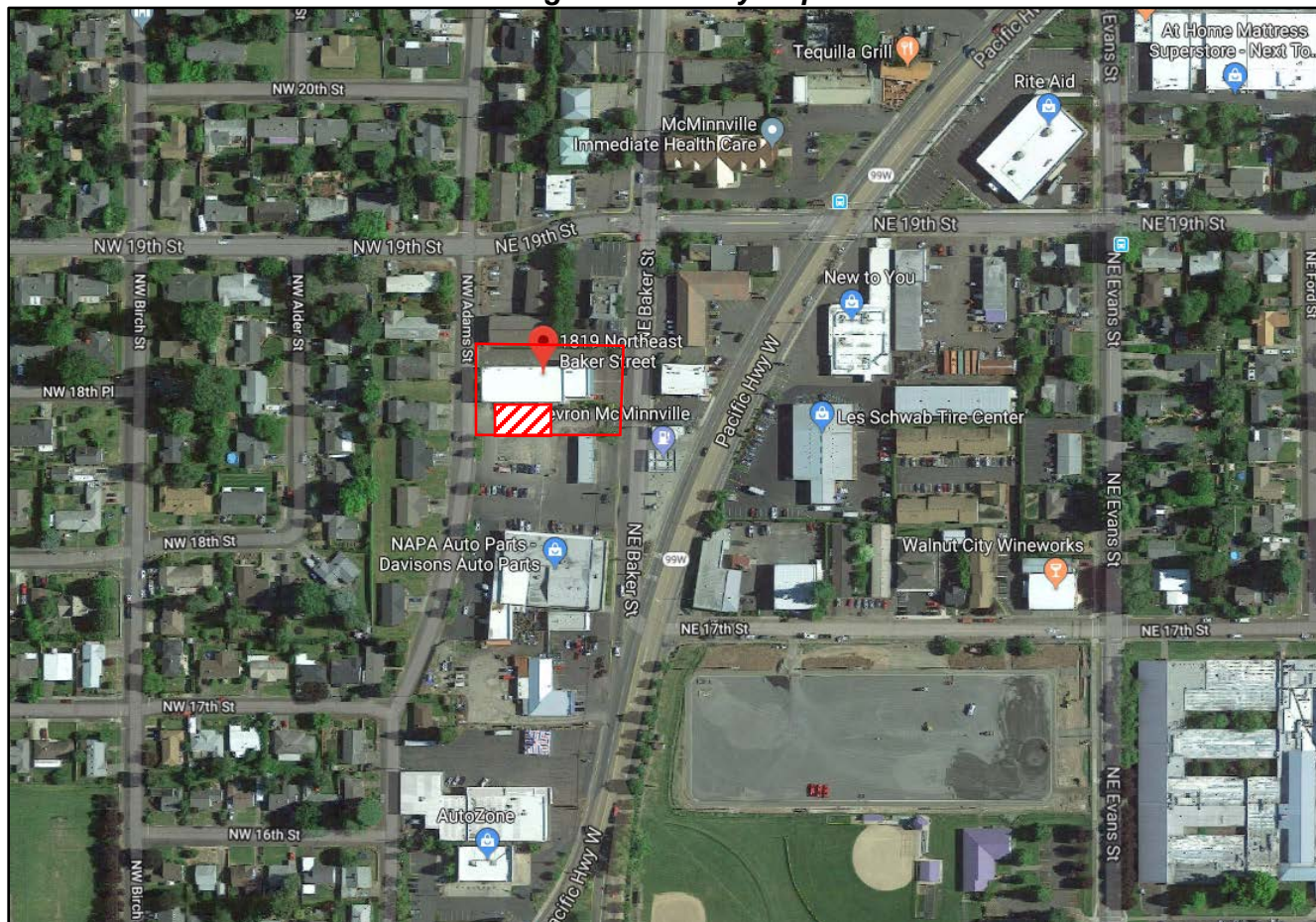
Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Urgent Care Clinic at 1819 NE Baker Street

landscaping area required by the zoning ordinance for additions to existing structures. The landscape plan addresses landscaping required for the new addition. **See Figure 3 (Landscape Plan).** Existing landscaping for the original commercial building was approved in docket L 11-02 on June 21, 2002. **See Figure 4 (Original Landscape Plan L 11-02).**

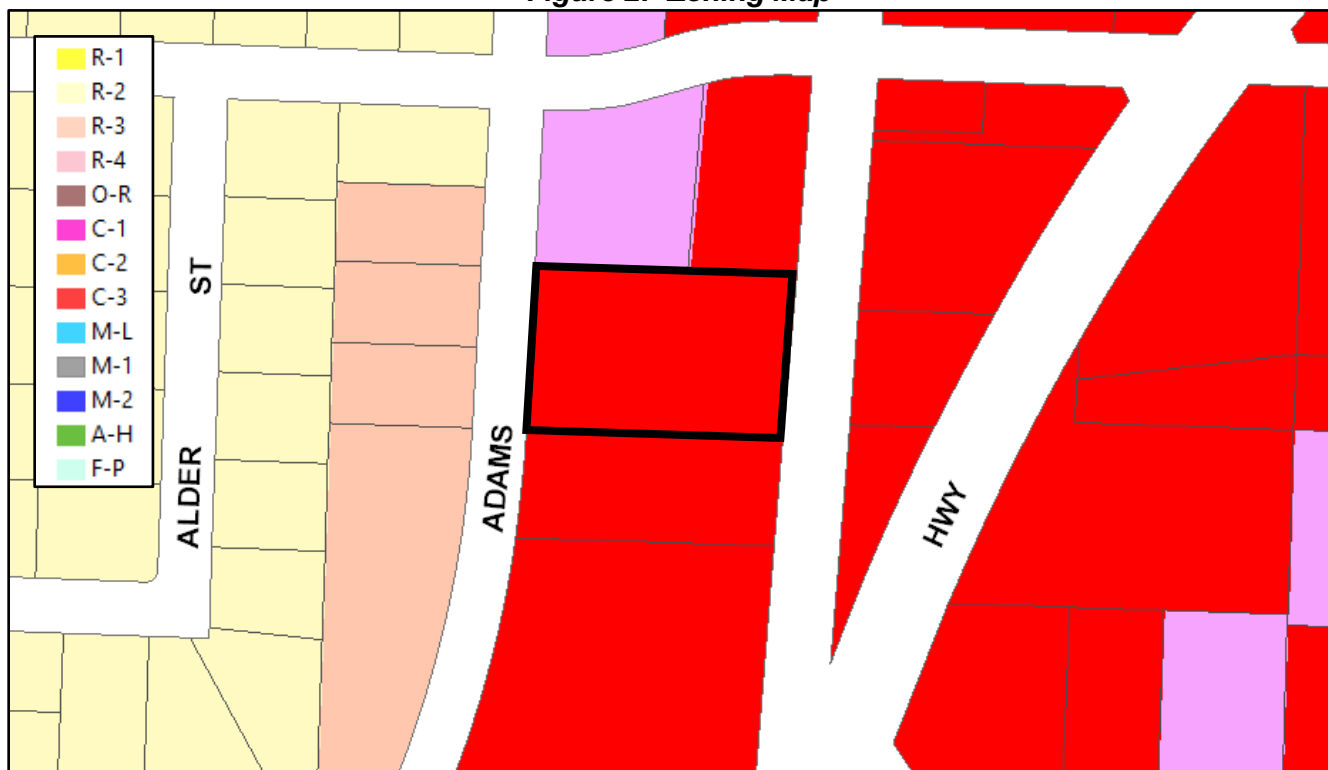
The new landscaping proposed to meet the additional square footage requirements consists of the extension of an existing landscape area in the southeast east corner of the property. The new landscape area has been constructed and planted with lawn.

Figure 1: Vicinity Map

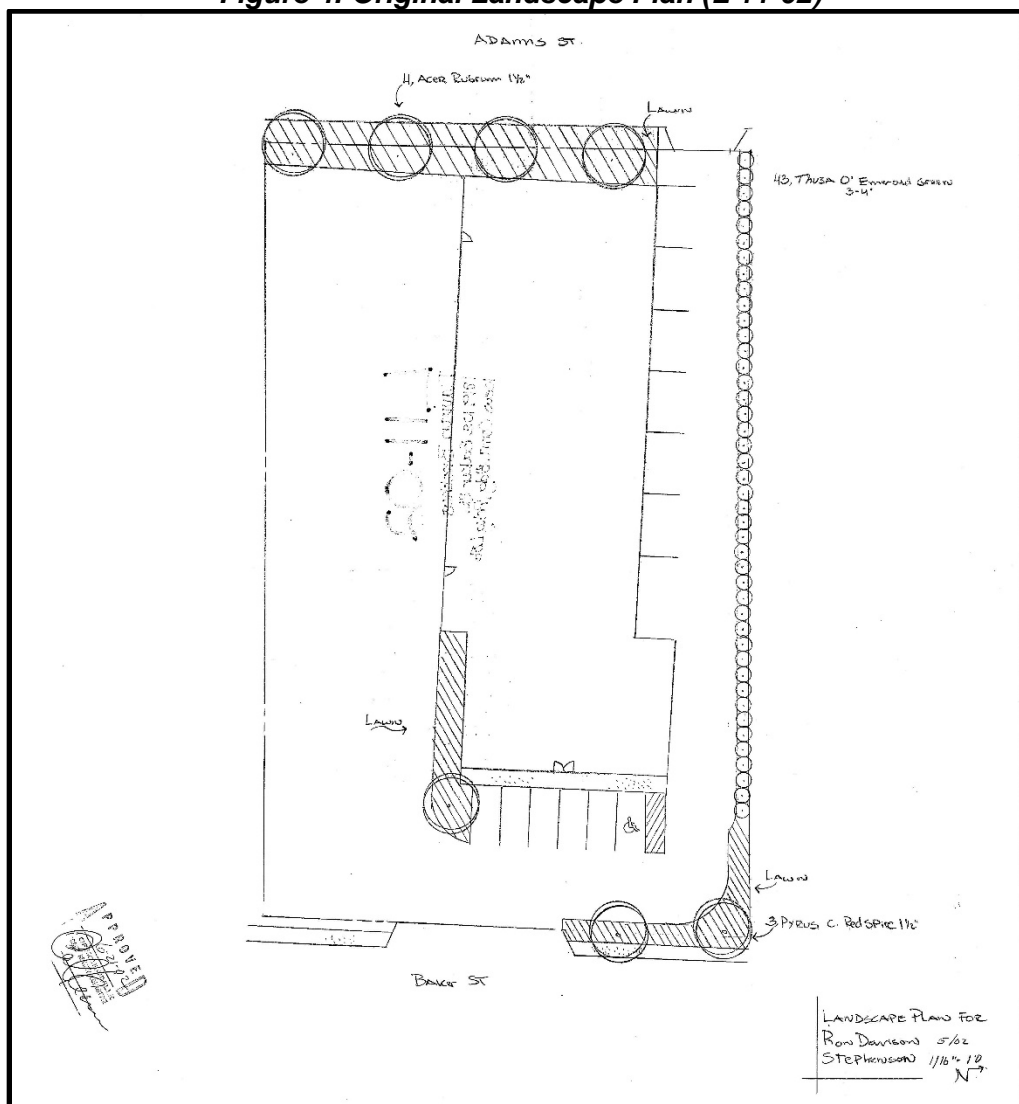


Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Urgent Care Clinic at 1819 NE Baker Street

Figure 2: Zoning Map**Figure 3: Proposed Landscape Plan****Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Urgent Care Clinic at 1819 NE Baker Street

Figure 4: Original Landscape Plan (L 11-02)**STAFF REVIEW:**

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

Landscaping in the C-3 (General Commercial) zone is subject to commercial standards and requirements outlined in McMinnville Municipal Code (MMC) Chapters 17.57-Landscaping.

Compliance with Review Factors***Attachments:***

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Urgent Care Clinic at 1819 NE Baker Street

Below are tables 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:

MMC 17.57.070(A)(5)

Address	Zone	Minimum Req'd Landscaping 17.057.070(A)	Gross Lot Area (s.f.)	Req'd Parking & Loading (s.f.)							Area Determination Formula ² 17.57.070(A)(5)		
				Building Area (s.f.)	Structure #1	Structure #2	Standard 8.5x19	Compact 8x16	HC 12x19	Loading Bay 12x35	Lot Coverage	Not-To-Exceed Area ¹ 17.57.070(A)(5)	Required Landscape ¹ 17.57.070(A)(5)
1819 NE Baker Street	C-3	7%	36,155		Existing 8,000	2,580	15	0	1	2	14,071	861	335
					Additional 4,300		3	0	0	0	4,785		335

¹ ALC (additional lot coverage)/ELC (existing lot coverage) x (% required landscaping) x (total lot area)

² ALC (additional lot coverage) x (% required landscaping)

	Additional Landscape Required (s.f.)	Additional Landscape Provided (s.f.)
Commercial Addition	335	460

MMC 17.57.070(B)

Issue	Notes	Condition to Help Meet Criteria
Compatibility with the project and surrounding properties and uses	<ul style="list-style-type: none"> • No conflicts with proposed use • No conflicts with adjacent properties or uses • New lawn area is consistent with existing landscaping on the site • Boulders provide barrier to cars between adjacent properties 	None
Screening the proposed use	<ul style="list-style-type: none"> • Existing shade trees from the original approved landscape plan provide screening and buffering of addition and parking area 	None
Retention of existing trees	<ul style="list-style-type: none"> • Existing trees on site retained and incorporated into development of addition and parking area 	None
Parking lot islands and planting	<ul style="list-style-type: none"> • Existing shade trees from the original approved landscape plan provide screening and buffering parking area • New lawn area is adjacent to driveway, further breaking it up 	None
Use of suitable street trees	<ul style="list-style-type: none"> • Street trees not required (No dedicated curbside planter strips) • No prohibited trees within the parking area 	None

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Urgent Care Clinic at 1819 NE Baker Street

Issue	Notes	Condition to Help Meet Criteria
Irrigation system or water facilities	<ul style="list-style-type: none"> Irrigation provided to existing landscape area and can be extended into new landscape area. 	None

Staff-Suggested Conditions of Approval

1. That the applicant shall install landscaping as shown on the landscape plan received by the Planning Department on September 29, 2020 and shall comply with required conditions of approval.
2. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

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:

Site/ Review

1. The landscaping depicted in the submittals is existing material, and appears to be healthy, well maintained and irrigated. The landscaping is along the Baker Street frontage of the site. The existing landscaping appears to match what is shown in the submittal.
2. NE Baker Street is functionally classified as a minor arterial in the McMinnville TSP. NE Baker Street has a 60' right of way with a 44' wide street improvement in this area. The right of way extends approximately 8' from the face of the curb to the property line. Based on the submitted plans, the majority of the landscaping is outside the public right of way.
3. There are overhead communication facilities on the west side of the roadway adjacent to the site. There are primary overhead electrical facilities on the east side, with secondary drops across the roadway.

Recommendations

1. The overhead facilities on the west side would preclude the use of additional street trees in this space in the right of way, so Public Works would have no concerns regarding street tree plantings. Based on that, we would recommend approval of this application.

- McMinnville Water and Light:

MWL has no comments on this application.

Public Comments

No public comments were received prior to the issuance of this report.

LANDSCAPE REVIEW COMMITTEE OPTIONS:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for an Urgent Care Clinic at 1819 NE Baker Street

- 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 21-18 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.

JF



CITY OF MCMINNVILLE
PLANNING DEPARTMENT
231 NE FIFTH STREET
MCMINNVILLE, OR 97128
503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN REVIEW FOR A COMMERCIAL ADDITION AT 1819 NE BAKER STREET

DOCKET: L 21-18 (Landscape Plan Review)

REQUEST: Approval of a Landscape Plan for a commercial addition at 1819 NE Baker Street

LOCATION: 1819 NE Baker Street (Tax Lot 11900, Section 17DA, T. 4 S., R. 4 W., W.M.)

ZONING: C-3 (General Commercial)

APPLICANT: Ron Davison, Davison Bros. LLC, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: July 19, 2018

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

DECISION DATE & LOCATION: October 21, 2020, Community Development Center, 231 NE 5th 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 21-18) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Staff: _____
 Jamie Fleckenstein, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

Attachments:

Attachment 1 – Application and Attachments

I. APPLICATION SUMMARY:

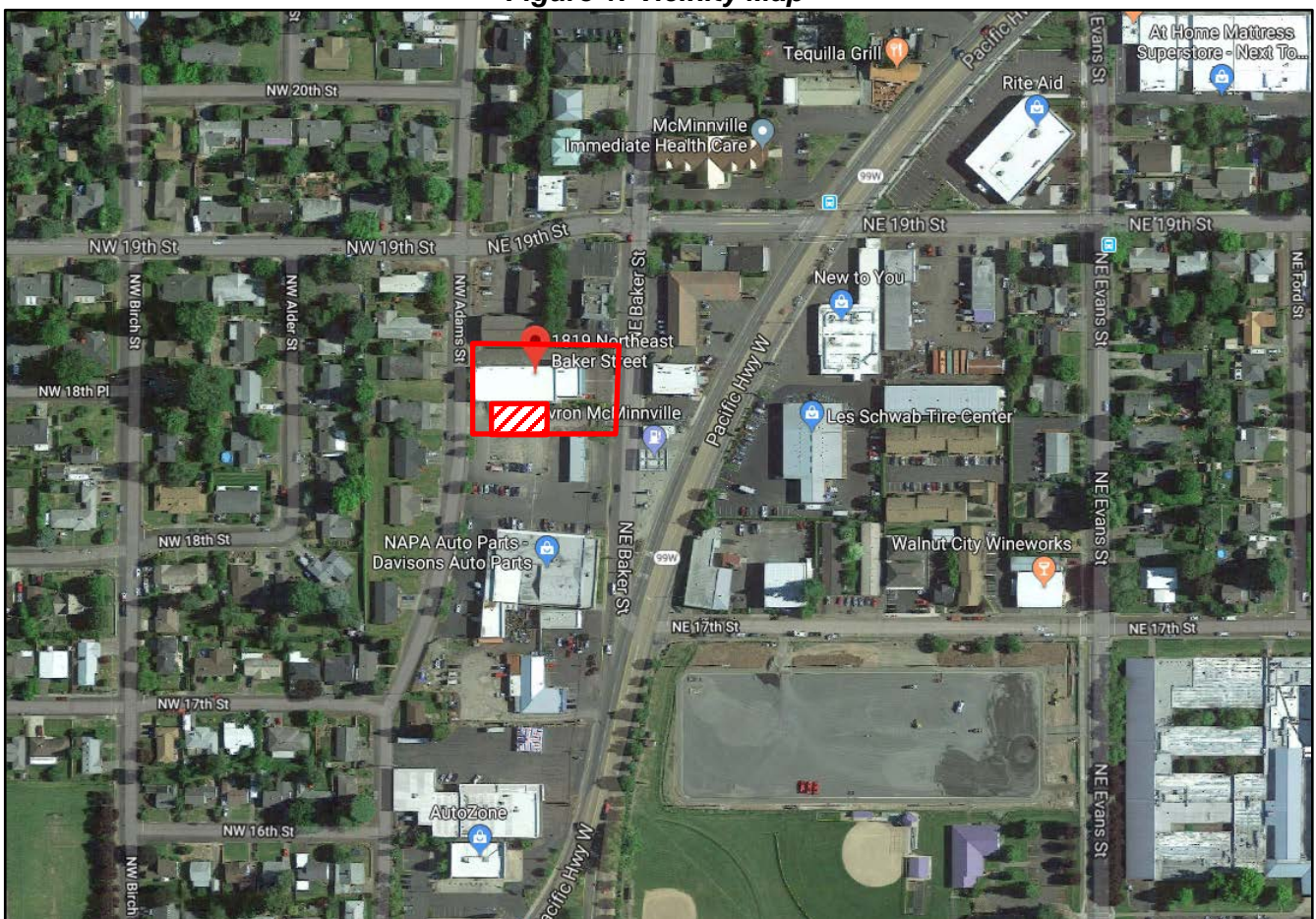
Subject Property & Request

The applicant, Ron Davison, property owner, submitted a landscape plan review application (docket L 21-18) seeking approval of a landscape plan for the development of a commercial addition to an existing commercial structure at 1819 NE Baker Street.

The subject property is located at 1819 NE Baker Street, and is more specifically described as Tax Lot 11900, Section 17DA, 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).** All adjacent property to the south, east, and northeast, is zoned C-3 (General Commercial) and developed with commercial uses. Property to the northwest is zoned R-4 (Multi-family residential), and to the west of the site is property zoned R-3 (Two-family residential).

The applicant has built a new 4,300 square foot addition to a commercial storage facility to serve as additional warehousing/storage space for goods and materials sold at the winery supply retail store located on the property. Additional paved parking spaces and drive aisles are included around the new addition. The landscape plan addresses landscaping required for the new addition. **See Figure 3 (Landscape Plan).** Existing landscaping for the original commercial building was approved in docket L 11-02 on June 21, 2002. **See Figure 4 (Original Landscape Plan L 11-02).**

Figure 1: Vicinity Map



Attachments:

Attachment 1 – Application and Attachments

Figure 2: Zoning Map

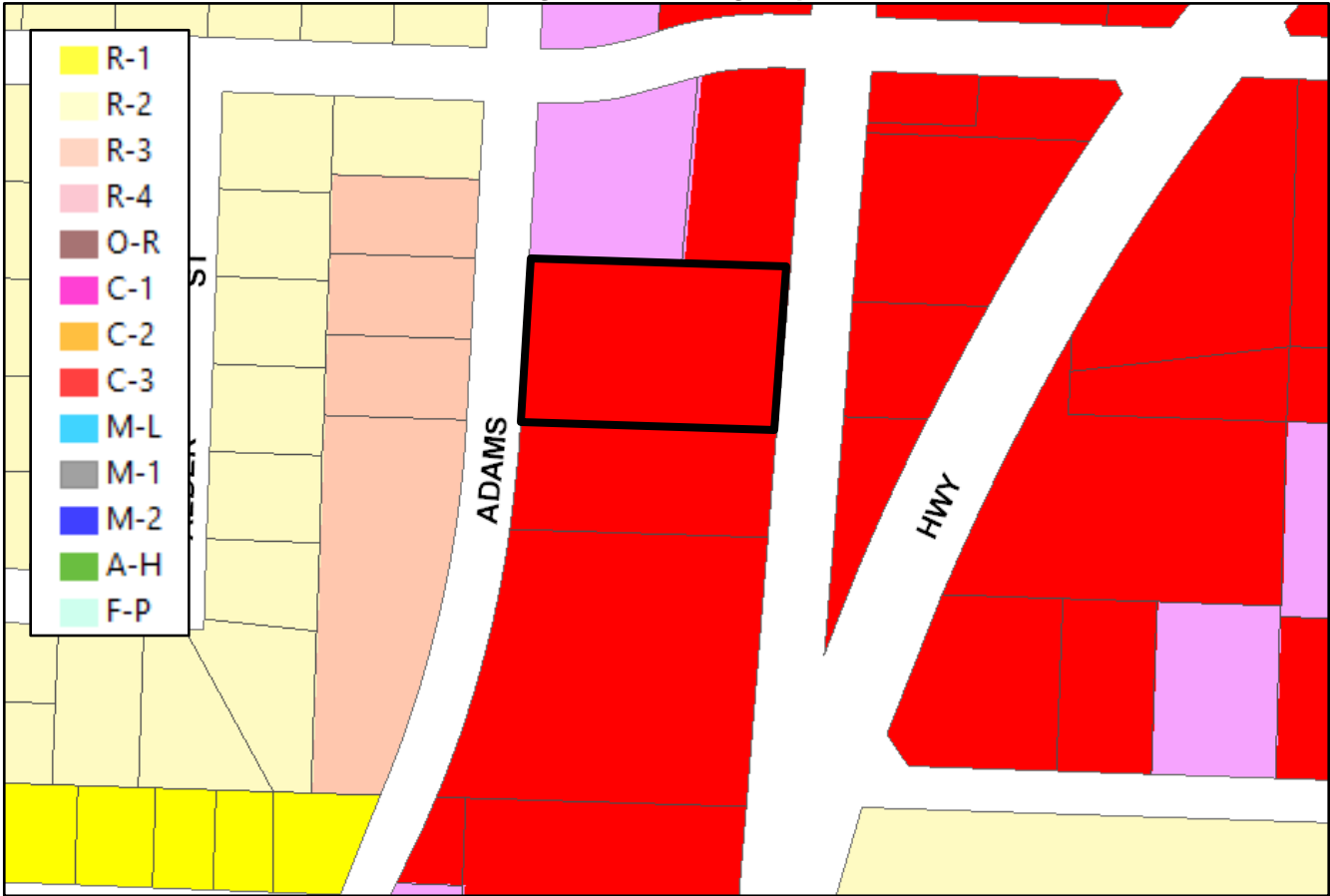
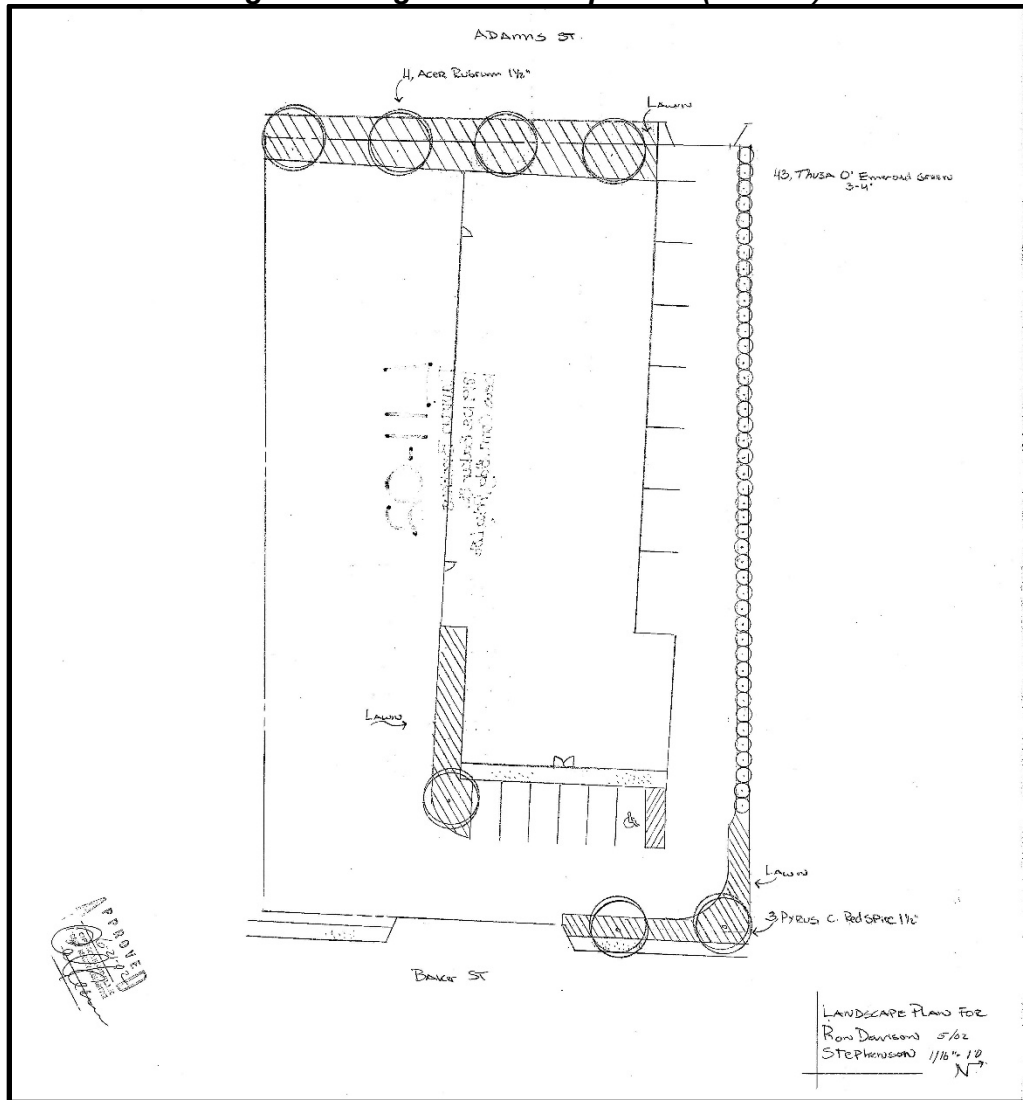


Figure 3: Proposed Landscape Plan



Figure 4: Original Landscape Plan (L 11-02)**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 proposed development is on land zoned C-3 (General Commercial). McMinnville Municipal Code (MMC) Section 17.57.030 requires landscaping in the C-3 zone. Therefore landscaping is required subject to the criteria and standards described in MMC Chapter 17.57-Landscaping.

II. CONDITIONS:

1. That the applicant shall install landscaping as shown on the landscape plan received by the Planning Department on September 29, 2020 and shall comply with required conditions of approval.

Attachments:

Attachment 1 – Application and Attachments

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

III. ATTACHMENTS:

1. L 21-18 Application and Attachments (on file with the Planning Department)

IV. COMMENTS:

Agency Comments

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

- McMinnville Public Works Department:

Site/ Review

1. The landscaping depicted in the submittals is existing material, and appears to be healthy, well maintained and irrigated. The landscaping is along the Baker Street frontage of the site. The existing landscaping appears to match what is shown in the submittal.
2. NE Baker Street is functionally classified as a minor arterial in the McMinnville TSP. NE Baker Street has a 60' right of way with a 44' wide street improvement in this area. The right of way extends approximately 8' from the face of the curb to the property line. Based on the submitted plans, the majority of the landscaping is outside the public right of way.
3. There are overhead communication facilities on the west side of the roadway adjacent to the site. There are primary overhead electrical facilities on the east side, with secondary drops across the roadway.

Recommendations

1. The overhead facilities on the west side would preclude the use of additional street trees in this space in the right of way, so Public Works would have no concerns regarding street tree plantings. Based on that, we would recommend approval of this application.
2. Suggested conditions of approval: None

- McMinnville Water and Light:

MWL has no comments on this application.

Public Comments

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

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Ron Davison, of Davison Bros. LLC, property owner, submitted a landscape plan review application on June 29, 2020.

2. The application was deemed complete on July 19, 2018.
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 August 15, 2018 to review the application and proposed landscape plan. The committee voted to continue the application.
6. Revised application materials were submitted to the Planning Department on September 29, 2020.
7. A public meeting was held by the Landscape Review Committee on October 21, 2020 to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 1819 NE Baker Street (Tax Lot 11900, Section 17DA, T. 4 S., R. 4 W., W.M.)
2. **Size:** Lot Size: 0.83 acres (36,155 s.f.)
Addition: 4,300 s.f.
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** Winery supply retail store
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None
8. **Other Features:** None.
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. Overhead communication is present along the north side of Baker Street (Highway 99W) adjacent to the site.
10. **Transportation:** NE Baker Street is identified as a Minor Arterial in the 2010 McMinnville Transportation System Plan (TSP). A curb-tight sidewalk is present along the property frontage, with no planter strip.

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:

Attachments:

Attachment 1 – Application and Attachments

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:

- A. R-4 (Multiple-Family Residential zone, except the construction of a Single-Family or Two Family Residential unit);
- B. C-1 (Neighborhood Business zone);
- C. C-2 (Travel Commercial zone);
- D. C-3 (General Commercial zone);

Attachments:

Attachment 1 – Application and Attachments

- E. O-R (Office/Residential zone);
- F. M-L (Limited Light Industrial zone);
- G. M-1 (Light Industrial zone);
- H. M-2 (General Industrial zone).

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The proposed development within the C-3 (General Commercial) zone, therefore landscaping is required subject to landscaping requirements of commercial uses and the criteria and standards described in Chapter 17.57 – Landscaping.

17.57.070 Area Determination – Planning Factors.

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

5. Any addition to or expansion of an existing structure or parking lot which results in additional lot coverage shall be landscaped as follows: Divide the amount of additional lot coverage (building area, not including basement or upper floors, plus required parking and loading zones) by the amount of the existing lot coverage (building area, not including basement or upper floors, plus required parking and loading zones), multiply by the percentage of landscaping required in the zone, multiply by the total lot area of both the original development and the addition; however, the total amount of the landscaping shall not exceed the requirements set forth in this subsection.

a. $\frac{\text{ALC (additional lot coverage)}}{\text{ELC (existing lot coverage)}} \times \% \text{ of landscaping required} \times \text{Total lot area}$

b. Landscaping to be installed on an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the review committee;

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. Based on the formula provided and the calculation worksheet below, the 4,300 s.f. addition to the existing structure and provision of three (3) additional required parking spaces yields a landscaping requirement of 335 square feet.

Minimum Req'd Landscaping 17.57.070(A)				Req'd Parking & Loading (s.f.)							Area Determination Formula 17.57.070(A)(5)		
Address	Zone	%	Gross Lot Area (s.f.)	Structure #1	Structure #2	Standard 8.5x19	Compact 8x16	HC 12x19	Loading Bay 12x35	Lot Coverage	Area Determination Formula 17.57.070(A)(5)	Not-To-Exceed Area ² 17.57.070(A)(5)	Required Landscaping 17.57.070(A)(5)
1819 NE Baker Street	C-3	7%	36,155	Existing	8,000	2,580	15	0	1	2	14,071	861	335
				Additional	4,300		3	0	0	0	4,785		335

¹ $\frac{\text{ALC (additional lot coverage)}}{\text{ELC (existing lot coverage)}} \times (\% \text{ required landscaping}) \times (\text{total lot area})$

² $\text{ALC (additional lot coverage)} \times (\% \text{ required landscaping})$

	Landscape Req'd. (s.f.)	Landscape Provided (s.f.)
Commercial Addition	335	460

The proposed landscaping are of 460 square feet exceeds the landscaping requirement of 335 square feet based on the formula provided. Therefore this standard is met.

Attachments:

Attachment 1 – Application and Attachments

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. The development project was the addition of 4,300 square feet to an existing commercial structure, and the addition of parking spaces to meet off-street parking requirements. The addition, parking spaces, and new landscape area have been constructed, as seen in the aerial photograph submitted as the landscape plan. Proposed landscaping to meet the square footage requirements described in findings above consists of a 460 square foot lawn area on the southern edge of the property line, adjacent to the new paved parking area. Boulders are placed in the landscape area as a barrier to car traffic between the subject site and the adjacent car wash.

Proposed Landscaping



The new lawn area extends an existing landscape area adjacent to a driveway, providing additional pervious surface around a new parking area, and provides additional buffering between the subject site and the car wash to the south.

Overall the characteristics of the proposed landscaping is compatible with the project and the adjacent surrounding properties.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. New lawn area is an extension of an existing planting area that flanks the new parking area/driveway with a planting area on the north side of the drive. Existing mature trees in the existing planting areas, approved in the original landscape plan (L 11-02)

provide screening and buffering of the addition from the Baker Street right-of-way. Existing mature street trees on the west side of the property provide screening from residential properties across Adams Street from the property.

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. Existing trees on the site, as approved in the original landscape plan for the property (L 11-02), were preserved and incorporated into the project. The new landscape area extends a planting area where an existing tree is located, providing extra watering area for the tree.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The new landscape area is an extension of an existing planting area adjacent to the new parking area and driveway. The new landscape area is planted with sod lawn, consistent with landscape areas approved in the original landscape plan for the site (L 11-02). The new lawn area provides pervious surface in what was previously a gravel parking area.

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 proposed development is a commercial development, and as described in more detail in findings for Chapter 17.58 Trees, street trees are not required because there are currently no curbside planter strips adjacent to the property along Baker Street, and existing street trees are present along the property's Adams Street frontage. No prohibited tree is proposed in the parking area.

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. Irrigation is provided to the existing planting area, and can be extended into the new landscape area.

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 OF APPROVAL #2. A condition of approval is included to 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 continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

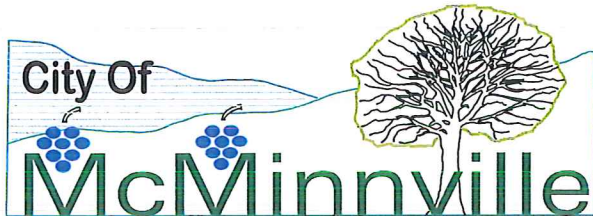
Chapter 17.58. Trees

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 addition to a commercial development on commercially zoned land. Public improvements within the adjacent Baker Street right-of-way do not include a designated curbside planting strip. Sidewalks adjacent to the site are curb-tight. Street trees are already present along the site's Adams Street frontage. Therefore, street trees are not required in the right-of-way adjacent to the site.

JF

**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128

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

www.ci.mcminnville.or.us**Office Use Only:**File No. 21-18Date Received 6/14/18Fee 145⁰⁰Receipt No. 1850478Received by [Signature]

Landscape Plan Review Application

Applicant InformationApplicant is: ☒ Property Owner ☐ Contract Buyer ☐ Option Holder ☐ Agent ☐ Other _____Applicant Name Davison Bros. LLC Phone 503-920-7600Contact Name Ron Davison Phone 503-720-7600
(If different than above)Address 10551 NW Brentano Ln.City, State, Zip McMinnville, OR 97128Contact Email steve@dwinesupplies.com**Property Owner Information**Property Owner Name Davison Bros. LLC Phone 503-720-7600
(If different than above)Contact Name Ron Davison Phone 503-720-7600Address 10551 NW Brentano Ln.City, State, Zip McMinnville, OR 97128Contact Email steve@dwinesupplies.com**Site Location and Description**

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

Property Address 1819 NE Baker St, McMinnville, OR 97128Assessor Map No. R4 417-DA-11900 Total Site Area 0.8300Subdivision — Block — Lot —Comprehensive Plan Designation Warehouse Zoning Designation Commercial

Landscaping Information

1. Total Landscaped Area: 3033 sq. ft.
2. Percent Landscaped: 8.4%
3. Building Floor Area:
New Structure: _____ Existing Structure: _____ Addition: 4300 sq. ft.
4. Architect Name Self / Stuart Gunness Phone _____
(Landscape Architect; Engineer; or Other Designer)
Contact Name Ron Davison Phone 503-720-7600
Address 10551 NW Brentano Ln.
City, State, Zip McMinnville, OR 97128
Contact Email steve@dwinesupplies.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.

Ron C Davison
Applicant's Signature

6/12/18
Date

Ron C Davison
Property Owner's Signature

6/12/18
Date

Aprox 460 sq Ft
New Lawn Area

New
Addition



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

EXHIBIT 7 - STAFF REPORT

DATE: October 21, 2020
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 4E – Landscape Plan Review Application (L 30-20)

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

REPORT IN BRIEF:

This proceeding is a public meeting of the Landscape Review Committee to continue the Landscape Plan Review (L 30-20) for new landscaping associated with the addition of a second drive-thru service lane at the McDonald's restaurant at 225 NE Norton Lane (Tax Lot 1602, Section 22CD, T. 4. S., R. 4 W., W.M.). New landscaping is proposed around revised drive aisles and drive-thru service lanes interior to the property, and around a new trash enclosure. Existing landscaping around the perimeter of the site will remain. Staff has reviewed the revised application for consistency with the applicable criteria, and recommends approval of the application, subject to the conditions specified in the attached Decision Document.

PROJECT DESCRIPTION:

The subject site is located at 225 NE Norton Lane and is more specifically described as Tax Lot 1602, Section 22CD, T.4 S., R. 4 W., W.M. The subject property is located on the west side of NE Norton Lane, north of NE Cumulus Avenue. **See Figure 1 (Vicinity Map).** The property is zoned C-3 (General Commercial) and is located within Zone 2 of the Three Mile Lane Planned Development Overlay District. **See Figure 2 (Zoning Map).**

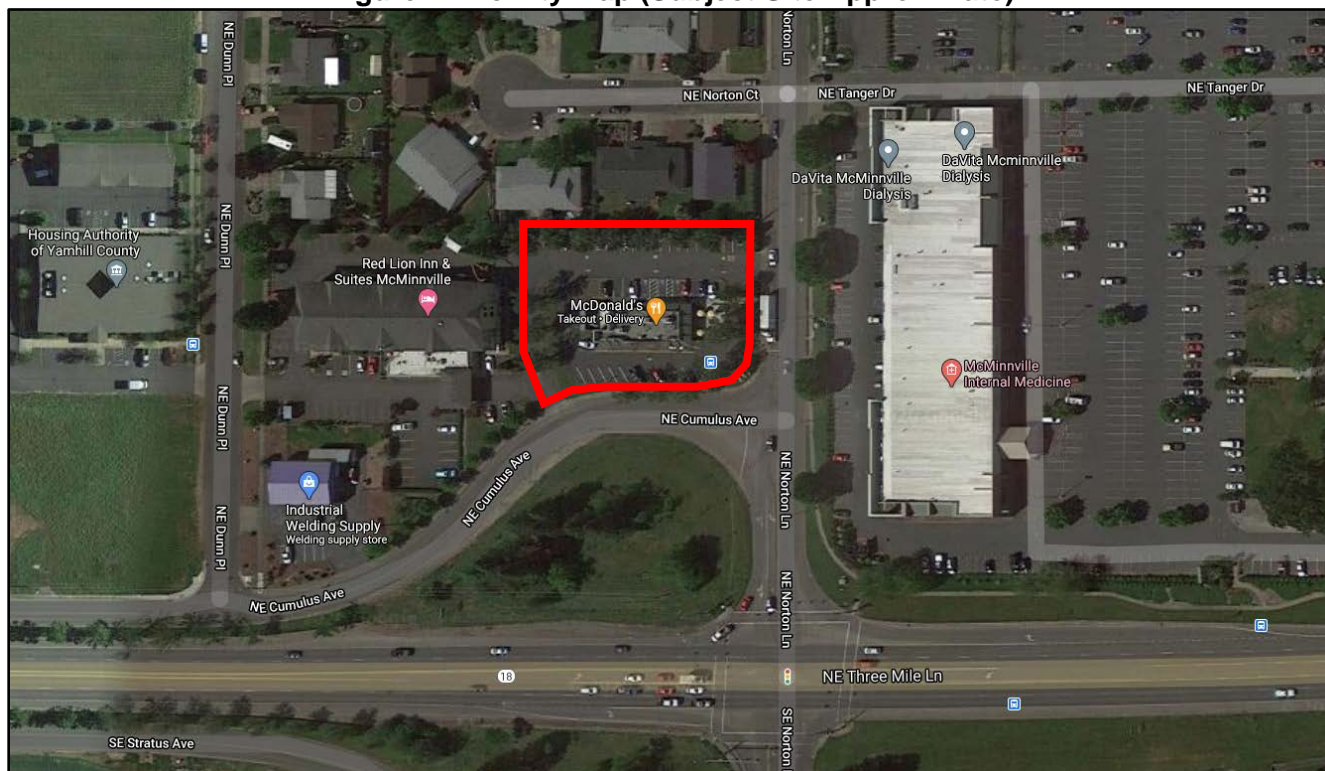
The subject property is approximately 0.81 acres and was previously developed with the McDonald's restaurant and associated off-street parking. Adjacent property to the east and west is zoned C-3 (General Commercial). North of the subject site land zoned R-1 (Single-family residential). South of the site is Highway 18 and the frontage road, Cumulus Avenue.

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for McDonald's Restaurant at 225 NE Norton Lane

The proposed site plan for the restaurant removes some parking along the north property line to make room for a second drive-thru service lane around the existing McDonald's restaurant. To accommodate the second drive-thru lane, the existing trash enclosure is being relocated to the southwest corner of the property. **See Figure 3 (Site Plan).** The landscape plan addresses landscaping for the redeveloped portion of the property, including the revised drive-thru service lanes, revised parking lot, and new trash enclosure location. **See Figure 4 (Landscape Plan) and Figure 5 (Plant Schedule).**

Figure 1: Vicinity Map (Subject Site Approximate)



Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for McDonald's Restaurant at 225 NE Norton Lane

Figure 2: Zoning Map

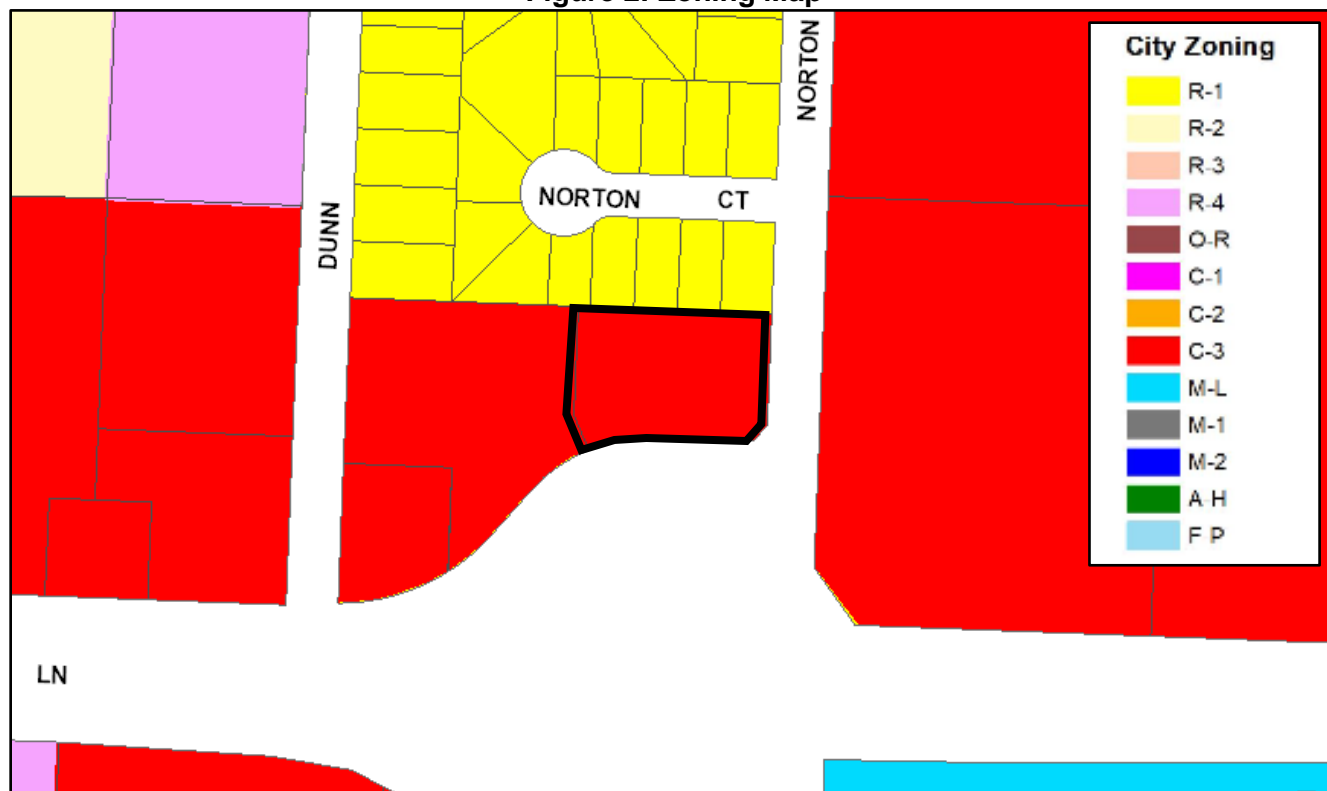
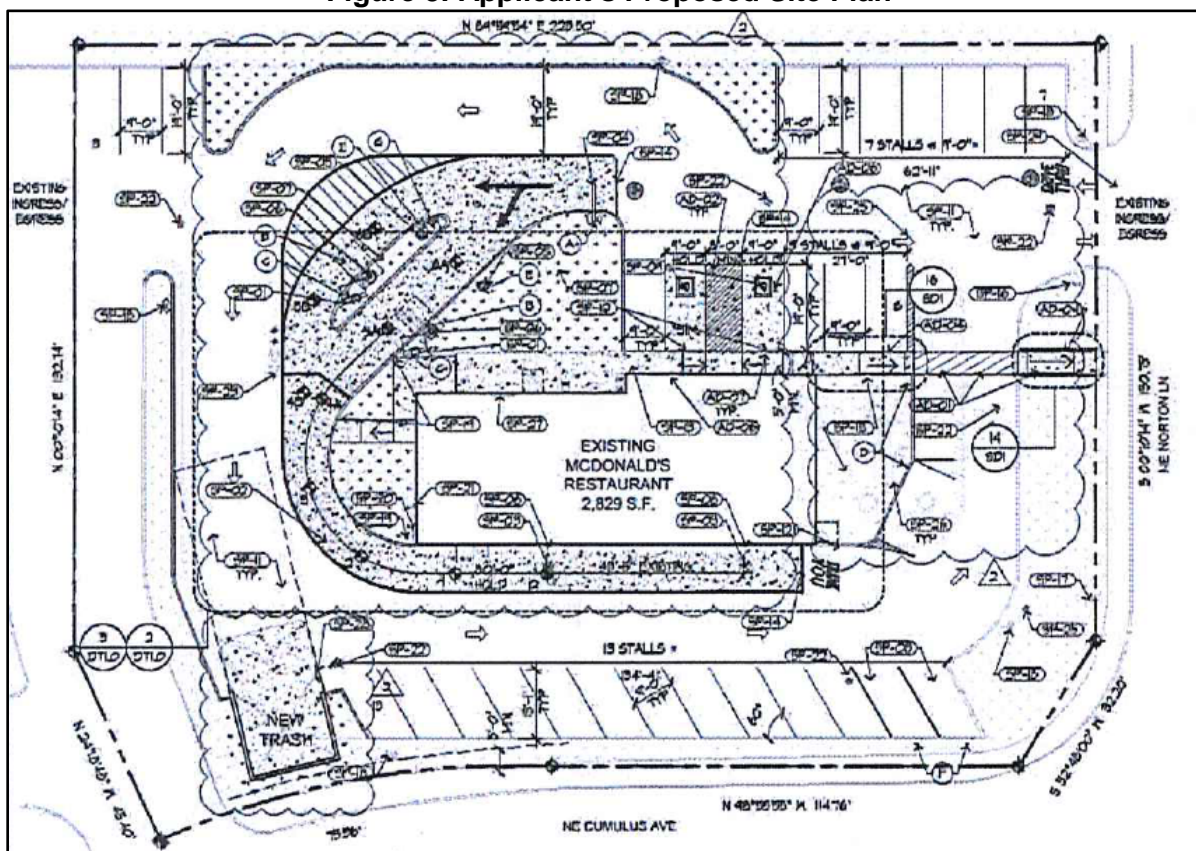
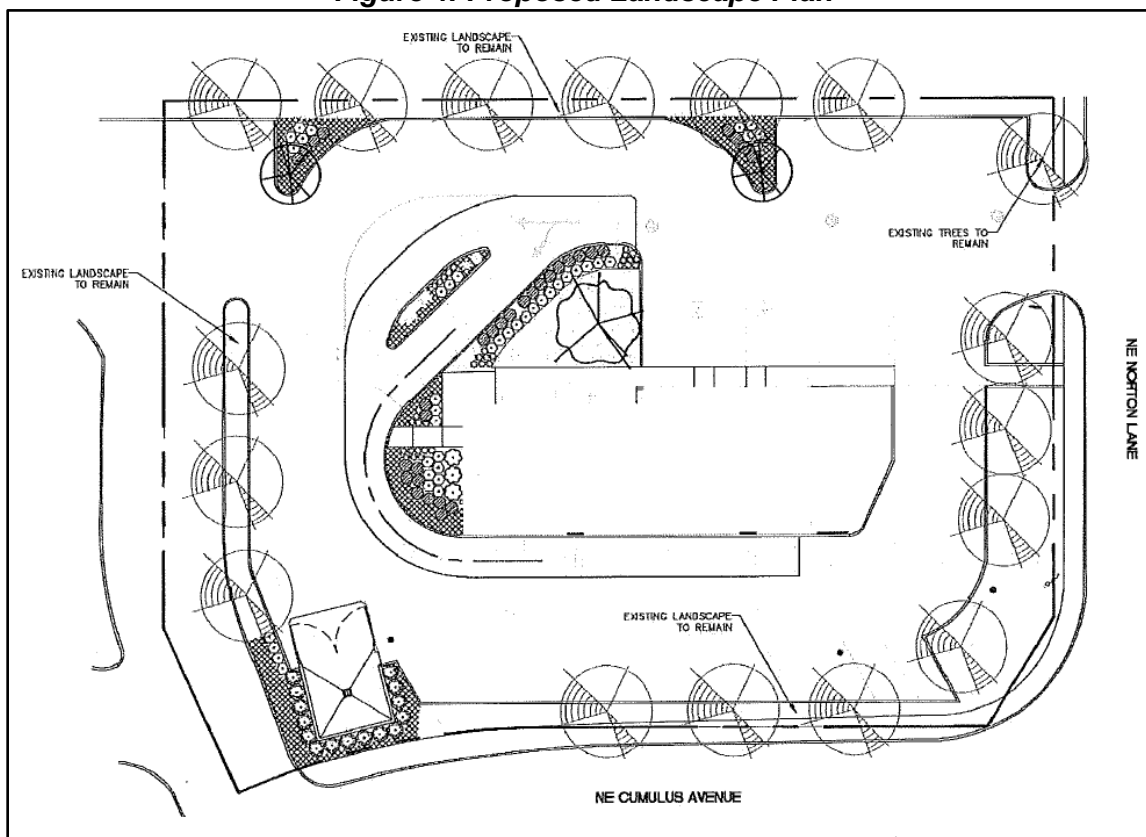


Figure 3: Applicant's Proposed Site Plan



Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for McDonald's Restaurant at 225 NE Norton Lane

Figure 4: Proposed Landscape Plan**Figure 5: Proposed Plant Schedule**

PLANT LIST:				
SYMBOL	QTY.		SIZE	SPACING
TREES				
	1	CORNUS x 'VENUS' Venus Flowering Dogwood	2" cal.	As shown
	2	PYRUS CALLERYANA 'CAPITAL' Capital Flowering Pear	2" cal.	As shown
SHRUBS				
	15	ILEX GLABRA 'SHAMROCK' Shamrock Inkberry	2 gal.	3' o.c.
	15	LIGUSTRUM JAPONICUM 'TEXANUM' Waxleaf Privet	5 gal.	4' o.c.
	32	SPIRAEA MEDIA 'SMSBK' Double Play Blue Kozoo Spirea	2 gal.	3' o.c.
	3	VIBURNUM TINUS 'SPRING BOUQUET' Spring Bouquet Viburnum	5 gal.	4' o.c.
GROUNDCOVER & PERENNIALS				
	34	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY' Little Bunny Dwarf Fountain Grass	1 gal.	2' o.c.
	69	EUONYMUS FORTUNEI 'COLORATUS' Wintercreeper Euonymia	1 gal.	3' o.c.
	68	FINE LAWN See Specifications	Seed	

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for McDonald's Restaurant at 225 NE Norton Lane

STAFF REVIEW:

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

Landscaping in the C-3 (General Commercial) zone is subject to commercial standards and requirements outlined in McMinnville Municipal Code (MMC) Chapters 17.57-Landscaping.

Compliance with Review Factors

Below are tables 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:

MMC 17.57.070(A)(2)

Project Type	Total Site Area (s.f.)	Landscape Provided (s.f.)	Percentage Provided	Percentage Required (Commercial)
Restaurant	35,401	5,791	16.4%	7.0%

MMC 17.57.070(B)

Issue	Notes	Condition to Help Meet Criteria
Compatibility with the project and surrounding properties and uses	<ul style="list-style-type: none"> Landscaping used to help define circulation site patterns Planting provides additional screening from neighboring properties Planting provides aesthetic appeal/seasonal interest No conflicts with proposed use/surrounding properties 	None
Screening the proposed use	<ul style="list-style-type: none"> New shade trees and evergreen shrubs provide additional screening and buffering of proposed structure and parking lot Evergreen hedge screens trash enclosure Existing perimeter shade trees provide screening and buffering 	None
Retention of existing trees	<ul style="list-style-type: none"> Existing landscaping and trees around perimeter of site will remain 	None
Parking lot islands and planting	<ul style="list-style-type: none"> Parking lot islands proposed along north property line, includes tree, shrubs, groundcover 	None

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for McDonald's Restaurant at 225 NE Norton Lane

Issue	Notes	Condition to Help Meet Criteria
	<ul style="list-style-type: none"> • Landscape island breaks up drive-thru service lanes • Existing landscaping around perimeter of parking area/drive aisles will remain 	
Use of suitable street trees	<ul style="list-style-type: none"> • Street trees not required (No dedicated curbside planter strips) • No prohibited trees within the parking area 	None
Irrigation system or water facilities	<ul style="list-style-type: none"> • Existing automatic irrigation to be extended to new landscape areas 	None

Staff-Suggested Conditions of Approval

1. That the applicant shall install landscaping as shown on the landscape plans received by the Planning Department on August 25, 2020 and shall comply with required conditions of approval.
2. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

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

From the application materials, it appears that the proposed landscaping is on private property, and thus not within our purview. Based on that, Public Works does not have any comments to offer.

- McMinnville Water and Light

MW&L has no comments on this landscape plan.

Public Comments

No public comments were received prior to the issuance of this report.

LANDSCAPE REVIEW COMMITTEE OPTIONS:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for McDonald's Restaurant at 225 NE Norton Lane

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

STAFF RECOMMENDATION:

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

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

SUGGESTED MOTION:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE LANDSCAPE PLAN REVIEW APPLICATION L 30-20 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.

JF

Attachments:

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review for McDonald's Restaurant at 225 NE Norton Lane



CITY OF MCMINNVILLE
PLANNING DEPARTMENT
 231 NE FIFTH STREET
 MCMINNVILLE, OR 97128
 503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN REVIEW FOR McDONALD'S RESTAURANT AT 225 NE NORTON LANE

DOCKET: L 30-20 (Landscape Plan Review)

REQUEST: Approval of a Landscape Plan for a McDonald's restaurant at 225 NE Norton Lane

LOCATION: 225 NE Norton Lane (Tax Lot 1602, Section 22CD, T. 4. S., R. 4 W., W.M.)

ZONING: C-3 (General Commercial)

APPLICANT: Alexander Taam, Freiheit Architecture, on behalf of McDonald's Corporation, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: September 21, 2020

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

DECISION DATE & LOCATION: October 21, 2020, Community Development Center, 231 NE 5th 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 not referred to public agencies for comment. 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 30-20) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Staff: _____
 Jamie Fleckenstein, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

I. APPLICATION SUMMARY:

Subject Property & Request

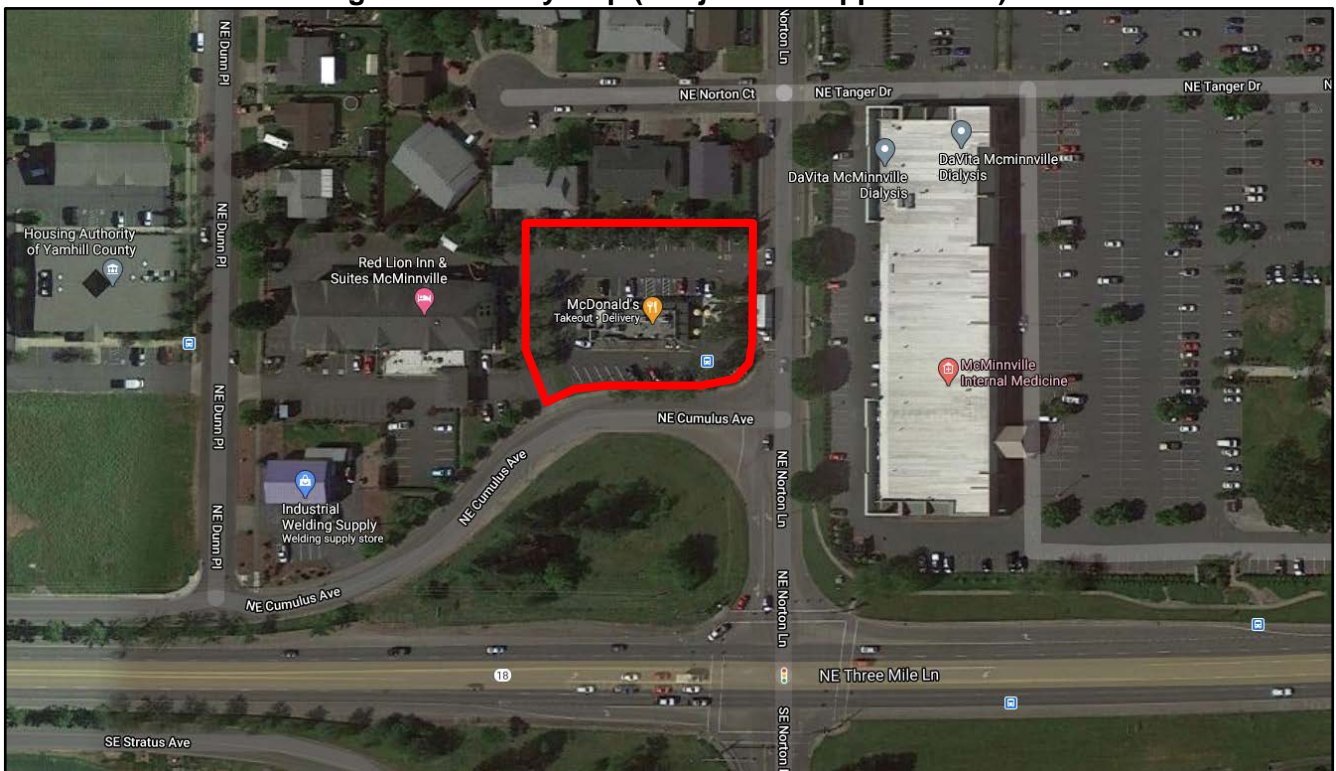
The applicant, Alexander Taam of Freiheit Architecture, on behalf of McDonald's Corporation, property owner, submitted a landscape plan review application (docket L 30-20) seeking approval of a landscape plan for the re-development of a McDonald's restaurant site to allow for the construction of a second drive-thru service lane.

The subject site is located at 225 NE Norton Lane and is more specifically described as Tax Lot 1602, Section 22CD, T.4 S., R. 4 W., W.M. The subject property is located on the west side of NE Norton Lane, north of NE Cumulus Avenue. **See Figure 1 (Vicinity Map).** The property is zoned C-3 (General Commercial) and is located within Zone 2 of the Three Mile Lane Planned Development Overlay District. **See Figure 2 (Zoning Map).**

The subject property is approximately 0.81 acres and was previously developed with the McDonald's restaurant and associated off-street parking. Adjacent property to the east and west is zoned C-3 (General Commercial). North of the subject site land zoned R-1 (Single-family residential). South of the site is Highway 18 and the frontage road, Cumulus Avenue.

The proposed site plan for the restaurant removes some parking along the north property line to make room for a second drive-thru service lane around the existing McDonald's restaurant. To accommodate the second drive-thru lane, the existing trash enclosure is being relocated to the southwest corner of the property. **See Figure 3 (Site Plan).** The landscape plan addresses landscaping for the redeveloped portion of the property, including the revised drive-thru service lanes, revised parking lot, and new trash enclosure location. **See Figure 4 (Landscape Plan) and Figure 5 (Plant Schedule).**

Figure 1: Vicinity Map (Subject Site Approximate)



Attachments:

Attachment 1 – Application and Attachments

Figure 2: Zoning Map

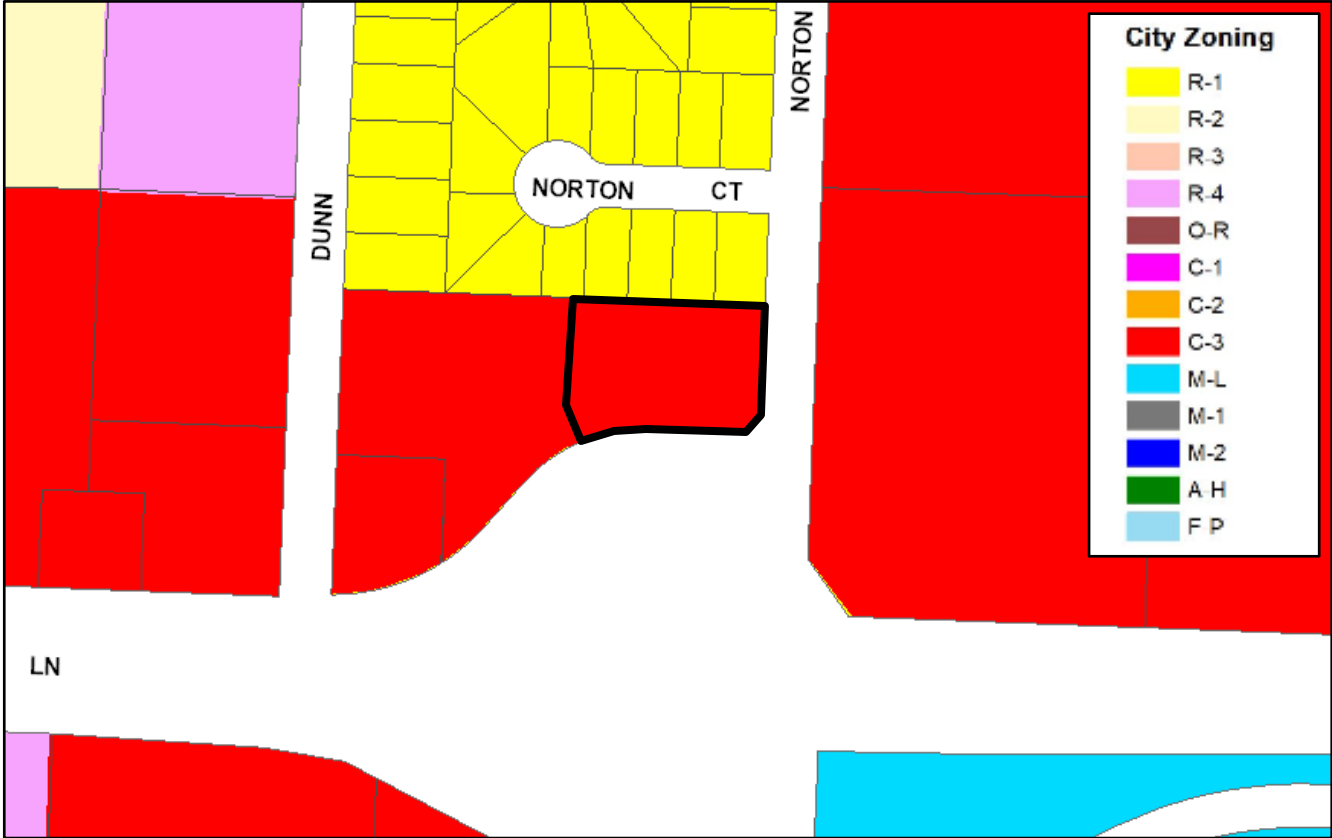


Figure 3: Applicant's Proposed Site Plan

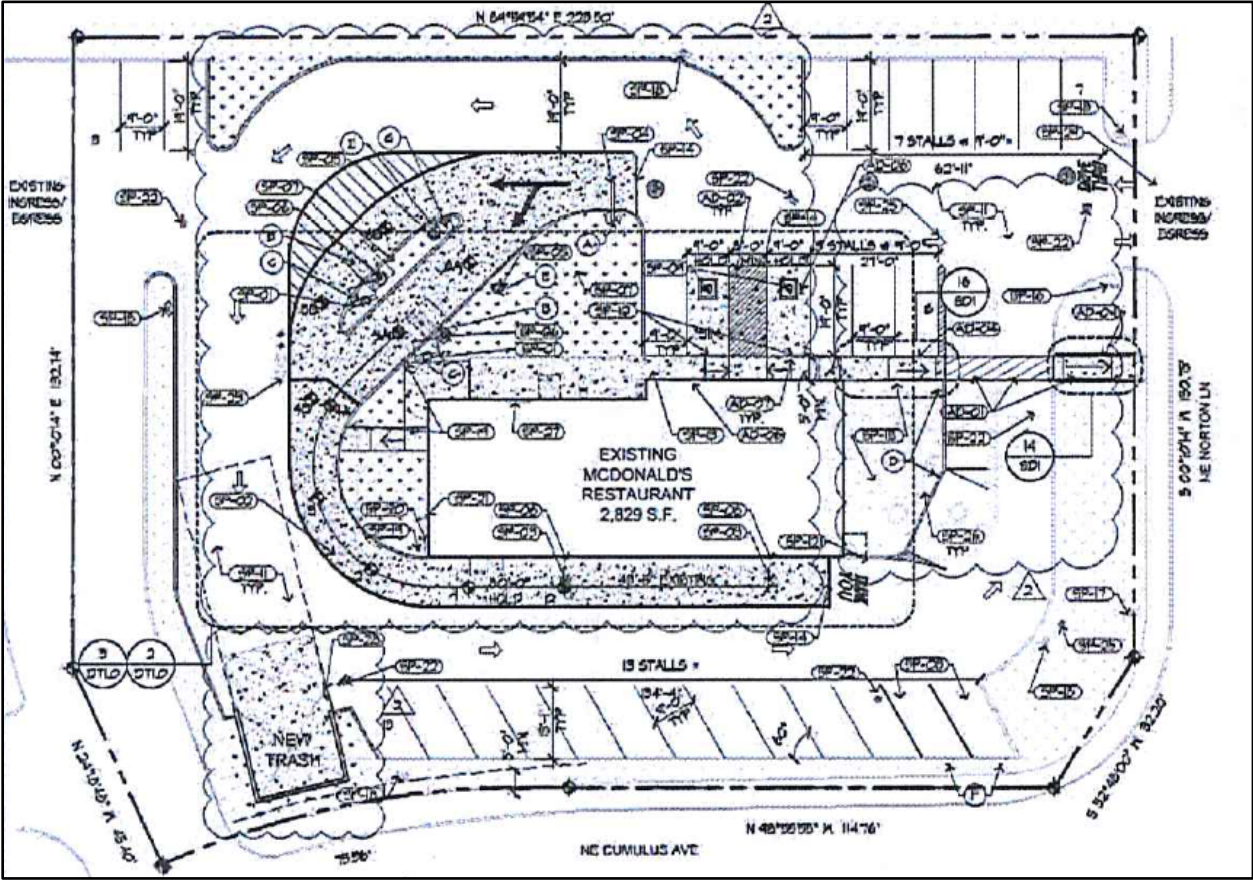


Figure 4: Proposed Landscape Plan

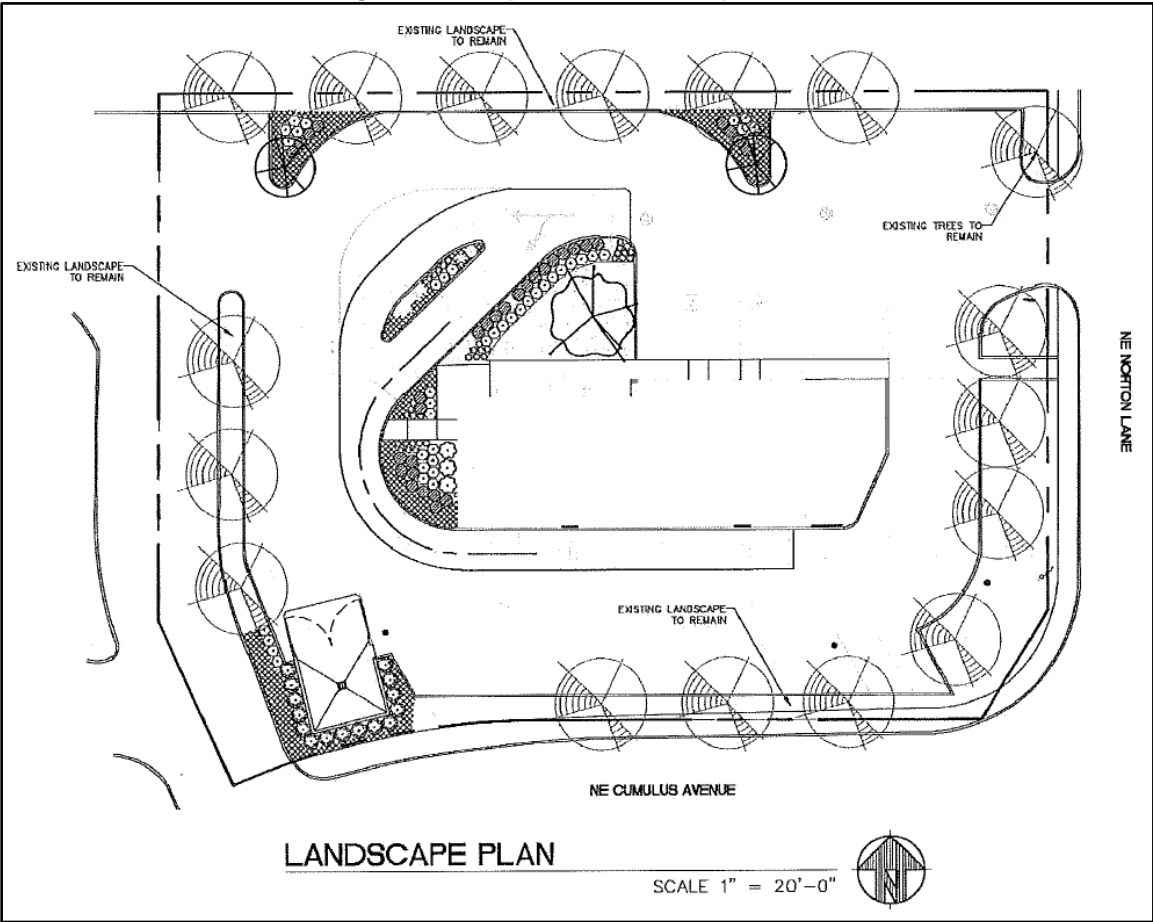


Figure 5: Proposed Plant Schedule

PLANT LIST:				
SYMBOL	QTY.		SIZE	SPACING
TREES				
	1	CORNUS x 'VENUS' Venus Flowering Dogwood	2" cal.	As shown
	2	PYRUS CALLERYANA 'CAPITAL' Capital Flowering Pear	2" cal.	As shown
SHRUBS				
	15	ILEX GLABRA 'SHAMROCK' Shamrock Inkberry	2 gal.	3' o.c.
	15	LIGUSTRUM JAPONICUM 'TEXANUM' Waxleaf Privet	5 gal.	4' o.c.
	32	SPIRAEA MEDIA 'SWSMBK' Double Play Blue Kazoo Spirea	2 gal.	3' o.c.
	3	VIBURNUM TINUS 'SPRING BOUQUET' Spring Bouquet Viburnum	5 gal.	4' o.c.
GROUNDCOVER & PERENNIALS				
	34	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY' Little Bunny Dwarf Fountain Grass	1 gal.	2' o.c.
	69	EUONYMUS FORTUNEI 'COLORATUS' Wintercreeper Euonymus	1 gal.	3' o.c.
	68	FINE LAWN See Specifications	Seed	

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 proposed development is on land zoned C-3 (General Commercial). McMinnville Municipal Code (MMC) Section 17.57.030 requires landscaping in the C-3 zone. Therefore landscaping is required subject to the criteria and standards described in MMC Chapter 17.57-Landscaping.

II. CONDITIONS:

1. That the applicant shall install landscaping as shown on the landscape plans received by the Planning Department on August 25, 2020 and shall comply with required conditions of approval.
2. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

III. ATTACHMENTS:

1. L 30-20 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 were received:

- McMinnville Public Works Department

From the application materials, it appears that the proposed landscaping is on private property, and thus not within our purview. Based on that, Public Works does not have any comments to offer.

- McMinnville Water and Light

MW&L has no comments on this landscape plan.

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:

Attachment 1 – Application and Attachments

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Alexander Taam of Freiheit Architecture, on behalf of McDonald's Corporation, property owner, submitted a landscape plan review application on August 25, 2020.
2. The application was deemed complete on September 21, 2020.
3. The application is subject to a 30 day review timeframe, which expires October 21, 2020.
4. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
5. No public notice of the application was provided by the City of McMinnville, as Landscape Plan 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.
6. A public meeting was held by the Landscape Review Committee on October 21, 2020 to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 225 NE Norton Lane (Tax Lot 1602, Section 22CD, T.4 S., R. 4 W., W.M.)
2. **Size:** 0.81 acres
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** Three Mile Lane Planned Development Overlay District (Ordinances 4131 and 4572)
6. **Current Use:** Restaurant with Drive-Thru Service
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None
8. **Other Features:**
 - a. **Slopes:** The site is relatively flat.
9. **Utilities:**
 - a. **Water:** The property is served by a water main in NE Norton Lane. The treatment plant has sufficient treatment capacity.
 - b. **Sewer:** The property is served by a sewer main in NE Norton Lane. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
 - c. **Stormwater:** The property is served by a stormwater sewer main in NE Norton Lane.
 - d. **Other Services:** Other services are available to the property. No overhead utilities are present adjacent to the property.

10. **Transportation:** NE Norton Lane is classified as a Minor Collector in the Transportation System Plan (TSP). NE Cumulus Avenue is classified as a Minor Collector.

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

Attachments:

Attachment 1 – Application and Attachments

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:

- A. R-4 (Multiple-Family Residential zone, except the construction of a Single-Family or Two Family Residential unit);

- B. C-1 (Neighborhood Business zone);
- C. C-2 (Travel Commercial zone);
- D. C-3 (General Commercial zone);
- E. O-R (Office/Residential zone);
- F. M-L (Limited Light Industrial zone);
- G. M-1 (Light Industrial zone);
- H. M-2 (General Industrial zone).

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The proposed development is within the C-3 (General Commercial) zone, therefore landscaping is required subject to landscaping requirements of commercial uses and the criteria and standards described in Chapter 17.57 – Landscaping.

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 site plan indicates that 5,791 square feet of landscaping is provided over the entire site. The landscape plan application indicates that 2,361 square feet of that landscaping is new landscaping.

	Total Site Area (s.f.)	Landscape Provided (s.f.)	Percentage	Percentage Required
Restaurant	35,401	5,791	16.4%	7.0%

The proposed landscaping area of 16.4 percent exceeds the seven percent minimum landscaping requirement for commercial development. Therefore this standard is met.

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. The proposed site plan for the restaurant removes some parking along the north property line to make room for a second drive-thru service lane around the existing McDonald's restaurant. To accommodate the second drive-thru lane, the existing trash enclosure is being relocated to the southwest corner of the property. The landscape plan addresses new landscaping along the reconfigured drive aisle in the northern portion of the site, around the drive-thru service lanes in the interior of the site, and around the relocated trash enclosure in the southwest portion of the site. Other existing landscape areas and planting not impacted by the development are to remain, as shown on the landscape plan.

Proposed landscaping is consistent with the proposed use. Landscaping is used to help define and reinforce vehicular circulation patterns around the site, screen uses appropriately from the adjacent rights-of-way, and provide an aesthetically pleasing element to the site and use.

Adjacent property to the east and west is zoned C-3 (General Commercial). North of the subject site land zoned R-1 (Single-family residential). South of the site is Highway 18 and the frontage road, Cumulus Avenue. Existing landscaping and mature trees remain along the northern property line, providing screening and buffering of the commercial use from the adjacent residential properties. New landscaping around the trash enclosure provides screening of the structure from the property to the west and the Cumulus Avenue right-of-way. Landscaping along the south and east property lines is not proposed to be altered, and will continue to provide aesthetic appeal from the adjacent rights-of-way and buffering from surrounding properties.

Overall, the characteristics of the proposed landscaping is compatible with the project and the adjacent surrounding properties.

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The proposed use is screened from neighboring residential properties to the north by existing fencing and mature landscaping, including shade trees, which will remain. Around the public facing sides of the property, mature shade trees adjacent to the curb-tight sidewalks will remain and continue to provide screening and buffering of the use from adjacent rights-of-way. Proposed landscaping around the relocated trash enclosure will provide required screening, as described in findings for MMC Section 17.61.030(C) below. New plantings and a deciduous shade tree in the interior of the lot next to the building will provide additional screening and buffering.

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. As shown on the landscape plan, existing trees and landscaped areas around the perimeter of the site have been retained and incorporated into the revised site layout.

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. Parking stalls were removed along the northern property line to allow for a new drive aisle around the expanded drive-thru service lanes in the center of the site. At each end of the new drive aisle is a new planting island. Each of the new planting islands has a *Pyrus calleryana* 'Capital' (Capital Flowering Pear) tree, evergreen *Ilex glabra* 'Shamrock' (Shamrock Inkberry) and deciduous *Spiraea media* 'SMSMBK' (Double Play Blue Kazoo Spirea) shrubs, and the evergreen groundcover *Euonymus fortunei* 'Coloratus' (Wintercreeper Euonymus). New landscaping flanks the drive-thru service lanes, and includes a variety of evergreen and deciduous shrubs, ornamental grasses, and groundcover. Elsewhere around the property, existing landscaping in front of parking spaces and along drive aisles has been retained as shown on the landscape plan.

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 proposed development is a restaurant with drive-thru service, and as described in more detail in findings for Chapter 17.58 Trees, street trees are not required because there are currently no curbside planter strips adjacent to the property. No prohibited tree is proposed in the parking area.

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. General Note #5 on the Landscape Plan states:

5. Project is to be irrigated by an automatic, underground system, which will provide full coverage for all plant material. Landscape contractor shall modify existing irrigation system in the field to fit new landscape areas. Guarantee system for a minimum one year. Show drip systems as alternate bid only.

The existing irrigation system will be modified to extend to new landscape areas to provide irrigation.

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 OF APPROVAL #3. A condition of approval is included to 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 continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Chapter 17.58. Trees

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 the addition of a second drive-thru service lane and parking lot revisions on commercially zoned land. Public improvements adjacent to the site within the Norton Lane and Cumulus Avenue rights-of-way do not include a designated curbside planting strip. Sidewalks adjacent to the site are curb-tight. Therefore, street trees are not required in the right-of-way adjacent to the site.

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. The trash and recycling enclosure is located in the southwest corner of the site, visible from the Cumulus Avenue and Norton Lane rights-of-way. Landscaping is provided on the south, east, and west sides of the enclosure to help screen it from the rights-of-way. *Ligustrum japonicum 'Texanum'* (Waxleaf Privet) is proposed as an evergreen hedge along those three sides. Therefore, landscaping in the form of hedges is provided on three sides of the trash enclosure, and the standard is met.

JF



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

519-20-000517-Pmg

Office Use Only:	
File No.	<u>L 30-20</u>
Date Received	<u>8/25/2020</u>
Fee	<u>801.35</u>
Receipt No.	
Received by	<u>SPA</u>

Landscape Plan Review Application

Applicant Information

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

Applicant Name Alexander Taam Phone 425-559-2773

Contact Name _____ Phone _____
(If different than above)

Address 929 108TH AVE NE

City, State, Zip BELLEVUE, WA 98004

Contact Email ATAAM@FREIHEITARCH.COM

Property Owner Information

Property Owner Name MCDONALDS COPORATION Phone _____
(If different than above)

Contact Name ALBERT PALACIOS Phone 312-485-7551

Address 2999 OAK ROAD STE 900

City, State, Zip WALNUT CREEK, CA 98004

Contact Email albert.palacios@us.mcd.com

Site Location and Description

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

Property Address 225 NE NORTON LN

Assessor Map No. R4 422CD01602 - Total Site Area _____

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation Com Zoning Designation C-3

Landscaping Information

1. Total Landscaped Area: 2,361 SF
2. Percent Landscaped: 100%
3. Building Floor Area:
New Structure: _____ Existing Structure: 3,066 SF Addition: _____
4. Architect Name Erin Holsonback Phone 503-972-0311
(Landscape Architect, Engineer, or Other Designer)
Contact Name Erin Holsonback Phone _____
Address 3933 South Kelly Avenue, Suite B
City, State, Zip Portland, OR, 97239
Contact Email erin@ottenla.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

7.30.2020

Date



Property Owner's Signature

8/24/2020

Date

OUTLINE SPECIFICATIONS PLANTING AND SEEDING:

GENERAL: All plants shall conform to all applicable standards of the latest edition of the "American Association of Nurserymen Standards", A.N.S.I. Z60.1 — 1973. Meet or exceed the regulations and laws of Federal, State, and County regulations, regarding the inspection of plant materials, certified as free from hazardous insects, disease, and noxious weeds, and certified fit for sale in Oregon.

The apparent silence of the Specifications and Plans as to any detail, or the apparent omission from them of a detailed description concerning any point, shall be regarded as meaning that only the best general practice is to prevail and that only material and workmanship of first quality are to be used. All interpretations of these Specifications shall be made upon the basis above stated.

Landscape contractor shall perform a site visit prior to bidding to view existing conditions.

PERFORMANCE QUALITY ASSURANCE: Use adequate numbers of skilled workmen who are thoroughly trained and experienced in the necessary horticultural practices and who are completely familiar with the specified requirements and methods needed for the proper performance of the work of this section.

NOTIFICATION: Give Landscape Architect minimum of 2 days advance notice of times for inspections. Inspections at growing site does not preclude Landscape Architect's right of rejection of deficient materials at project site. Each plant failing to meet the above mentioned "Standards" or otherwise failing to meet the specified requirements as set forth shall be rejected and removed immediately from the premises by the Contractor and at his expense, and replaced with satisfactory plants or trees conforming to the specified requirements.

SUBSTITUTIONS: Only as approved by the Landscape Architect or the Owner's Representative.

GUARANTEE AND REPLACEMENT: All plant material shall be guaranteed from final acceptance for one full growing season or one year, whichever is longer. During this period the Contractor shall replace any plant material that is not in good condition and producing new growth (except that material damaged by severe weather conditions, due to Owner's negligence, normally unforeseen peculiarities of the planting site, or lost due to vandalism). Guarantee to replace, at no cost to Owner, unacceptable plant materials with plants of same variety, age, size and quality as plant originally specified. Conditions of guarantee on replacement plant shall be same as for original plant.

Landscape Contractor shall keep on site for Owner's Representative's inspection, all receipts for soil amendment and topsoil deliveries.

PROTECTION: Protect existing roads, sidewalks, and curbs, landscaping, and other features remaining as final work. Verify location of underground utilities prior to doing work. Repair and make good any damage to service lines, existing features, etc. caused by landscaping installation.

PLANT QUALITY ASSURANCE: Deliver direct from nursery. Maintain and protect roots of plant material from drying or other possible injury. Store plants in shade and protect them from weather immediately upon delivery, if not to be planted within four hours.

Nursery stock shall be healthy, well branched and rooted, formed true to variety and species, full foliaged, free of disease, injury, defects, insects, weeds, and weed roots. Trees shall have straight trunks, symmetrical tips, and have an intact single leader. Any trees with double leader shall be rejected upon inspection. All Plants: True to name, with one of each bundle or lot tagged with the common and botanical name and size of the plants in accordance with standards of practice of the American Association of Nurserymen, and shall conform to the Standardized Plant Names, 1942 Edition.

Container grown stock: Small container-grown plants, furnished in removable containers, shall be well rooted to ensure healthy growth. Grow container plants in containers a minimum of one year prior to delivery, with roots filling container but not root bound. Bare root stock: Roots well-branched and fibrous. Balled and burlapped (B&B): Ball shall be of natural size to ensure healthy growth. Ball shall be firm and the burlap sound. No loose or made ball will be acceptable.

TOPSOIL AND FINAL GRADES: Landscape Contractor is to supply and place 12" of topsoil in planting beds and 6" in lawn areas. Landscape Contractor is to verify with the General Contractor if the on-site topsoil is or is not conducive to proper plant growth. The topsoil shall be a sandy loam, free of oil, weeds and debris inimical to lawn or plant growth. Furnish soil analysis by a qualified soil testing laboratory stating percentages of organic matter; gradation of sand, silt and clay content; cation exchange capacity; deleterious material; pH; and plant nutrient content of the topsoil. Report suitability of topsoil for plant growth and recommended quantities of nitrogen, phosphorus and potash nutrients and soil amendments (including compost) to be added to produce satisfactory topsoil. If stockpiled topsoil on site is not conducive to proper plant growth, the Landscape Contractor shall import the required amount.

Landscape shall include finished grades and even distribution of topsoil to meet planting requirements. Grades and slopes shall be as indicated. Planting bed grades shall be approximately 3" below adjacent walks, paving, finished grade lines, etc., to allow for bark application. Finish grading shall remove all depressions or low areas to provide positive drainage throughout the area.

PLANTING SPECIFICATIONS:

HERBICIDES: Prior to soil preparation, all areas showing any undesirable weed or grass growth shall be treated with Round-up in strict accordance with the manufacturer's instructions.

SOIL PREPARATION: Work all areas by rototilling to a minimum depth of 8". Remove all stones (over 1 1/2" size), sticks, mortar, large clumps of vegetation, roots, debris, or extraneous matter turned up in working. Soil shall be of a homogeneous fine texture. Level, smooth and lightly compact area to plus or minus .10 of required grades.

In groundcover areas add 2" of compost (or as approved) and till in to the top 6" of soil.

PLANTING HOLE: Lay out all plant locations and excavate all soils from planting holes to 2 1/2 times the root ball or root system width. Loosen soil inside bottom of plant hole. Dispose of any "subsoil" or debris from excavation. Check drainage of planting hole with water, and adjust any area showing drainage problems.

SOIL MIX: Prepare soil mix in each planting hole by mixing:
2 part native topsoil (no subsoil)
1 part compost (as approved)

Thoroughly mix in planting hole and add fertilizers at the following rates:

Small shrubs — 1/8 lb./ plant
Shrubs — 1/3 to 1/2 lb./ plant
Trees — 1/3 to 1 lb./ plant

FERTILIZER: For trees and shrubs use Commercial Fertilizer "A" Inorganic (5-4-3) with micro-nutrients and 50% slow releasing nitrogen. For initial application in fine seed lawn areas use Commercial Fertilizer "B" (8-16-8) with micro-nutrients and 50% slow-releasing nitrogen. For lawn maintenance use Commercial Fertilizer "C" (22-16-8) with micro-nutrients and 50% slow-releasing nitrogen.

PLANTING TREES AND SHRUBS: Plant upright and face to give best appearance or relationship to adjacent plants and structures. Place 6" minimum, lightly compacted layer of prepared planting soil under root system. Loosen and remove twine binding and burlap from top 1/2 of root balls. Cut off cleanly all broken or frayed roots, and spread roots out. Stagger Plants in rows. Backfill planting hole with soil mix while working each layer to eliminate voids.

When approximately 2/3 full, water thoroughly, then allow water to soak away. Place remaining backfill and dish surface around plant to hold water. Final grade should keep root ball slightly above surrounding grade, not to exceed 1". Water again until no more water is absorbed. Initial watering by irrigation system is not allowed.

STAKING OF TREES: Stake or guy all trees. Stakes shall be 2" X 2" (nom.) quality tree stakes with point. They shall be of Douglas Fir, clear and sturdy. Stake to be minimum 2/3 the height of the tree, not to exceed 6'-0". Drive stake firmly 1'-6" below the planting hole. Tree ties for deciduous trees shall be "Chainlock" (or better). Staking and guying shall be loose enough to allow movement of tree while holding tree upright.

MULCHING OF PLANTINGS: Mulch planting areas with dark, aged, medium grind fir or hemlock bark (aged at least 6 months) to a depth of 2" in ground cover areas and 2 1/2" in shrub beds. Apply evenly, not higher than grade of plant as it came from the nursery, and rake to a smooth finish. Water thoroughly, then hose down planting area with fine spray to wash leaves of plants.

FINE LAWN AREAS: In fine lawn area apply Commercial Fertilizer Mix "B" at 4.5 lbs. Per 1,000 sq.ft. and rake into soil surface. Establish an even, fine textured seedbed meeting grades, surfaces and texture. Sow seed with a mechanical spreader at the uniform rates as noted below. Rake seed lightly to provide cover.

SEED: Bluegrass seed conforming to applicable State laws. No noxious weed seeds. Submit Guaranteed analysis.

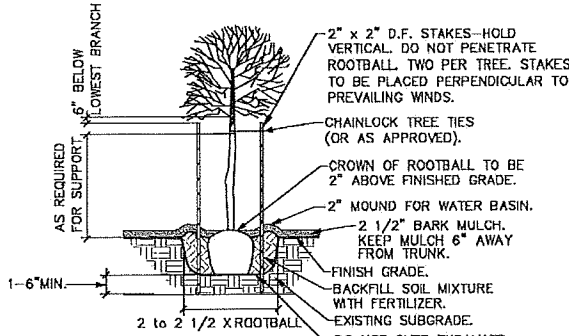
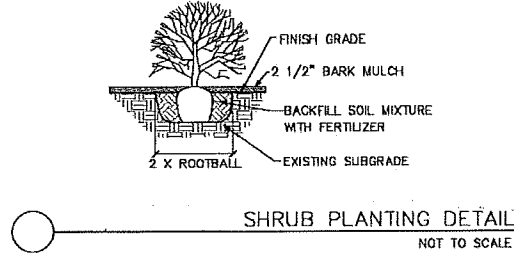
Fine Lawn Seed Mix: To contain 50% Top Hat Perennial Ryegrass, 30% Derby Supreme Ryegrass, 20% Longfellow Chewings Fescue (Hobbs and Hopkins Pro-Time 303 Lawn Mix or as approved) Sow Seed at 5 lbs. / 1000 sq. ft.

MAINTENANCE OF SEEDED AREAS:

Fine Lawn Areas: The lawn areas shall be maintained by watering, mowing, reseeding, and weeding for a minimum of 60 days after seeding. After 30 days, or after the second mowing, apply Commercial Fertilizer Mix "C" at 5 lbs. per 1,000 sq. ft. Mow and keep at 1 1/2" to 2" in height. Remove clippings and dispose of off site.

GENERAL MAINTENANCE: Protect and maintain work described in these specifications against all defects of materials and workmanship, through final acceptance. Replace plants not in normal healthy condition at the end of this period. Water, weed, cultivate, mulch, reset plants to proper grade or upright position, remove dead wood and do necessary standard maintenance operations. Irrigate when necessary to avoid drying out of plant materials, and to promote healthy growth.

CLEAN-UP: At completion of each division of work all extra material, supplies, equipment, etc., shall be removed from the site. All walks, paving, or other surfaces shall be swept clean, mulch areas shall have debris removed and any soil cleared from surface. All areas of the project shall be kept clean, orderly and complete.

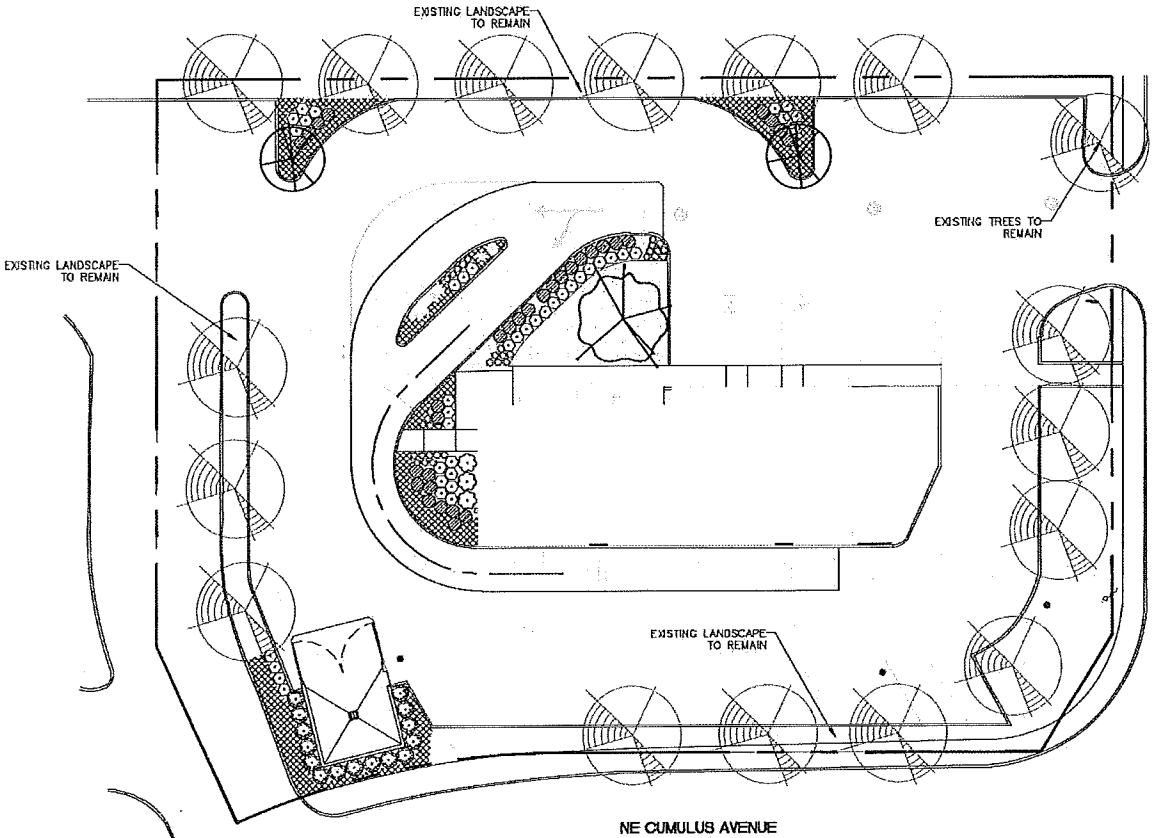


NOTE: ANY PROPOSED CHANGES TO OUR SPECIFICATION OR DETAIL SHOULD BE APPROVED BY THE LANDSCAPE ARCHITECT. LIKEWISE, IN ACCORDANCE WITH BEST PRACTICES OF LOCAL LANDSCAPE INSTALLATION, SHOULD THE LANDSCAPE CONTRACTOR FIND A PREFERRED ALTERNATE METHOD, THE LANDSCAPE ARCHITECT MAY BE SO ADVISED.

GENERAL DECIDUOUS TREE PLANTING DETAIL
NOT TO SCALE

PLANT LIST:			
SYMBOL	QTY.	SIZE	SPACING
TREES			
	1	CORNUS x 'VENUS' Venus Flowering Dogwood	2" col. As shown
	2	PYRUS CALLERYANA 'CAPITAL' Capital Flowering Pear	2" col. As shown
SHRUBS			
	15	ILEX GLABRA 'SHAMROCK' Shamrock Inkberry	2 gal. 3' o.c.
	15	LIGUSTRUM JAPONICUM 'TEXANUM' Waxleaf Privet	5 gal. 4' o.c.
	32	SPIRAEA MEDIA 'SVENSEN' Double Play Blue Kozoo Spiree	2 gal. 3' o.c.
	3	VIBURNUM TINUS 'SPRING BOUQUET' Spring Bouquet Viburnum	5 gal. 4' o.c.
GROUND COVER & PERENNIALS			
	34	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY' Little Bunny Dwarf Fountain Grass	1 gal. 2' o.c.
	69	EUONYMUS FORTUNEI 'COLORATUS' Wintercreeper Euonymus	1 gal. 3' o.c.
	68	FINE LAWN See Specifications	Seed

- GENERAL NOTES:
- Any existing trees damaged by construction shall be replaced in kind.
 - Repair lawn areas disturbed by construction to existing conditions.
 - Contractor is to verify all plant quantities.
 - Adjust plantings in the field as necessary.
 - Project is to be irrigated by an automatic, underground system, which will provide full coverage for all plant material. Landscape contractor shall modify existing irrigation system in the field to fit new landscape areas. Guarantee system for a minimum one year. Show drip systems as alternate bid only.
 - All plants are to be fully foliaged, well branched and true to form.
 - Contractor is to notify Landscape Architect or Owner's Representative of any site changes or unforeseen conditions that may be detrimental to plant health, or cause future problems to any structural elements of the project.
 - Contractor shall notify the Landscape Architect if specified materials or methods are not consistent with local climate and/or practices.



LANDSCAPE PLAN

SCALE 1" = 20'-0"



REV	DATE	DESCRIPTION
1	5/19/2020	LANDSCAPE PLAN
2	4/8/2020	SBS DRIVE THRU AND KITCHEN OWNER REVISION
1	10/06/2018	DOOT & CITY FRONTAGE
1	1	PERMIT CLEARANCE
1	6/28/2018	LEGAL CLEARANCE

OTTEN + ASSOCIATES
LANDSCAPE ARCHITECTURE
3933 South Kelly Avenue, Suite B
Portland, OR, 97239
(503) 972-0311
www.otten.com

PREPARED BY:

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McDonald's USA, LLC
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TITLE	DATE	REVISION	DATE	REVISION	DATE	REVISION
2018 MRP REMODEL	MAR 2017	NOV 2017	AUG 2018			
CORE 16						
WOOD FRAMING WALLS						
WOOD FRAMING ROOF						
BRICK MANICOT AND LAP SIDING EXTERIOR FINISH						
20-0100						
225 NE NORTON LN McMILLVILLE, OR, 97126						

L1.0
1 of 1