

EXHIBIT 3 - STAFF REPORT

DATE: September 20, 2023
TO: Landscape Review Committee Members
FROM: Adam Tate, Associate Planner
SUBJECT: Landscape Plan Review Application (L 31-23)

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 31-23) for new landscaping at 2675 NE Orchard Avenue (R4415-02700). 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.

Background:

The applicant, Oliver Ogden, New Energy Works, submitted a landscape plan review on behalf of Ted Guarriello and Parallel Ventures, LLC. The landscape architect is Carol E. Schirmer at Schirmer Consulting, LLC.

Discussion:

The proposed development is on land zoned M-2 (General Industrial). McMinnville Municipal Code (MMC) Section 17.57.030 requires landscaping in the M-2 zone.

The landscaping will be for the New Energy Works facility. A company that specializes in timber-framed residential buildings. The landscaping will be along the properties frontage facing NE Orchard Avenue. See maps below for more details.

Figure 1: Vicinity Map



Figure 2: Zoning Map

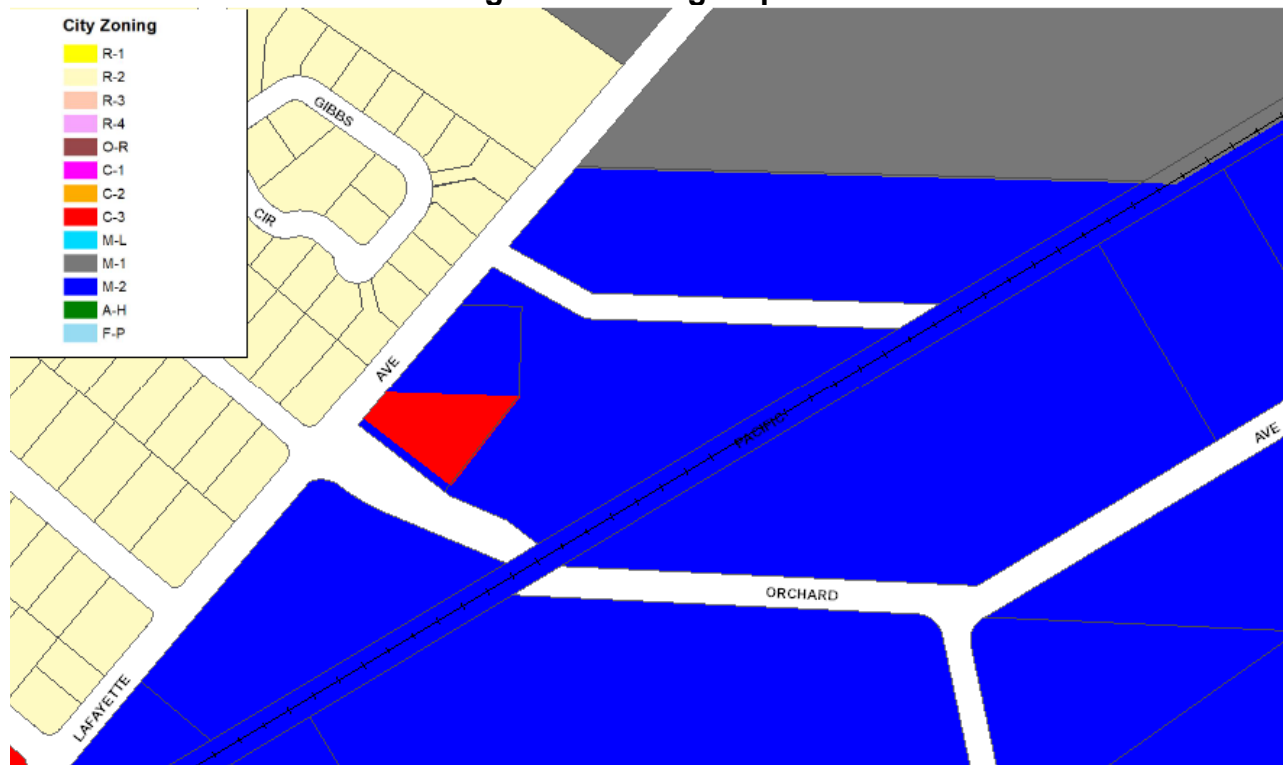


Figure 3: Revised Landscape Plan



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 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.

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 31-23 SUBJECT TO THE CONDITIONS SPECIFIED IN THE
DECISION DOCUMENT.**



DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN REVIEW FOR PARALELL VENTURES, LLC ON PROPERTY AT 2675 NE ORCHARD AVENUE, TAX LOT R4415-02700

DOCKET: L 31-23 (Landscape Plan Review)

REQUEST: Approval of a Landscape Plan for An existing facility

LOCATION: 2675 NE Orchard Ave., Tax Lot R4415-02700

ZONING: M-2 (General Industrial Zone)

APPLICANT: Oliver Ogden, New Energy Works on behalf of property owner Ted Guarriello of Parallel Ventures, LLC.

STAFF: Adam Tate, Associate Planner

DATE DEEMED COMPLETE: July 26, 2023 (Revised plan on September 8, 2023)

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

MEETING DATE & LOCATION: Wednesday, September 20, 2023, McMinnville Community Development Center, 231 NE 5th Street, and via Zoom online meeting

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.

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, McMinnville Engineering, 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 31-23) **subject to the conditions of approval provided in Section II of this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Department:  Date: September 20, 2023
Heather Richards, Planning Director

Attachment 1 – Application and Attachments
Attachment 2 – Mac Water & Light Clearance Specs

I. APPLICATION SUMMARY:

Subject Property & Request

The applicant's representative, Oliver Ogden, New Energy Works, submitted a landscape plan review application (Docket L 31-23) seeking approval of a landscape plan for their facility at 2675 NE Orchard Ave.

The subject site is located at 2675 NE Orchard Ave., Tax Lot R4415-02700. **See Figure 1 (Vicinity Map).** The property is zoned M-2 (General Industrial Zone) **See Figure 2 (Zoning Map).**

The subject property is approximately 1.54 acres. This application applies to the portion of the property along the frontage of Orchard Ave. Properties to the north, south, east and west are all zoned either M-2 (General Industrial Zone) or M-1 (Light Industrial Zone), the property also borders the railroad tracks and right of way.

Background

The applicant originally submitted the plans on June 29, 2023. The application was deemed complete on July 26, 2023 by then Senior Planner John Swanson before he left his position with the city. After that the application was transferred to Associate Planner Adam Tate who noticed that the application was in fact, not complete. The applicant had failed to address 17.57.050:

- A. Existing locations of trees over six inches in diameter, their variety (common or botanical name) and indication of whether they are to remain or to be removed from the site. In the event a large number of trees are to be retained and if no construction or construction access is required through or within the drip line of the trees, the general area with the number of trees involved may be given in lieu of listing and locating each tree;

The applicant was informed and sent in revised plans showing and labelling the existing trees over 6" DBH.

Discussion:

The application is subject to the Industrial zone landscape standards. It is on an already developed parcel that has existing trees, but has not been a part of a landscape plan or had landscaping installed before. It is in the M-2 Industrial zone, between Northeast Orchard Avenue and the Railroad track and right of way. The applicant is proposing a landscaping plan that is focused on the long frontage the property has with Orchard Avenue.

See below for **Figure 1: Vicinity Map, Figure 1: Zoning Map, Figure 3: Applicant's Original Landscaping Plan, and Figure 4: Applicant's Revised Landscaping Plan.**

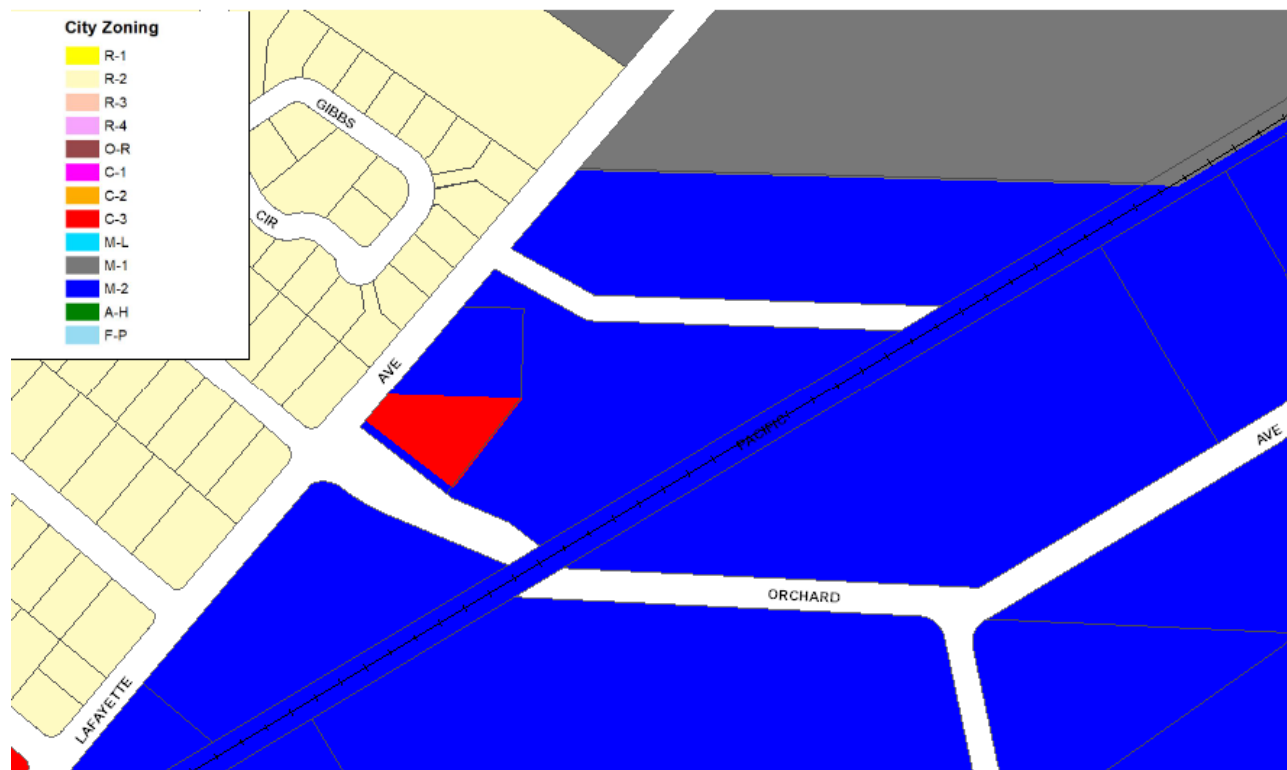
Attachments :

- Attachment 1 – Application and Attachments
- Attachment 2 – Mac Water & Light Clearance Specs

Figure 1: Vicinity Map



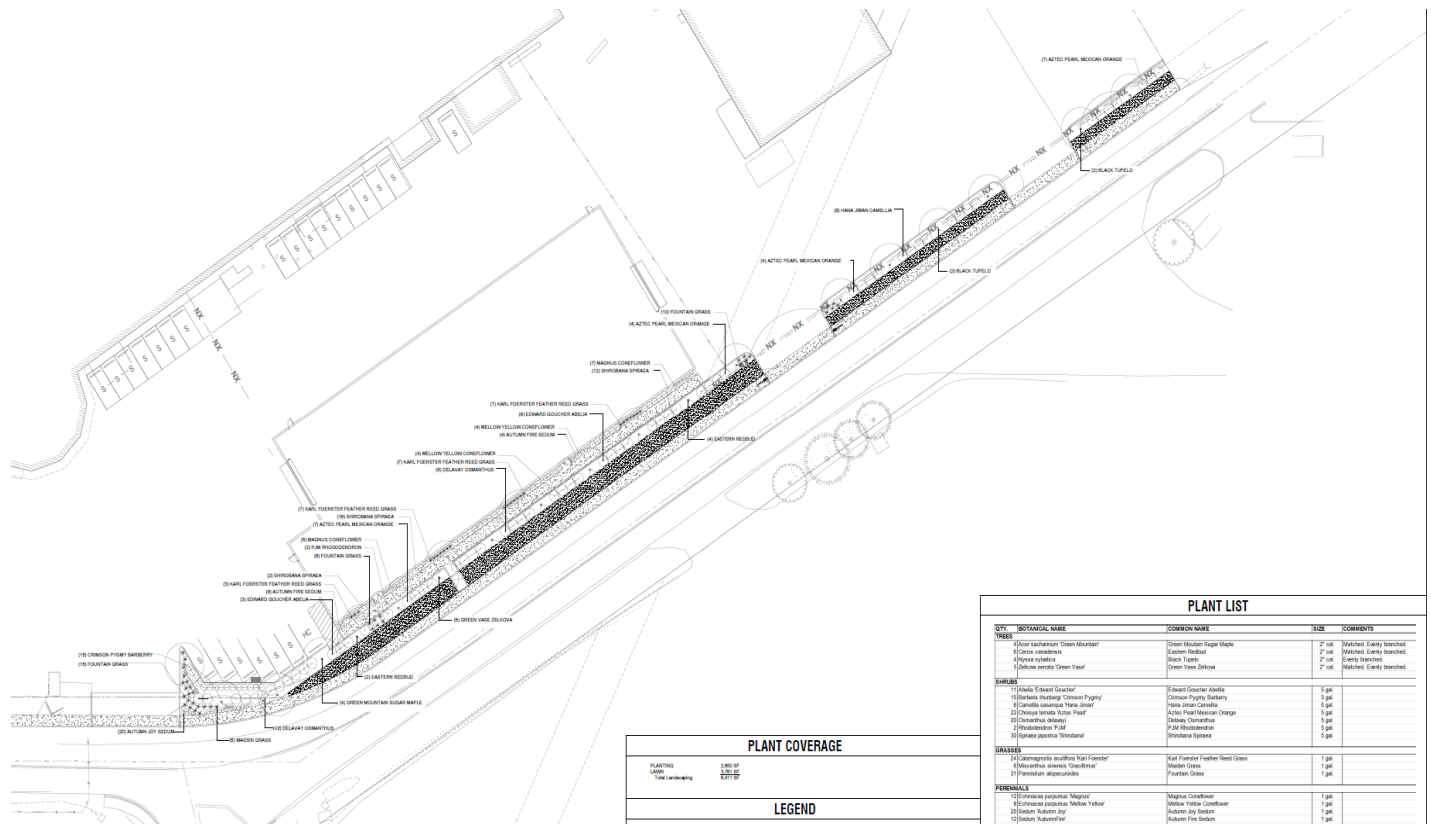
Figure 2: Zoning Map



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Figure 3. Applicant's Original Landscape Plan



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Figure 5. Applicant's Plant Coverage and Legend

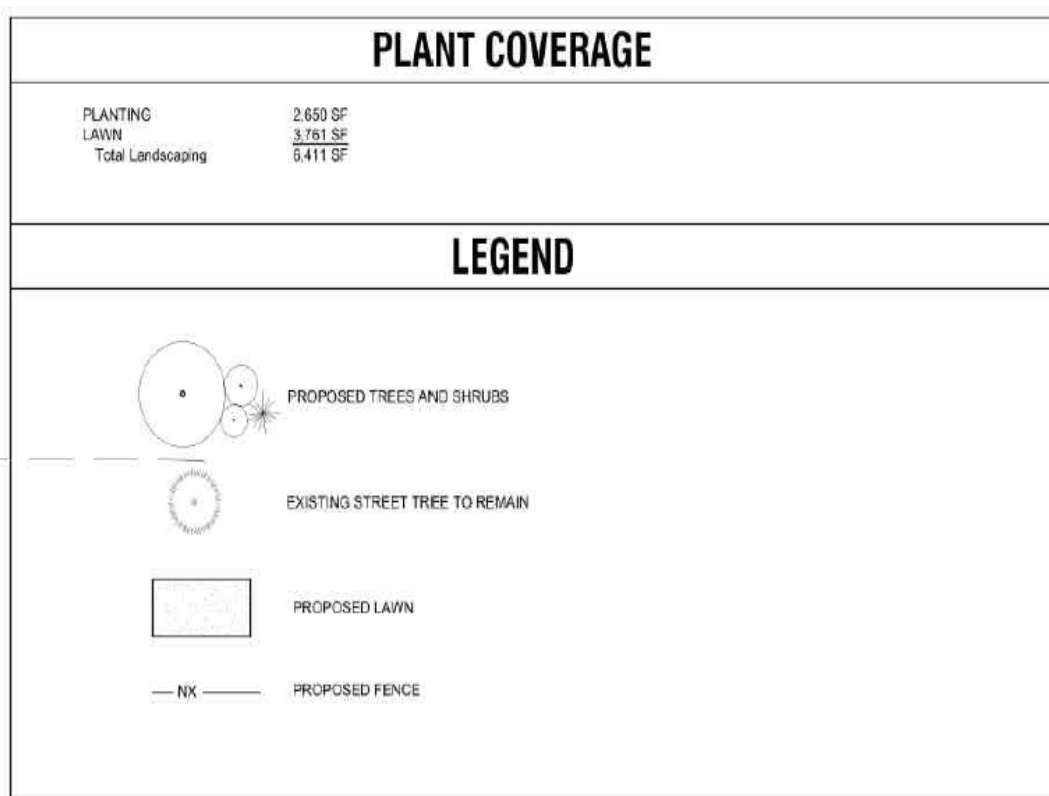


Figure 6. Applicant's Plant List

PLANT LIST				
QTY.	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS
TREES				
4	Acer sacharinum 'Green Mountain'	Green Moutain Sugar Maple	2" cal.	Matched. Evenly branched.
6	Cercis canadensis	Eastern Redbud	2" cal.	Matched. Evenly branched.
1	Nyssa sylvatica	Black Tupelo	2" cal.	Evenly branched.
5	Zelkova serrata 'Green Vase'	Green Vase Zelkova	2" cal.	Matched. Evenly branched.
SHRUBS				
11	Abelia 'Edward Goucher'	Edward Goucher Abellia	5 gal.	
8	Berberis thunbergi 'Crimson Pygmy'	Crimson Pygmy Barbery	3 gal.	
8	Camellia sasanqua 'Hana Jiman'	Hana Jiman Camellia	5 gal.	
20	Choisya ternata 'Aztec Pearl'	Aztec Pearl Mexican Orange	5 gal.	
20	Osmanthus delavayi	Delavay Osmanthus	5 gal.	
2	Rhododendron 'PJM'	PJM Rhododendron	5 gal.	
GRASSES				
6	Miscanthus sinensis 'Gracillimus'	Maiden Grass	1 gal.	
26	Pennisitum alopecuroides	Fountain Grass	1 gal.	
PERENNIALS				
20	Sedum 'Autumn Joy'	Autumn Joy Sedum	1 gal.	

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Figure 6. Applicant's Planting and Irrigation Notes

PLANTING NOTES	
<ol style="list-style-type: none"> 1. NO SUBSTITUTIONS ALLOWED WITHOUT PRIOR APPROVAL FROM OWNER'S REPRESENTATIVE. 2. MAKE MINOR ADJUSTMENTS IN TREE SPACING AS NECESSARY TO ACCOMMODATE THE IRRIGATION SYSTEM AS INSTALLED. 3. NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES IN THE LAYOUT OF WORK PRIOR TO THE EXECUTION OF THE WORK. 4. VERIFY LOCATIONS OF EXISTING UNDERGROUND UTILITIES PRIOR TO EXECUTION OF WORK. REPAIR ANY DAMAGE TO EXISTING UTILITIES, PIPES OR RELATED FACILITIES AT CONTRACTOR'S EXPENSE AND IN A MANNER APPROVED BY THE GENERAL CONTRACTOR. 5. PROTECT TRUNKS, LIMBS AND ROOT ZONES OF EXISTING TREES TO REMAIN FROM ABRASION AND COMPACTION. DO NOT CUT LIMBS OR ROOTS LARGER THAN 3" IN DIAMETER WITHOUT PRIOR APPROVAL OF OWNER'S REPRESENTATIVE. 6. CLEANLY SAW CUT TREE ROOTS 1 FOOT FROM FACE OF NEW IMPROVEMENT, WHERE TREES OR PLANT MATERIAL ABOUT NEW BUILDINGS, STRUCTURES, CURBS, WALKS OR PAVEMENT. 7. TREES AND SHRUBS PLANTED TOO DEEPLY WILL NOT BE ACCEPTED. SEE TREE PLANTING DETAIL. 8. AT LEAST THREE (3) FEET OF CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF ALL FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS IN ACCORDANCE WITH SFC 508.5.5 AND 912.3. 	
IRRIGATION SYSTEM NOTES	
<ol style="list-style-type: none"> 1. NOTE: PROVIDE SLEEVING UNDER HARDSCAPE TO ALL IRRIGATED LANDSCAPE AREAS. 2. IRRIGATION SYSTEM TO BE INSTALLED IN ALL DESIGNATED LAWN AND PLANT BED AREAS INDICATED ON THE PLAN. IRRIGATION TO BE AUTOMATIC ELECTRIC SOLENOID CONTROLLED UNDERGROUND SYSTEM. LOW WATER CONSUMPTION SYSTEMS ARE ENCOURAGED, INCLUDING THE USE OF WEATHER TRACKING CONTROLLERS AND DEVICES. THE IRRIGATION SYSTEM SHALL BE MAINTAINED AND OPERATED IN A MANNER THAT PROMOTES THE HEALTH AND APPEARANCE OF THE PLANTS WHILE MINIMIZING WATER USE AND AVOIDING EXCESSIVE WATER RUN-OFF. 3. IRRIGATION SYSTEM TO INCLUDE MAIN SHUT-OFF VALVE, BACKFLOW PREVENTION DEVICE, AUTOMATIC CONTROLLER (WEATHER PROOF LOCATION PER OWNER'S REPRESENTATIVE), ELECTRIC REMOTE CONTROL VALVES (RAINBIRD PEB-PRS SERIES OR APPROVED), WITH POP-UP SPRAY SPRINKLERS (RAINBIRD 1800 SAM SERIES OR APPROVED), AND/OR APPROVED ROTOR HEADS. ALL VALVES TO BE LOCATED IN UNDERGROUND VALVE BOX (CARSON OR APPROVED). 4. LANDSCAPE CONTRACTOR RESPONSIBLE FOR VERIFYING PRESSURE AND FLOW RATE AS NEEDED TO SUPPORT FULLY FUNCTIONAL IRRIGATION SYSTEM. 5. LANDSCAPE CONTRACTOR RESPONSIBLE FOR OVERALL DESIGN AND FUNCTIONALITY OF IRRIGATION SYSTEM. 	

II. CONDITIONS:

1. 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.
2. Prior to occupancy planning staff shall conduct an inspection to ensure all landscaping has been installed per approved plans.

III. ATTACHMENTS:

1. L 31-23 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.

City of McMinnville Public Works Department

From the submitted drawing it appears to me that the proposal calls for trees on private property, outside of the right of way. It appears that the only landscaping proposed in the right of way is turf, extending from the back of walk to the property line. Typically, street trees are planted in the right of way.

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Our comment would simply be to inquire about this approach and to have applicant describe why that approach was taken. It may well be that there is an underground conflict that is not shown on the plans that would preclude planting trees.

We would have no comment on the landscaping proposed on private property.

McMinnville Water and Light

Power: No comment regarding the landscape.

Water: Public water utilities in the area. Call for locates and protect water utilities. Attached are our clearance specs.

McMinnville Engineering

No comments.

Public Comments

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

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant's representative, Oliver Ogden, New Energy Works on behalf of property owner Ted Guarriello of Parallel Ventures, LLC on June 29, 2023
2. The application was deemed complete on July 26, 2023 by then Senior Planner John Swanson during the last week at his post.
3. The application was then passed to Associate Planner Adam Tate who realized that the application was incomplete. He reached out to the applicant and the applicant submitted the missing information to complete the application.
3. On September 8, 2023, notice of the updated application was referred to the following public agencies for comment: McMinnville Public Works Department, McMinnville Engineering, and McMinnville Water and Light.
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 September 20, 2023, to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 2675 NE Orchard Ave., Tax Lot R4415-02700

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2. **Size:** 1.54 acres (See applicant's calculations for improvement area and landscape area on plan).
3. **Comprehensive Plan Map Designation :** Industrial
4. **Zoning:** M-2 (General Industrial Zone)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** home of New Energy Works, a residential, timber-frame design-build company.
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None
8. **Other Features:**
 - a. **Slopes:** The site is relatively flat.
 - b. **Easements:** There are no easements on the property shown on the plan or the City's GIS site.
9. **Utilities.** Utilities are available to the site.
10. **Transportation:** The property has extensive frontage along Orchard Avenue.

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.

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

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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 process.

McMinnville Zoning Ordinance

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

Chapter 17.57 Landscaping

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

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

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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.

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 M-2 (General Industrial) 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:

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The applicant has provided calculations demonstrating compliance.

4. A parking lot or parking structure built in any zone providing parking spaces as required by the zoning ordinance shall be landscaped in accordance with the commercial requirements set forth above in subsection 2 of this section.

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APPLICANT'S RESPONSE: None.

FINDING: SATISFIED.

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:

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

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED.

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 CONDITIONS. This is a requirement of the Zoning Ordinance. It has also been incorporated as Condition of Approval #1.

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. There is no curb-side planting strip along NE Orchard Avenue, but there is plenty of frontage with room for sidewalk and landscaping which will both be installed there. Therefore, this provision is satisfied.

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Chapter 17.61 Solid Waste and Recycling Enclosure Plan

17.61.020 – Applicability and Exemptions.

- A. The requirements of this chapter shall apply to all new commercial, industrial, and multi-family developments of three (3) or more dwelling units.

APPLICANT’S RESPONSE: None.

FINDING: NOT APPLICABLE. The proposed project and landscaping are for an existing not a new building; therefore, the standards of the chapter do not apply.

17.61.030 – Guidelines and Standards.

- 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: NOT APPLICABLE. No trash or recycling enclosure is proposed for this area.

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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 31-23

Date Received 6/29/23

Fee \$1,050.50

Receipt No. 208293

Received by AW

569-23-000339-PLNG

Landscape Plan Review Application

Applicant Information

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

Applicant Name NEW ENERGY WORKS Phone 503-687-3942

Contact Name OLIVER OGDEN Phone 971-237-9329
(If different than above)

Address 2675 NE ORCHARD AVE

City, State, Zip MC MINNVILLE OR 97128

Contact Email oliver @ newenergyworks.com

Property Owner Information

Property Owner Name Ted Guarriello Phone 540-535-9260
(If different than above)

Contact Name Parallel Ventures LLC Phone _____

Address PO BOX 299

City, State, Zip BOYCE, VA 22620

Contact Email tjgjr @ mac.com

Site Location and Description

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

Property Address 2675 NE ORCHARD McMinnville OR 97128

Assessor Map No. R4415 - 02100 Total Site Area 67,222 SF

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation Industrial Zoning Designation M-2 Industrial

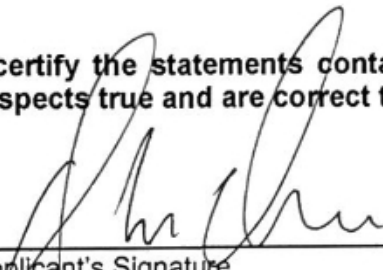
Landscaping Information

1. Total Landscaped Area: 6,411
2. Percent Landscaped: EXCEEDS 7%
3. Building Floor Area:
New Structure: 20,832 SF Existing Structure: n/a Addition: n/a
4. Architect Name SCHIRMER CONSULTING, LLC Phone 541.234.5108
(Landscape Architect, Engineer, or Other Designer)
Contact Name Carol E. Schirmer Phone _____
Address PO BOX 10424
City, State, Zip EVGENE OR 97440
Contact Email Schirmer@schirmerconsulting.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.*
emailed
- ☐ *Payment of the applicable review fee, which can be found on the Planning Department web page.*

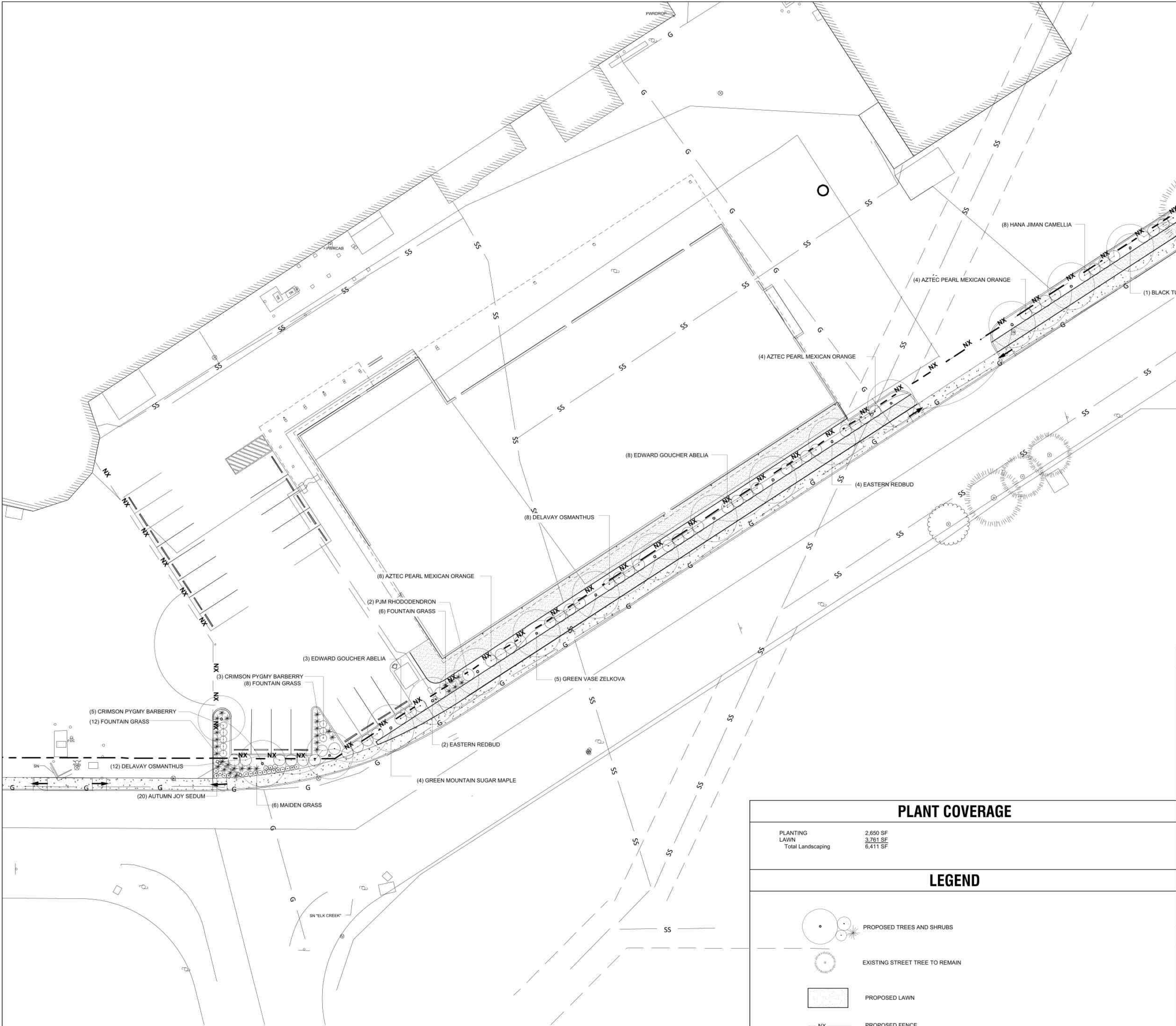
I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.


Applicant's Signature

6/27/2023
Date


Property Owner's Signature

6/28/23
Date



PLANT COVERAGE

PLANTING	2,859 SF
LAWN	3,781 SF
Total Landscaping	6,411 SF

LEGEND

- PROPOSED TREES AND SHRUBS
- EXISTING STREET TREE TO REMAIN
- PROPOSED LAWN
- NX PROPOSED FENCE

PLANTING NOTES

- NO SUBSTITUTIONS ALLOWED WITHOUT PRIOR APPROVAL FROM OWNER'S REPRESENTATIVE.
- MAKE MINOR ADJUSTMENTS IN TREE SPACING AS NECESSARY TO ACCOMMODATE THE IRRIGATION SYSTEM AS INSTALLED.
- NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES IN THE LAYOUT OF WORK PRIOR TO THE EXECUTION OF THE WORK.
- VERIFY LOCATIONS OF EXISTING UNDERGROUND UTILITIES PRIOR TO EXECUTION OF WORK. REPAIR ANY DAMAGE TO EXISTING UTILITIES, PIPES OR RELATED FACILITIES AT CONTRACTOR'S EXPENSE AND IN A MANNER APPROVED BY THE GENERAL CONTRACTOR.
- PROTECT TRUNKS, LIMBS AND ROOT ZONES OF EXISTING TREES TO REMAIN FROM ABRASION AND COMPACTION. DO NOT CUT LIMBS OR ROOTS LARGER THAN 3" IN DIAMETER WITHOUT PRIOR APPROVAL OF OWNER'S REPRESENTATIVE.
- CLEANLY SAW CUT TREE ROOTS 1 FOOT FROM FACE OF NEW IMPROVEMENT, WHERE TREES OR PLANT MATERIAL ABUT NEW BUILDINGS, STRUCTURES, CURBS, WALKS OR PAVEMENT.
- TREES AND SHRUBS PLANTED TOO DEEPLY WILL NOT BE ACCEPTED. SEE TREE PLANTING DETAIL.
- AT LEAST THREE (3) FEET OF CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF ALL FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS IN ACCORDANCE WITH SFC 508.5.5 AND 912.3.

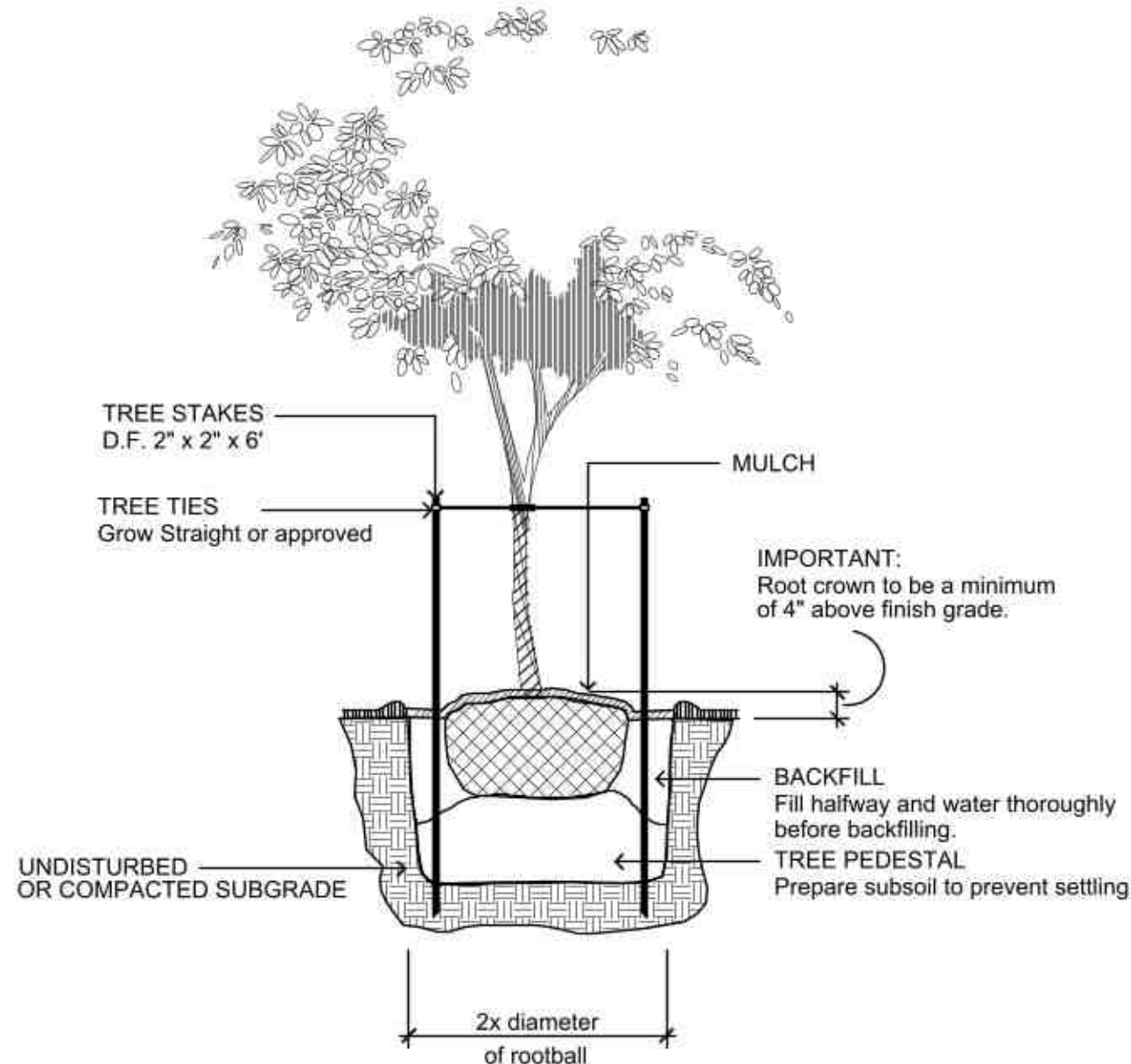
IRRIGATION SYSTEM NOTES

- NOTE: PROVIDE SLEEVING UNDER HARDSCAPE TO ALL IRRIGATED LANDSCAPE AREAS.
- IRRIGATION SYSTEM TO BE INSTALLED IN ALL DESIGNATED LAWN AND PLANT BED AREAS INDICATED ON THE PLAN. IRRIGATION TO BE AUTOMATIC ELECTRIC SOLENOID CONTROLLED UNDERGROUND SYSTEM. LOW WATER CONSUMPTION SYSTEMS ARE ENCOURAGED, INCLUDING THE USE OF WEATHER TRACKING CONTROLLERS AND DEVICES. THE IRRIGATION SYSTEM SHALL BE MAINTAINED AND OPERATED IN A MANNER THAT PROMOTES THE HEALTH AND APPEARANCE OF THE PLANTS WHILE MINIMIZING WATER USE AND AVOIDING EXCESSIVE WATER RUN-OFF.
- IRRIGATION SYSTEM TO INCLUDE MAIN SHUT-OFF VALVE, BACKFLOW PREVENTION DEVICE, AUTOMATIC CONTROLLER (WEATHER PROOF LOCATION PER OWNER'S REPRESENTATIVE), ELECTRIC REMOTE CONTROL VALVES (RAINBIRD PEB-PRS SERIES OR APPROVED), WITH POP-UP SPRAY SPRINKLERS (RAINBIRD 1600 SAM SERIES OR APPROVED), AND/OR APPROVED ROTOR HEADS. ALL VALVES TO BE LOCATED IN UNDERGROUND VALVE BOX (CARSON OR APPROVED).
- LANDSCAPE CONTRACTOR RESPONSIBLE FOR VERIFYING PRESSURE AND FLOW RATE AS NEEDED TO SUPPORT FULLY FUNCTIONAL IRRIGATION SYSTEM.
- LANDSCAPE CONTRACTOR RESPONSIBLE FOR OVERALL DESIGN AND FUNCTIONALITY OF IRRIGATION SYSTEM.

PLANT LIST

QTY.	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS
TREES				
4	Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	2" cal.	Matched. Evenly branched.
6	Cercis canadensis	Eastern Redbud	2" cal.	Matched. Evenly branched.
1	Nyssa sylvatica	Black Tupelo	2" cal.	Evenly branched.
5	Zelkova serrata 'Green Vase'	Green Vase Zelkova	2" cal.	Matched. Evenly branched.
SHRUBS				
11	Abelia 'Edward Goucher'	Edward Goucher Abellia	5 gal.	
8	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	3 gal.	
8	Camellia sasanqua 'Hana Jiman'	Hana Jiman Camellia	5 gal.	
20	Choisya ternata 'Aztec Pearl'	Aztec Pearl Mexican Orange	5 gal.	
20	Osmanthus delavayi	Delavay Osmanthus	5 gal.	
2	Rhododendron 'PJM'	PJM Rhododendron	5 gal.	
GRASSES				
6	Miscanthus sinensis 'Gracillimus'	Maiden Grass	1 gal.	
26	Pennisetum alopecuroides	Fountain Grass	1 gal.	
PERENNIALS				
20	Sedum 'Autumn Joy'	Autumn Joy Sedum	1 gal.	

TREE PLANTING DETAIL



NOTE: REMOVE TREE TIES AT ONE YEAR WARRANTY.

DECIDUOUS TREE PLANTING DETAIL

N.T.S.

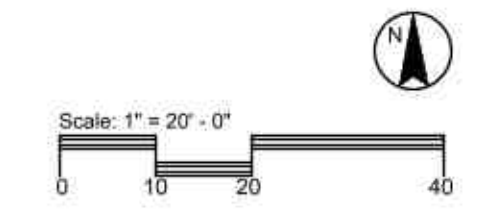
SCHIRMER CONSULTING, LLC, LANDSCAPE ARCHITECTURE AND LAND USE PLANNING EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER, WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO A THIRD PARTY, WITHOUT FIRST OBTAINING THE WRITTEN PERMISSION AND CONSENT OF SCHIRMER CONSULTING, LLC. IN THE EVENT OF UNAUTHORIZED REUSE OF THESE PLANS BY A THIRD PARTY, THE THIRD PARTY SHALL HOLD SCHIRMER CONSULTING, LLC, HARMLESS.

PROJECT NAME:

NEW BEAMERY

REVISIONS

#	Date	Description



PROJECT NAME: New Beamery
New Energy Works
PROJECT ADDRESS: 2675 NE Orchard Avenue
PROJECT ADDRESS: McMinnville, OR 97128

PHASE: Construction Documents
DATE: 6.27.23
DRAWN BY: CES
CHECKED BY: CES

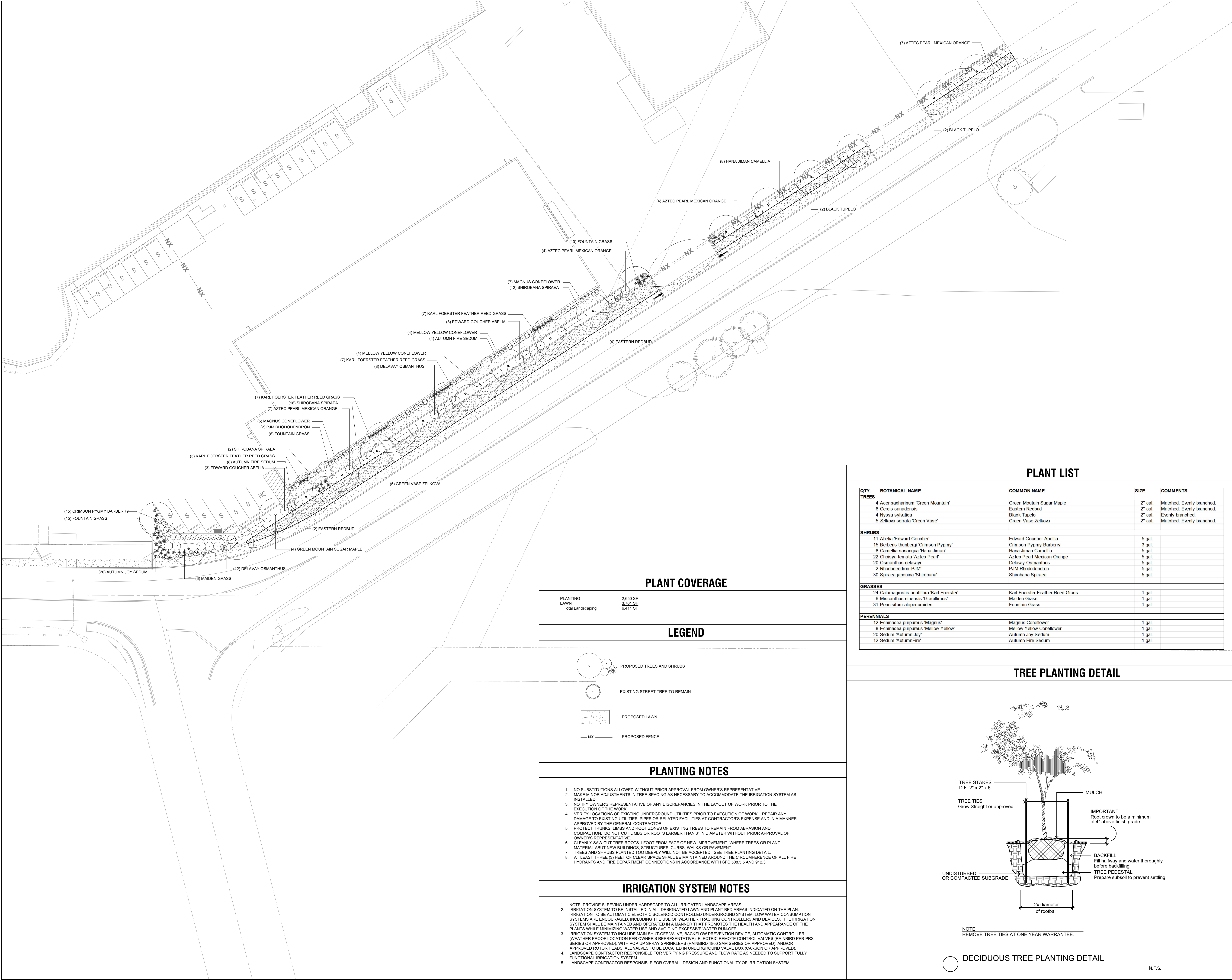
SHEET TITLE

PLANTING PLAN

SHEET NUMBER

L1.0





PLANT COVERAGE	
PLANTING	2,650 SF
LAWN	3,781 SF
Total Landscaping	6,431 SF

LEGEND

PROPOSED TREES AND SHRUBS

EXISTING STREET TREE TO REMAIN

PROPOSED LAWN

NX PROPOSED FENCE

- PLANTING NOTES**
- NO SUBSTITUTIONS ALLOWED WITHOUT PRIOR APPROVAL FROM OWNER'S REPRESENTATIVE.
 - MAKE MINOR ADJUSTMENTS IN TREE SPACING AS NECESSARY TO ACCOMMODATE THE IRRIGATION SYSTEM AS INSTALLED.
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5	Zelkova serrata 'Green Vase'	Green Vase Zelkova	2" cal.	Matched. Evenly branched.
SHRUBS				
11	Abelia 'Edward Goucher'	Edward Goucher Abelia	5 gal.	
15	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	3 gal.	
8	Camellia sasanqua 'Hana Jiman'	Hana Jiman Camellia	5 gal.	
22	Choisya ternata 'Aztec Pearl'	Aztec Pearl Mexican Orange	5 gal.	
20	Osmanthus delavayi	Delavay Osmanthus	5 gal.	
2	Rhododendron 'PJM'	PJM Rhododendron	5 gal.	
30	Spiraea japonica 'Shirobana'	Shirobana Spiraea	5 gal.	
GRASSES				
24	Calamagrostis acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	1 gal.	
6	Miscanthus sinensis 'Gracillimus'	Maiden Grass	1 gal.	
31	Pennisetum alopecuroides	Fountain Grass	1 gal.	
PERENNIALS				
12	Echinacea purpurea 'Magnus'	Magnus Coneflower	1 gal.	
8	Echinacea purpurea 'Mellow Yellow'	Mellow Yellow Coneflower	1 gal.	
20	Sedum 'Autumn Joy'	Autumn Joy Sedum	1 gal.	
12	Sedum 'Autumn Fire'	Autumn Fire Sedum	1 gal.	

TREE PLANTING DETAIL

Scale: 1" = 20' - 0"

Tree Stakes D.F. 2" x 2' x 8'

Tree Ties Grow Straight or approved

Mulch

IMPORTANT: Root crown to be a minimum of 4" above finish grade.

BACKFILL Fill halfway and water thoroughly before backfilling.

TREE PEDESTAL Prepare subsoil to prevent settling.

UNDISTURBED OR COMPACTED SUBGRADE

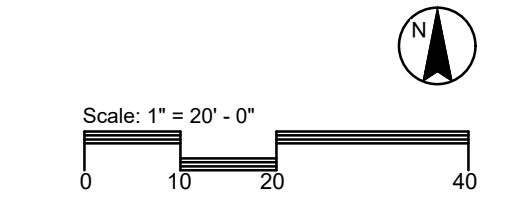
2x diameter of rootball

NOTE: REMOVE TREE TIES AT ONE YEAR WARRANTEE.

DECIDUOUS TREE PLANTING DETAIL

N.T.S.

#	Date	Description
1	8.31.23	Base Sheet Revised



PROJECT NAME	New Beamery
PROJECT ADDRESS	2675 NE Orchard Avenue
PROJECT ADDRESS	McMinnville, OR 97128

PHASE	Construction Documents
DATE	6.27.23
DRAWN BY	CES
CHECKED BY	CES

EXHIBIT 4 - STAFF REPORT

DATE: September 20, 2023
TO: Landscape Review Committee Members
FROM: Adam Tate, Associate Planner
SUBJECT: Landscape Plan Review Application (L 35-23)

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 35-23) for new landscaping for a new reception hall facility on the Evergreen campus at 500 NE Captain Michael King Smith Way, (R4423-00600, etc). 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.

Background:

The applicant, Wayne Marschall of McMinnville Properties, LLC submitted the landscape plan review as part of a concurrent review process alongside two other applications PDA 4-23 and TML 3-23.

Discussion:

The proposed development is on land zoned C-3 PD (General Commercial Planned Development). McMinnville Municipal Code (MMC) Section 17.57.030 requires landscaping in the C-3 zone.

The landscaping will be for the new reception hall facility, located just to the west of the Evergreen Lodge/Chapel. See the maps below for more details.

Figure 1: Vicinity Map



Figure 2: Zoning Map

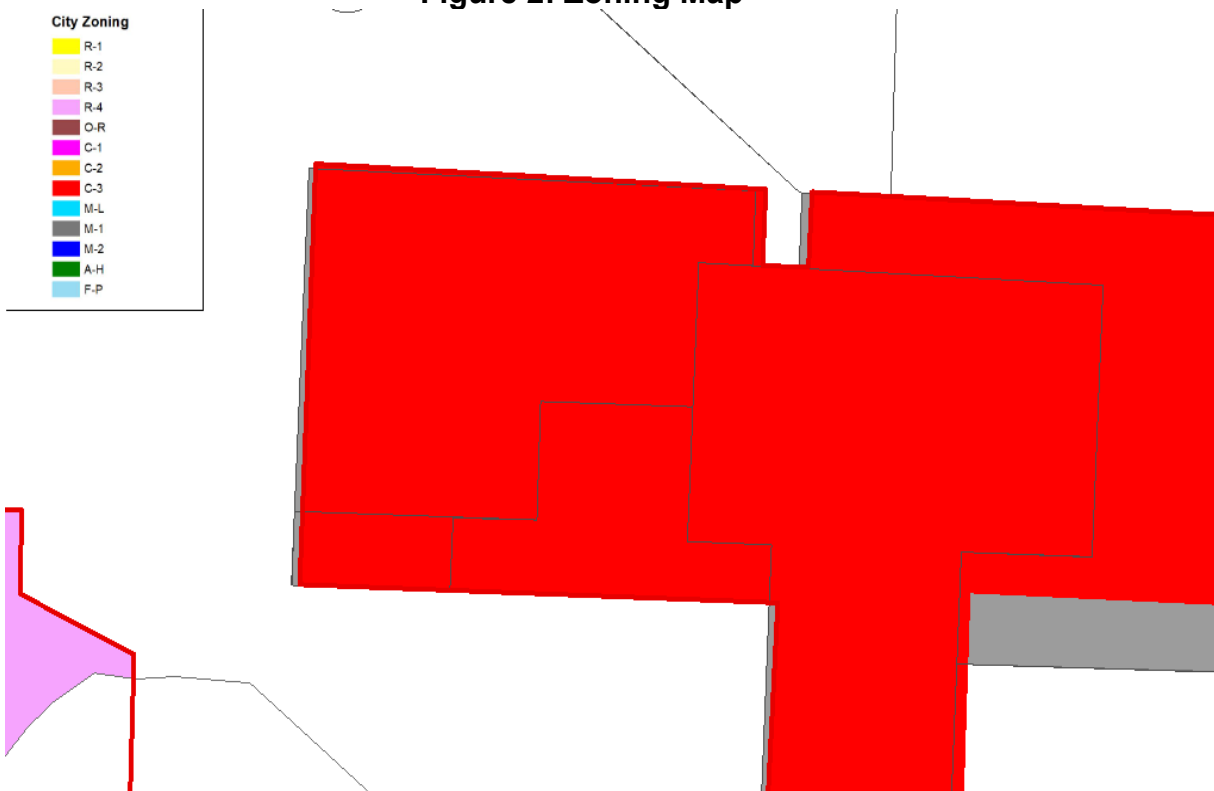
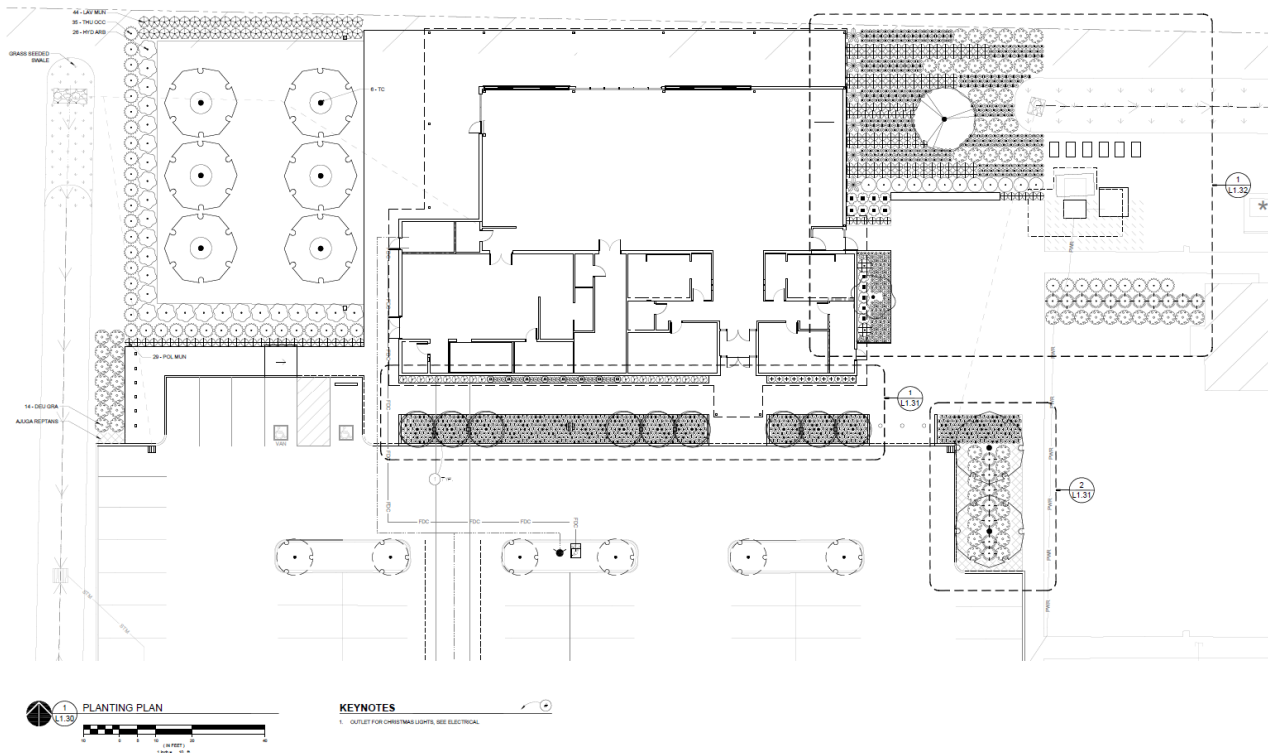


Figure 3: Landscape Plan



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

Attachments:

Attachment A – Decision Document L35-23

**PLAN REVIEW APPLICATION L 35-23 SUBJECT TO THE CONDITIONS SPECIFIED IN THE
DECISION DOCUMENT.**



DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN REVIEW FOR McMINNVILLE PROPERTIES LLC ON PROPERTY AT 500 NE CAPTAIN MICHAEL KING SMITH WAY, TAX LOTS R4423-00600, 00601, 00602, 00800, 01301.

DOCKET: L 35-23 (Landscape Plan Review)

REQUEST: Approval of a Landscape Plan for a new reception facility.

LOCATION: 500 NE Captain Michael King Smith Way, Tax Lots R4423-00600, 00601, 00602, 00800, 01301.

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

APPLICANT: Wayne Marschall, McMinnville Properties LLC.

STAFF: Adam Tate, Associate Planner

**DATE DEEMED
COMPLETE:** August 31, 2023

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

**MEETING DATE
& LOCATION:** Wednesday, September 20, 2023, McMinnville Community Development Center, 231 NE 5th Street, and via Zoom online meeting

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.

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, McMinnville Engineering, 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 35-23) **subject to the conditions of approval provided in Section II of this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Staff: Adam Tate _____ Date: September 20, 2023
Adam Tate, Associate Planner

Planning Department:  Date: September 20, 2023
Heather Richards, Planning Director

Attachments :
Attachment 1 – Application and Attachments

I. APPLICATION SUMMARY:

Subject Property & Request

The applicant Wayne Marschall, McMinnville Properties LLC, submitted a landscape plan review application (Docket L 35-23) seeking approval of a landscape plan for their new facility at 500 NE Captain Michael King Smith Way.

The subject site is located at 500 NE Captain Michael King Smith Way, Tax Lots R4423-00600, 00601, 00602, 00800, 01302. **See Figure 1 (Vicinity Map).** The property is zoned C-3 PD (General Commercial Planned Development) **See Figure 2 (Zoning Map).**

The subject property is approximately 0.3 acres. This application applies to the portion of the property to the west of the Evergreen Chapel.

Background

This project is part of the larger Evergreen Museum complex in the Northeast Gateway district. This application is part of a concurrent review process that includes a Planned Development Amendment application, docket No. PDA 4-23, and a Three Mile Lane Review, docket No. TML 3-23. The applicant plans to build a reception hall next to the Evergreen Lodge.

Discussion:

The application is subject to the commercial zone landscape standards. It is on an already developed parcel that is being redeveloped to accommodate a new structure and new landscaping. It is in the C-3 PD zone on the Evergreen museum campus.

See below for **Figure 1: Vicinity Map, Figure 1: Zoning Map, Figure 3: Applicant's Landscaping Plan, etc.**

Figure 1: Vicinity Map



Figure 2: Zoning Map

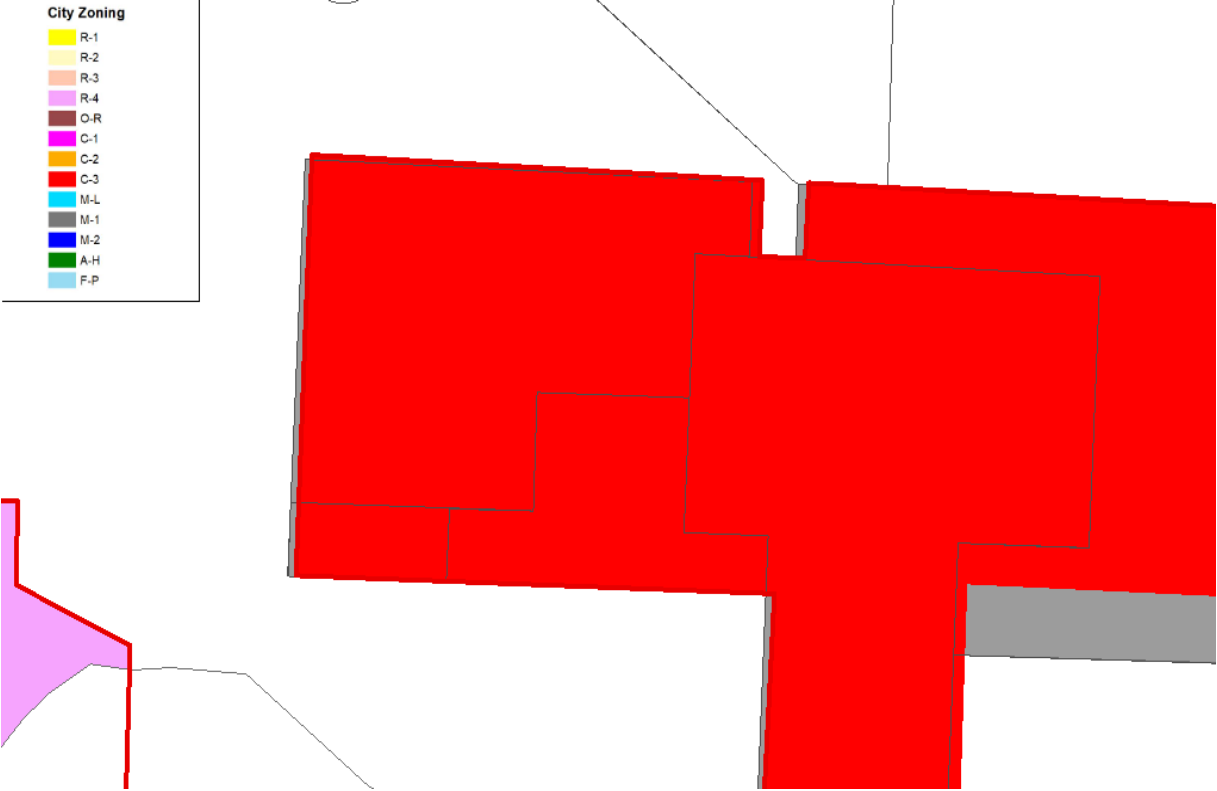


Figure 3. Applicant’s Landscape Plan

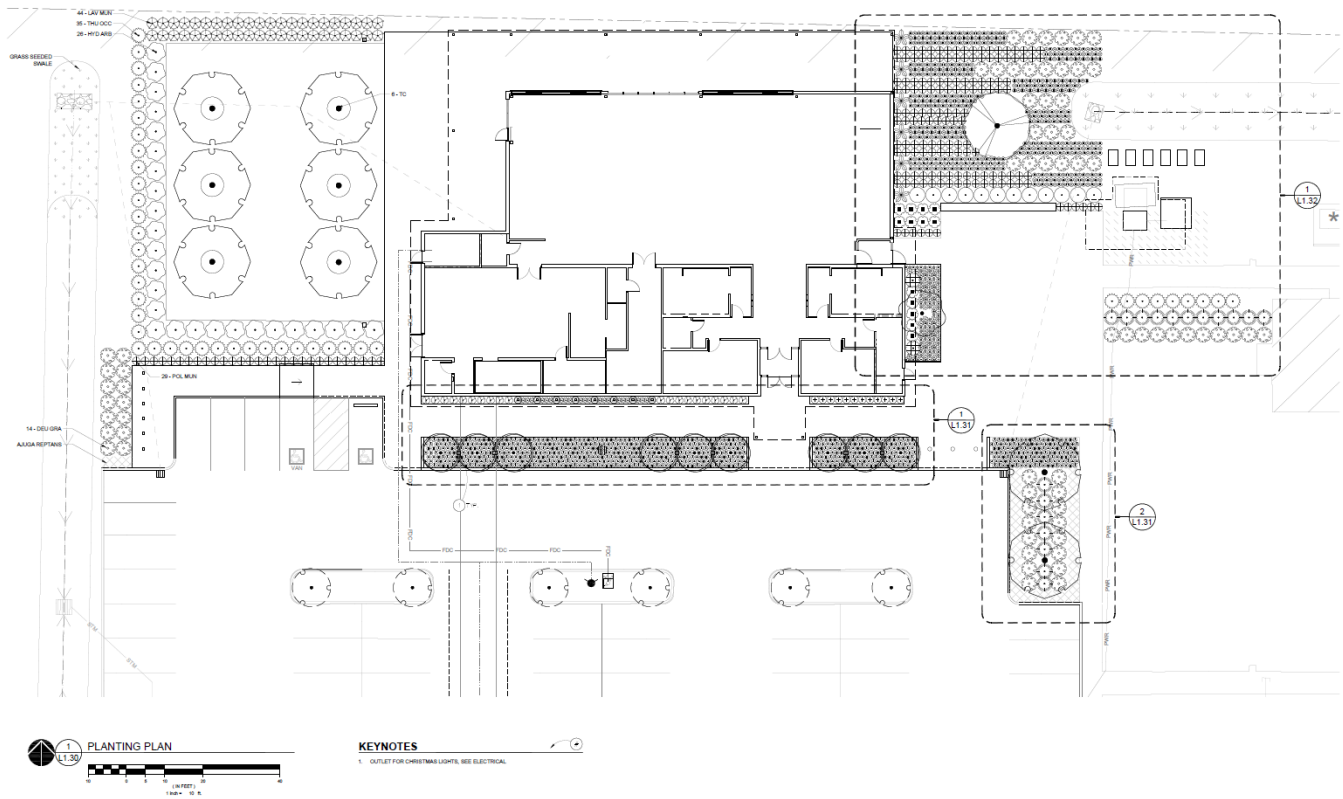
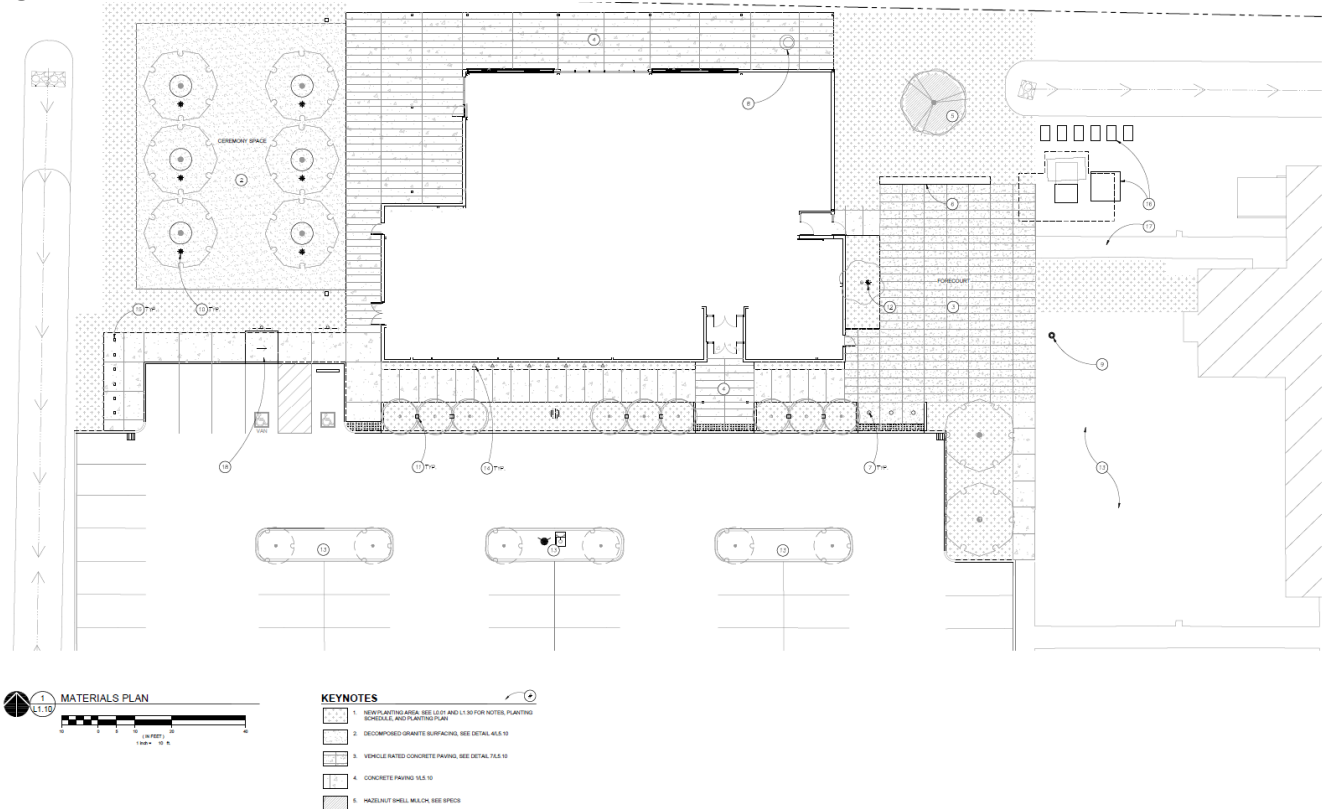
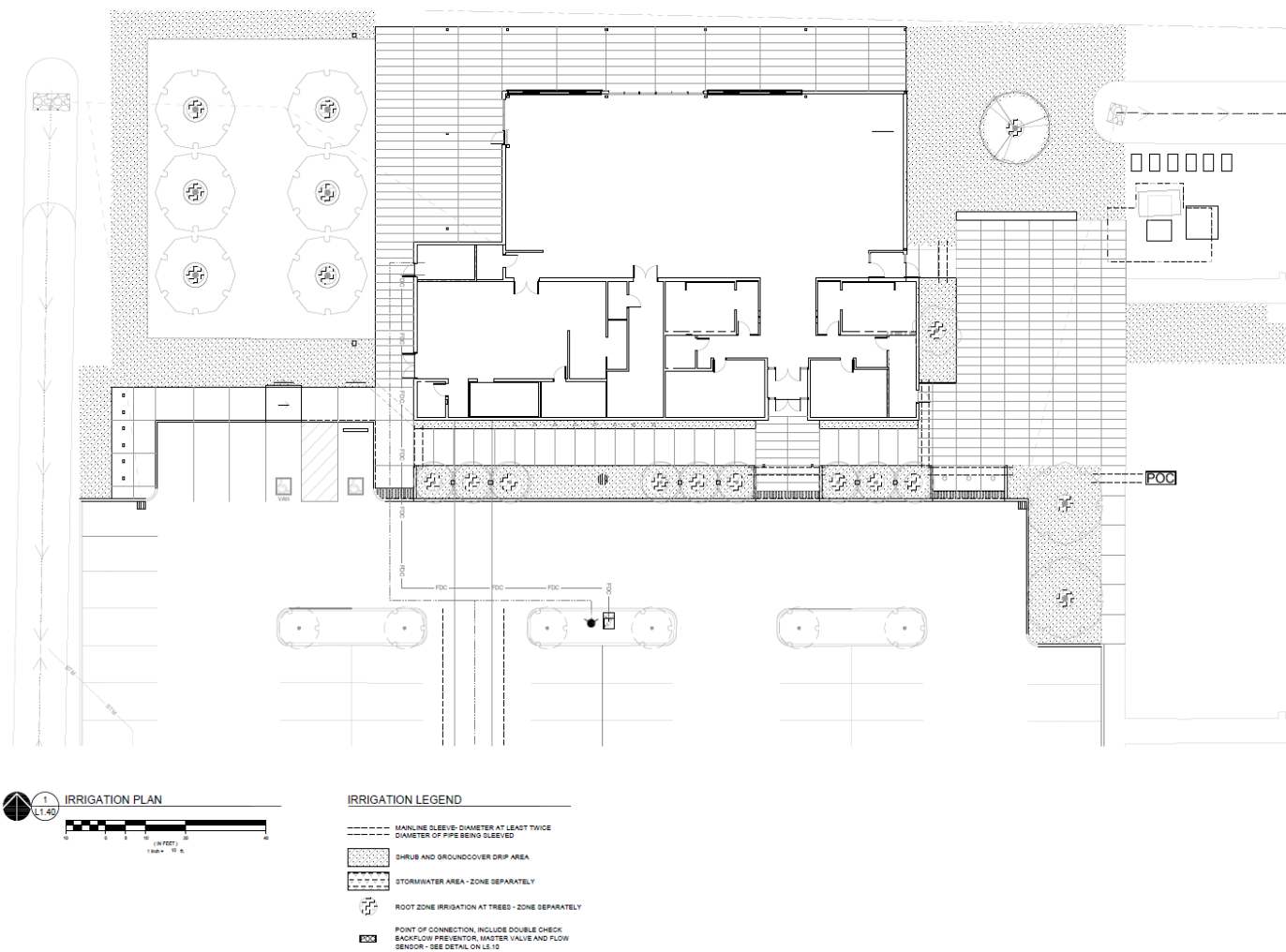


Figure 4. Applicant’s Materials Plan



L 35-23 - Decision Document
Landscape Plans – McMinnville Properties LLC Tax Lots R4423-00600, etc.
Figure 5. Applicant's Irrigation Plan



PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	SIZE		REMARKS
	CO	CERCIS OCCIDENTALIS 'CLAREMONT' CLAREMONT WESTERN REDBUD	2" CAL. B&B		MULTI-STEM
	CE	CORNUS x ELWORTHY 'STARLIGHT' STARLIGHT DOGWOOD	2.5" CAL. B&B		SPECIMEN QUALITY
	PJ	PRUNUS UPS-KW14" FIRST BLUSH FLOWERING CHERRY	2" CAL. B&B		MATCHING
	TC	TILIA CORDATA 'GREENSPERE' GREENSPERE LINDEN	2" CAL., B&B		MATCHING, SPECIMEN QUALITY
EXISTING	CODE	BOTANICAL / COMMON NAME	SIZE		REMARKS
	EX	EXISTING TREE TO REMAIN	---		
SHRUBS	CODE	BOTANICAL / COMMON NAME	SIZE	SPACING	REMARKS
	ACA MOL	ACANTHUS MOLLIS BEAR'S BRECHES	3 GAL.	48" o.c.	
	ALL GRA	ALLIUM AMPLESTENS 'GRACEFUL BEAUTY' GRACEFUL BEAUTY ALLIUM	7 GAL.	12" o.c.	
	ALL GR2	ALLIUM HOLLANDICUM 'PURPLE SENSATION' PURPLE SENSATION ORNAMENTAL ONION	7 GAL.	9" o.c.	
	ALL GLB	ALLIUM x 'GLOBEMASTER' GLOBEMASTER ORNAMENTAL ONION	7 GAL.	12" o.c.	
	ARM MAR	ARMERIA MARITIMA SEA THRIFT	7 GAL.	12" o.c.	
	DEU GRA	DEUTZIA GRACILIS 'NKKO' SLENDER DEUTZIA	5 GAL.	48" o.c.	
	EUP MUL	EUPHORBIA MULFORDI MEDITERRANEAN SPURGE	3 GAL.	48" o.c.	
	HEM STE	HEMEROCALLIS 'STELLA DE D'OR' STELLA D'OR REBLOOMING DAYLILY	7 GAL.	12" o.c.	
	HOS ANG	HOSTA x 'BLUE ANGEL' BLUE ANGEL HOSTA	7 GAL.	48" o.c.	
	HYD ARB	HYDRANGEA ARBORESCENS 'ANNABELLE' ANNABELLE HYDRANGEA	5 GAL.	60" o.c.	
	ILE GLA	ILEX GLABRA 'SHAMROCK' INKBERRY	3 GAL.	24" o.c.	
	LAV MUN	LAVANDULA ANGUSTIFOLIA 'MUNSTEAD' MUNSTEAD LAVENDER	3 GAL.	36" o.c.	
	LIR BIG	LIRIOPE MUSCARI 'BIG BLUE' BIG BLUE LILYTURF	7 GAL.	12" o.c.	
	LIR MON	LIRIOPE MUSCARI 'MONROE'S WHITE' MONROE'S WHITE LILYTURF	7 GAL.	18" o.c.	
	PEN LIT	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY' LITTLE BUNNY DWARF FOUNTAIN GRASS	7 GAL.	12" o.c.	
	POL MUN	POLYSTICHUM MUNITUM WESTERN SWORD FERN	3 GAL.	24" o.c.	
	ROS MFI	ROSA 'MEICOURLAN' WHITE MEDIAN ROSE	3 GAL.	24" o.c.	
	SAR RUS	SARCOCODON RUSCIFOLIA FRAGRANT SHEETBOX	5 GAL.	36" o.c.	
	THU OCC	THUJA OCCIDENTALIS 'SMARAGO' EMERALD GREEN ARBORVITAE	5" HT. MDV.	48" o.c.	MATCHING
	TRA JAS	TRACHELOSPERMUM JASMINOIDES STAR JASMINE	3' HT. MDV.	24" o.c.	VINE FORM
	VER CAR	VERBURNUM CARLESI KOREAN SPICE VIBURNUM	5 GAL.	48" o.c.	
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	SIZE	SPACING	REMARKS
	AJU REP	AJUDA REPTANS BUGLEHERB	4" POT	12" o.c.	
	GRA	GRASS SEEDED SMALE	---		
	TL	TURF LAWN	---		

II. CONDITIONS:

1. 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.
2. Prior to occupancy planning staff shall conduct an inspection to ensure all landscaping has been installed per approved plans.

III. ATTACHMENTS:

1. L 35-23 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.

City of McMinnville Public Works Department

It appears from the submittal that all of the proposed landscaping improvements are on private property and thus are not within our purview. As such, Public Works would have no comments.

McMinnville Water and Light

Power: No comments on landscape. They have addressed access issues to existing MWL transformer.

Water: Commercial Design Application and fee required for MW&L to calculate costs to provide water service to this project.

McMinnville Engineering

No comments.

Public Comments

Public notice of the application was provided by the City of McMinnville, as it is part of a concurrent review process. No public comments were received prior to the decision.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Wayne Marschall, McMinnville Properties LLC submitted the application on August 1, 2023.
2. The application was deemed complete on August 31, 2023.
3. On September 8, 2023, notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department, McMinnville Engineering, and McMinnville Water and Light.
4. Public notice of the application was provided by the City of McMinnville, as it is part of a concurrent review process. No public comments were received prior to the public meeting.
5. A public meeting was held by the Landscape Review Committee on September 20, 2023, to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 500 NE Captain Michael King Smith Way, Tax Lots R4423-00600, 00601, 00800, 01301.
2. **Size:** 13,359 SF/0.3 acres (See applicant's calculations for improvement area and landscape area on plan).
3. **Comprehensive Plan Map Designation :** Commercial
4. **Zoning:** C-3 PD (General Commercial Planned Development)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** home of the Evergreen Chapel parking lot.
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None
8. **Other Features:**
 - a. **Slopes:** The site is relatively flat.
 - b. **Easements:** There are no easements on the property shown on the plan or the City's GIS site.
9. **Utilities.** Utilities are available to the site.
10. **Transportation:** The property is off of the Highway 18/Three Mile Lane corridor.

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.

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 process.

McMinnville Zoning Ordinance

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

Chapter 17.57 Landscaping

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

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

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

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

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED.

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: The applicant has submitted plans including proposed landscaping within the proposed work area of the new building and associated parking area modifications. See Exhibit 3.

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.

17.57.050 Plans – Submittal and review – Approval – Time Limit for Completion

- A. At the time the applicant applies for a building permit, they shall submit, for the Landscape Review Committee, two copies of a landscaping and plot plan. If the plot plan and landscaping plan are separate documents, two copies of each shall be submitted. These may be submitted to the building department to be forwarded to the planning department.
 - 1. No building permit shall be issued until the landscaping plan has been approved.
 - 2. The landscaping plan may be used as the plot plan required for a building permit, provided all information required for a building permit is provided;

APPLICANT’S RESPONSE: The applicant has included landscape plan drawings as the L-Series sheets in the submitted development plan set, Exhibit 3. This requirement is met.

FINDING: SATISFIED. The applicant has supplied the required materials.

- B. Landscaping review shall occur within 30 days of submission of the plans. The applicant shall be notified of the time and place of the review and is encouraged to be present, although their presence shall not be necessary for action to be taken on the plans. A failure to review within 30 days shall be considered as approval of the plan;

APPLICANT'S RESPONSE: This provision contains procedural direction for the review of submitted plans. The landscaping plan (L-Series sheets of the plan set in Exhibit 3) is being reviewed together with the whole development plan set for efficiency and to ensure a coherent approach to design and permitting.

FINDING: SATISFIED. The application is part of a three application concurrent review process.

- C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the planning department and included within the permanent file;

APPLICANT'S RESPONSE: The submitted L-Series sheets in the plan set (Exhibit 3) identify landscape planting areas and plant specifications consistent with City requirements. The applicant acknowledges that any changes will be reflected in plans submitted for construction permitting, consistent with this requirement.

FINDING: SATISFIED.

- D. Occupancy permits may be issued prior to the complete installation of all required landscaping if security equal to 120 percent of the cost of landscaping, as determined by the planning director is filed with the city assuring such installation within a time specified by the planning director, but not to exceed six months after occupancy. The applicant shall provide the estimates of landscaping materials and installation to the satisfaction of the planning director prior to approval of the security. "Security" may consist of a faithful performance bond payable to the city, cash, certified check, time certificate of deposit, or assignment of a savings account, and the form shall meet with the approval of the city Attorney. If the installation of the landscaping is not completed within the period specified by the planning director, or within an extension of time authorized by the Landscape Review Committee, the security may be used by the city to complete the installation. Upon completion of the installation, inspection, and approval, any portion of the remaining security deposited with the city shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the final inspection and/or approval to be postponed until the project is completed or cause the security to be used by the city;

APPLICANT'S RESPONSE: The provision contains procedural direction for the implementation of construction plans following permit issuance. The applicant acknowledges that a financial surety may be required if temporary building occupancy is requested prior to completion of all site landscaping requirements (such as deferral of plantings to the appropriate planting season to promote survival/establishment of plant specimens), consistent with this provision.

FINDING: SATISFIED.

- E. All completed landscape projects shall be inspected by the planning director or their designee. Said projects shall be found to be in compliance with the approved plans prior to the issuance of an occupancy certificate for the structure, or prior to any security or portion thereof being refunded to the applicant. Minor changes in the landscape plan shall be allowed, as determined

by the planning director or their designee, as long as they do not alter the character and aesthetics of the original plan.

APPLICANT'S RESPONSE: This provision contains procedural direction for the implementation of construction plans following permit issuance.

FINDING: SATISFIED.

17.57.060 Plans – Information to be Included.

The following information shall be included in the plans submitted under MMC 17.57.050:18

- A. Existing locations of trees over six inches in diameter, their variety (common or botanical name) and indication of whether they are to remain or to be removed from the site. In the event a large number of trees are to be retained and if no construction or construction access is required through or within the drip line of the trees, the general area with the number of trees involved may be given in lieu of listing and locating each tree;
- B. The location in which new plantings will be made and the variety (common or botanical name), and size of all new trees, shrubs, groundcover and lawns;
- C. The percentage of the gross area to be landscaped;
- D. Any equipment proposed for recreation uses;
- E. All existing and proposed site features including walkways, graveled areas, patios, courts, fences, decks, foundations, potted trees, raised planters, or other open spaces so that the review committee may be fully knowledgeable of the project when discussing the application;
- F. The location of watering facilities or irrigation systems, or construction notes on the landscape plan detailing the type of watering facilities or irrigation systems that will be installed;
- G. All of the information on the plot plan for the building permit.

APPLICANT'S RESPONSE: The applicant's proposed planting plan is contained in Sheets C1.00, C1.01, C1.10, and the L Series drawing sheets in Exhibit 3. The plans have been prepared to meet these submittal requirements and provide substantial evidence of compliance with Code provisions. The proposed changes to the existing development will result in a 994 SF net increase in site landscaping area, and an equivalent net decrease in overall impervious surface coverage (pavement reduction). This requirement is met.

FINDING: SATISFIED.

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: The proposed development plan (Sheet C1.00 in Exhibit 3) includes take-offs from the plans for buildings, impervious surface areas, and landscape areas. Within the 39,182 SF Area of Disturbance, existing conditions consist of 26,817 SF of paved areas (68%) and 12,365 SF of landscape area (32%). This proposal will change that Area of Disturbance to contain one new building containing 8,883 SF (23%), with paved areas of 16,940 SF (43%) and 13,359 SF of landscaping (34%). Therefore, the project results in a net increase in overall site landscaping, which already well exceeds the minimum requirement. This standard is met.

FINDING: SATISFIED. The applicant has provided calculations demonstrating compliance.

4. A parking lot or parking structure built in any zone providing parking spaces as required by the zoning ordinance shall be landscaped in accordance with the commercial requirements set forth above in subsection (A)(2) of this section.

APPLICANT'S RESPONSE: Within the area of proposed work (to construct the Reception Hall building and reconfigure adjacent parking), the proposed development plan (Exhibit 3) locates landscape plantings at the perimeter of the parking area and within three landscape islands in the parking lot. This standard is met.

FINDING: SATISFIED.

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

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: The proposed construction of the Reception Hall, located partially within an existing parking area, is a new building rather than an addition to or expansion of an existing structure, and it reduces rather than expands the area of an existing parking lot. For these reasons, the proposed project is not subject to this provision.

FINDING: SATISFIED.

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:

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

APPLICANT'S RESPONSE: The proposed development site is located far from any public right-of-way or boundary of another owner's property, so there is low potential for any significant visual impact of the proposed development. The proposed landscaping complies with standards for parking lot screening by being compatible with the proposed development and the local context.

FINDING: SATISFIED.

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

APPLICANT'S RESPONSE: Full screening of the proposed Reception Hall building is not a design objective because it is preferable for the building to be easily seen to enable visitors to locate it within the Evergreen campus. Screening of the parking areas to reduce headlight glare (as viewed from the public right-of-way on Three Mile Lane) will be achieved by parking lot screen plantings, as well as the existing grove of oak trees and the Waterpark building located between the project site and the south property boundary (frontage). This standard is met.

FINDING: SATISFIED.

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

APPLICANT'S RESPONSE: The proposed Reception Hall building is located partially within an existing parking area. Existing landscape trees will be preserved in landscape islands except where the parking lot must be reconfigured to accommodate the new building. In the reconfigured portion of the parking area, new parking lot perimeter landscaping and tree planter islands consistent with applicable standards are proposed, as shown in the L-Series drawings in Exhibit 3. This standard is met.

FINDING: SATISFIED.

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

APPLICANT'S RESPONSE: New parking lot perimeter landscaping and tree planter islands are proposed in the reconfigured parking area consistent with applicable standards, as shown in the L-Series drawings in Exhibit 3.

FINDING: SATISFIED.

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: This provision does not come into play because the proposed development sub-area is internal to the large Evergreen campus site, far from any street frontages. Because the project will not involve any public street frontage improvements, where street tree plantings could otherwise be appropriate, this provision is not applicable.

FINDING: NOT APPLICABLE.

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

APPLICANT'S RESPONSE: The landscape plan requires all planted areas to be irrigated with a timer-activated irrigation system, to be a design-build item for the contractor at time of development. See L-Series sheets in Exhibit 3. This standard is met.

FINDING: SATISFIED.

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

APPLICANT'S RESPONSE: The landscape plan included in Exhibit 3 (Sheet L0.01) notes that all planting areas are to be watered by a timer activated irrigation system. The applicant acknowledges responsibility to perform landscaping maintenance including weeding, pruning, mowing, and replacing dead specimens on an ongoing basis. This criterion is met.

FINDING: SATISFIED WITH CONDITIONS. This is a requirement of the Zoning Ordinance. It has also been incorporated as Condition of Approval #1.

Chapter 17.58. Trees

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: Within the proposed project area, there are no existing trees subject to subparagraphs A, B, or C. Eleven existing landscape trees in and around the affected portion of the western parking lot cannot be retained due to conflicts with the proposed Reception Hall building and the associated parking/circulation configuration, as shown on Sheet C1.01 (Demolition Plan) of Exhibit 3. As shown in the L-Series drawing sheets in that Exhibit, mitigation will be achieved by planting of new trees on the west, south, and east sides of the Reception Hall building, including the following species: Claremont western redbud, white flowering dogwood, First Blush™ flowering cherry, and halka zelkova. This standard is met.

FINDING: SATISFIED.

17.58.040 Tree Removal/Replacement

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

B. Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the city. The planning director, after consultation with appropriate city staff and/or a certified arborist, shall direct removal of downtown trees that are identified in a current Downtown Tree Zone inventory assessment as unhealthy, dangerous to the public, inappropriate for the downtown area, or otherwise in need of removal.

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.

D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. The value of the existing 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. Every attempt should be made to plant replacement trees in the same general location as the tree being removed. In the event that a replacement tree cannot be planted in the same general location, a condition of approval may be required to allow for the replacement tree to be planted in another location in the city as part of the city's annual tree planting program.

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.

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.

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

H. The planting of street trees shall be subject to the design drawings and specifications developed by the city in May 2014. Specific design drawings and specifications have been developed for trees outside the Downtown Tree Zone. Such design specifications may be periodically updated by the city to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees to minimize the potential for sidewalk / tree root conflict.

APPLICANT'S RESPONSE: This application incorporates the applicant's request for City approval to remove and replace trees in accordance with these provisions.

FINDING: SATISFIED.

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 trees proposed for removal are part of the proposed Reception Hall development project, being at locations that are incompatible with the proposed development plan. The request is consistent with subsection C of this provision as a basis for granting a tree removal permit.

FINDING: SATISFIED.

17.58.075 Protection of Trees

- A. It shall be unlawful for any person to remove, destroy, break, or injure any street tree or public tree. Individuals convicted of removing or destroying a tree without city approval shall be subject to paying to the city an amount sufficient to fund the planting and establishment of a tree, or trees, of similar value. The value of the removed or destroyed tree 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.
- B. It shall be unlawful for any person to attach or keep attached to any street or public tree or to the guard or stake intended for the protection of such tree, any rope, wire, chain, sign, or other device, except as a support for such tree.
- C. During the construction, repair, alteration or removal of any building or structure it shall be unlawful for any owner or contractor to leave any street tree or public tree in the vicinity of such building or structure without a good and sufficient guard or protectors as shall prevent injury to such tree arising out of or by reason of such construction or removal.
- D. Excavations shall not occur within the drip line of any street tree or public tree without approval of the city, applying criteria developed by the Landscape Review Committee. Utility pole installations are exempted from these requirements. During such excavation or construction, any such person shall guard any street tree or public tree within the drip line, or as may be required by the Landscape Review Committee.
- E. All building material or other debris shall be kept outside of the drip line of any street tree or public tree.

APPLICANT'S RESPONSE: Sheet C1.01 in Exhibit 3 clearly labels trees to be removed, trees to be protected in place, and tree protection fencing locations. The plans demonstrate that construction practices can ensure that these provisions are satisfied.

FINDING: SATISFIED.

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: The proposed development project is at an internal location within the large Evergreen campus site, far from any public street frontage area (i.e., Three Mile Lane at the south property boundary). Therefore, there is no property frontage where planting of additional street trees is required to meet these requirements. (Detailed provisions in related subsections are omitted below for brevity.)

FINDING: NOT APPLICABLE.

Chapter 17.61 Solid Waste and Recycling Enclosure Plan

17.61.020 – Applicability and Exemptions.

- A. The requirements of this chapter shall apply to all new commercial, industrial, and multi-family developments of three (3) or more dwelling units.

APPLICANT’S RESPONSE: The proposed development, a new building within a site in commercial use, is subject to these provisions.

FINDING: SATISFIED.

- B. Existing development is exempt from the above requirements. Change-of-use and tenant improvement applications will be assessed on an individual basis for their conformity to the enclosure requirements based on intensity of use and recommendations of the service provider.

APPLICANT’S RESPONSE: The proposed development, a new building within a site in commercial use, is subject to these provisions.

FINDING: SATISFIED.

- C. When unique physical constraints exist on a property, the planning director has the authority to work with the property owner to establish an alternative trash and recycling enclosure plan while still preserving the intent of the requirements of this chapter. Additionally, the planning director, in consultation with the service provider, has the authority to grant an exception to the requirement for a solid waste and recycling enclosure if it is determined that the proposed use will not generate enough trash and recycling to necessitate the use of trash receptacles which require screening or if the receptacles are to be maintained inside the building.

APPLICANT’S RESPONSE: This provision is not applicable because the applicant does not seek approval on an alternative basis pursuant to these provisions.

FINDING: NOT APPLICABLE.

17.61.030 – Guidelines and Standards.

- A. The location of an enclosure must allow for collection agency drive-in access. A 50-foot access approach is recommended. In addition to the approach, either an exit that allows the truck to move forward or a turn area with a minimum radius of 46.5 feet is preferred. Both approach and location shall be unobstructed and free of overhead wires and low hanging trees. A 19-foot minimum height clearance above the enclosure approach is required and a 32-foot vertical clearance is required above the container itself. The enclosure shall be of sufficient size to store trash and recycling receptacles, the size of which shall be determined by the collection agency and will be based on proposed use. A minimum distance of two feet is required between the container and existing or proposed structures. The enclosure shall be a minimum of six feet tall or six inches higher than the top of the tallest container.

APPLICANT’S RESPONSE: The site plan in Exhibit 3 illustrates that the planned trash and recycling enclosure will be located on an 11-foot by 17-foot concrete pad near the southwest corner of the western parking area. Its position adjacent to the drive aisle provides sufficient access by the hauler, in accordance with these standards. This provision is satisfied.

FINDING: SATISFIED.

- B. Solid waste enclosures shall not be located within 20 feet of a required front or exterior yard and should be placed at the rear of a building whenever possible. Should an enclosure be placed within a required landscaped front or exterior yard, additional landscaping must be provided elsewhere on the property to compensate for the encroachment into the required landscaped yard. Any modifications to required landscaping must meet the approval of the Landscape Review Committee.

APPLICANT'S RESPONSE: The proposed trash enclosure pad location is deep within the Evergreen campus site, distant from any public street frontage and not within a required landscaped front or exterior yard area. The proposed enclosure will visually screen the containers using black chain link fencing with privacy slat inserts, per Detail 1 on Sheet A5.15 of the plan set in Exhibit 3. This standard is met.

FINDING: SATISFIED.

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

APPLICANT'S RESPONSE: The location of the trash and recycling enclosure was chosen for efficient access, but also to minimize visual impacts on adjacent public rights-of-way. The proposed trash/recycling enclosure is located about 1,600 feet (more than a quarter-mile) north of the Oregon Highway 18 right-of-way, and it will be obscured from view by landscaping, including a grove of trees nearby to the south, and by the Wings & Waves Waterpark building, also to the south. For these reasons, onsite landscaping and other conditions effectively screen the trash enclosure from visibility from abutting public rights-of-way. This standard is met.

FINDING: SATISFIED.

- D. Where a commercial or industrial zone abuts a residential zone, enclosures must be placed a minimum of 39 feet from any residential structure or as otherwise approved by the planning director.

APPLICANT'S RESPONSE: The subject property does not abut a residential zone. This criterion does not apply.

FINDING: NOT APPLICABLE.

- E. Generally, the design of the structure should match the exterior surface of the building and can be constructed of masonry, wood or concrete blocks in combination with plant material capable of forming a complete evergreen hedge. The floor of the enclosure shall be a concrete holding pad which must extend eight feet beyond the gates.

APPLICANT'S RESPONSE: The proposed waste enclosure is not adjacent to the Reception Hall building, but is located at the southwest corner of the western parking area, over 125 feet from the nearest corner of the Reception Hall building. This location is intended to downplay its visual significance and keep waste hauler collection operations at a distance from the Reception Hall building and social gatherings. In this context, it is not necessary to match the surface materials of the proposed building to maintain the desired aesthetic character. The concrete holding pad is proposed to abut existing concrete paved parking area, consistent with these provisions.

FINDING: NOT APPLICABLE.

F. Gates that screen the containers are required and must remain closed at all times except at times of service.

APPLICANT'S RESPONSE: Screening gates are included in the waster enclosure, per Detail 1 of Sheet A5.15 in Exhibit 3.

FINDING: SATISFIED.

H. Solid waste and recycling enclosures must be placed in a location that is compatible with the city of McMinnville's Fire Code.

APPLICANT'S RESPONSE: The proposed waste/recycling enclosure is distant from any neighboring buildings or flammable materials for safety as well as aesthetic reasons. The preliminary plans will be provided to Recology and to City of McMinnville's Fire Department for pre-approval and consideration. This standard is met.

FINDING: SATISFIED.

AT.



Planning Department

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Landscape Plan Review Application

Applicant Information

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

Applicant Name McMinnville Properties LLC Phone (503) 612-1563

Contact Name Wayne Marschall

Phone _____

(If different than above)

Address 7401 SW Washo Court, Suite 200

City, State, Zip Tualatin, OR 97062

Contact Email Wayne.Marschall@TheStollerGroup.com

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 500 NE Captain Michael King Smith Way, McMinnville, OR 97128

Assessor Map No. R4 4 - 23 - 00600, 00601, 00602,
00800, 01301

Total Site Area 92 acres

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation Commercial Zoning Designation General Commercial (C-3)

Landscaping Information

1. Total Landscaped Area: 13,359 SF (as measured within the area of disturbance, see Sheet C1.00)
2. Percent Landscaped: 34.1% (as measured within the area of disturbance, see Sheet C1.00)
3. Building Floor Area:
New Structure: 8,883 SF Existing Structure: 5,752 SF Addition:
4. Architect Name Mackenzie (Att: Steven Tuttle) Phone (971) 346-3693
(Landscape Architect, Engineer, or Other Designer)
Contact Name Mackenzie (Att: Brian Varricchione) Phone (971) 346-3742
Address 1515 SE Water Ave., Suite 100
City, State, Zip Portland, OR 97214
Contact Email bvarricchione@mcknze.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.

W. Marshall

Applicant's Signature

7/24/2023

Date

W. Marshall

Property Owner's Signature

7/24/2023

Date

MACKENZIE.

**MINOR PLANNED
DEVELOPMENT
AMENDMENT, THREE
MILE LANE
DEVELOPMENT
REVIEW, AND
LANDSCAPE PLAN
REVIEW**

To
City of McMinnville

For
Evergreen Lodge Expansion

Dated
July 20, 2023

Project Number
2220161.00



MACKENZIE
Since 1960

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EXHIBITS

1. Application Forms
2. Map of Proposed Planned Development Amendment
3. Plans
4. Trip Generation Letter
5. Deeds
6. Ordinance 4662 (Evergreen Campus Planned Development, 1998)
7. Ordinance 4718 (Amends Ordinance No. 4662 to allow repositioning of Captain Michael King Smith Evergreen Educational Center building, 2000)

8. Ordinance 4810 (Amends Ordinance No. 4662 to allow Theater, meeting space and additional attraction display area, 2004)
9. Ordinance 4915 (Amends Ordinance No. 4662 to allow a waterpark attraction and an overnight lodge, 2009)
10. Ordinance 4949 (Amends Ordinance No. 4662 to allow Adventure Park and associated improvements, 2012)
11. Preliminary Storm Report



I. PROJECT SUMMARY

Applicant:	McMinnville Properties, LLC Attention: Wayne Marschall/Steve Scott 7401 SW Washo Court, Suite 200 Tualatin, OR 97062
Owner:	McMinnville Properties, LLC Attention: Wayne Marschall/Steve Scott 7401 SW Washo Court, Suite 200 Tualatin, OR 97062
Site Address:	500 NE Captain Michael King Smith Way, McMinnville, OR 97128
Tax Map/Lots:	Yamhill County 4 4 23, Lots 00600, 00601, 00602, 00800, 01301 (excludes parcels outside City Limits)
Assessor Site Acreage:	Approximately 92 Acres (excludes parcels outside City Limits)
Zoning:	General Commercial (C-3) Three Mile Lane Planned Development Overlay Airport Overlay
Comprehensive Plan:	Commercial
Adjacent Zoning:	Agricultural Holding (A-H) to the south Yamhill County Exclusive Farm Use District (EFU-80) to the south, west, north, and east
Existing Structures:	Five primary structures including the Evergreen Aviation & Space Museum (two buildings), the Wings and Waves Waterpark, the theater/conference center, and the Evergreen Lodge
Request:	Minor Planned Development Amendment, Three Mile Lane Development Review, and Landscape Plan Review (to add a new meeting facility building, 8,883 SF +/-)
Project Contact:	Mackenzie Attn: Brian Varricchione, Land Use Planner 1515 SE Water Avenue, Suite 100 Portland, OR 97214 (971) 346-3742 bvaricchione@mcknze.com

II. INTRODUCTION

Description of Request

The applicant requests approval of a Minor Planned Development Amendment, Three Mile Lane Development Review, and a Landscape Plan Review to add a new “Reception Hall” building adjacent to the Evergreen Lodge facility on the Evergreen Campus at 500 NE Captain Michael King Smith Way. Located in a portion of the paved parking lot west of the Evergreen Lodge, the new building will be used as an expansion of the Lodge building (albeit in a separate structure) to accommodate gatherings such as wedding receptions. The project will also add valuable infrastructure including a catering kitchen and storage, which currently do not exist at the site.

Existing Site and Surrounding Land Use

The approximately 312-acre Evergreen Aviation & Space Museum campus is partially within McMinnville City Limits (92 acres +/-, zoned C-3 General Commercial and 4 acres +/- zoned A-H Agricultural Holding), with the large remainder in unincorporated Yamhill County (216 acres +/- zoned EF-80 Exclusive Farm Use). The property is located immediately north of Oregon Highway 18 (Three Mile Lane), east of downtown and Chemeketa Community College near the McMinnville Municipal Airport. The site slopes mildly downhill from east to west along its entirety. There is an approximately 10-foot grade change within the southern part of the site, generally adjacent to Three Mile Lane, where the existing buildings are located, and there is a significant grade drop in the northwest portion of the site, generally along the Yamhill River.

The portion of the campus within the City limits contains five buildings supporting various operations: the Evergreen Aviation & Space Museum (two buildings), the Wings and Waves Waterpark, the theater/conference center, and the Lodge (in the form of a chapel, a popular venue for wedding ceremonies), with associated circulation, parking and landscaping. Existing parking lots are distributed throughout the campus, providing approximately 1,300 parking spaces, all of which are within city limits. Also within the City limits area are a building pad previously prepared for a hotel that was not constructed.

The area outside the City contains farmland, vineyards, three agricultural storage and production buildings, a grove of Oregon White Oak trees, a nature trail, a model aircraft runway, and natural areas used by Boy Scout troops.

The proposal will not affect the site’s overall access and circulation system. The campus is accessed from NE Cumulus Drive, which provides access to downtown McMinnville via Three Mile Lane. Three Mile Lane provides regional connections to the Greater Portland Metropolitan region and Oregon Coast via OR-18 and OR-99W.

Table II-1 summarizes the existing nearby Roadway Descriptions.

TABLE II-1. ROADWAY DESCRIPTION			
Roadway	Public/Private	Existing Condition	McMinnville Transportation System Plan (TSP) Classification
OR-18	Public	<ul style="list-style-type: none"> Four 12-foot travel lanes and one 14-foot center turn lane 8-foot paved shoulder No curbs No sidewalk No street trees 	Major Arterial
NE Cumulus Avenue	Public	<ul style="list-style-type: none"> Two lanes Curbs on two sides until SE Armory Way service road No sidewalk along site frontage No street trees 	Minor Collector
NE Captain Michael King Smith Way	Private	<ul style="list-style-type: none"> Two lanes No curbs No sidewalk No street trees No speed bumps 	No Outlet Street

Prior Approvals

The site is located in the Three Mile Lane Planned Development Overlay District. The Planned Development, established in 1981 by adoption of Ordinance 4131, requires properties to be developed according to the designations of the McMinnville Comprehensive Plan. Ordinance 4131 also implemented numerous policies applicable to all properties in the district. These policies include meeting the goals and policies of the McMinnville Comprehensive Plan, a minimum setback of 120' from the centerline of Highway 18, and development requirements relating to access and landscaping. Ordinance 4131 also established Planned Development amendment procedures for the district.

The Evergreen Campus was subsequently established in 1998 with adoption of Ordinance 4662, which rezoned property from Agricultural Holding (AH) to General Commercial Planned Development (C-3 PD). Ordinance 4662 also imposed numerous development standards including a 15% minimum landscape requirement, a 125' maximum structure height, and lighting, sign, traffic, and other requirements. Ordinance 4662 limits uses on the site to “those integral to the proposed Captain Michael King Smith Evergreen Aviation Educational Center and uses as described in the applicant's submitted land use application dated December 15, 1997.” See diagram and additional requirements in Exhibit 6.

The Planned Development was amended in 2000 with adoption of Ordinance 4718 to rezone the property to a “new C-3 PD” zone. Ordinance 4718 imposed a condition requiring that changes to the adopted site plan would require a Major or Minor Planned Development Amendment, with Major amendments to be decided by the Planning Commission and minor amendments by the Planning Director. An amendment is deemed minor or major by the Planning Director. See specific requirements in Exhibit 7.

In 2004, Ordinance 4810 amended the Planned Development to allow the construction of the campus’ theater, meeting space, additional display area, and associated parking adjacent to the existing Evergreen Aviation Museum. See diagram in Exhibit 8.

In 2009, Ordinance 4915 amended the Planned Development to rezone a 30-acre portion of the campus from County Exclusive Farm Use-80 (EF-80) to City C-3 PD, to accommodate the future construction of a waterpark and overnight lodge. Ordinance 4915 limits building heights to a maximum height of 125' and imposes specific landscaping, parking, and utility requirements. See diagram and specific requirements in Exhibit 9.

The most recent amendment to the Planned Developed occurred in 2012 by Ordinance 4949, which adds an Adventure Park and ancillary improvements on the campus master plan. Ordinance 4949 imposed additional stormwater and sanitary sewer requirements. See diagram and specific requirements in Exhibit 10.

Actual construction at the Evergreen site to date includes the Aviation and Space Museum (two buildings, at the center and east of the campus, respectively), the Theater/conference center located generally between them, the Waterpark at the west, and the small chapel building in the northwestern part of the campus, which is identified as the “Lodge” in this application. The actual location of the chapel differs from the anticipated location in previously approved PD amendment(s).

Description of Proposed Development

The campus continues to evolve in response to opportunities to serve and meet needs in the community. In this proposal, the applicant requests a Planned Development Minor Amendment Three Mile Lane Development Review, and Landscape Plan Review to add a new Reception Hall building containing just under 9,000 square feet (SF) of floor area, adjacent to the existing Evergreen Lodge building, as described in this narrative. All project work is contained within a limited 0.9-acre portion of the overall Planned Development area, identified as the “Area of Disturbance” in the proposed plan set and area-based calculations. See Exhibits 2 and 3.

The applicant proposes to expand the functionality of the existing Lodge wedding venue/reception hall by constructing a separate Reception Hall building immediately west of the existing structure, designed to serve weddings, parties, and corporate events, which are the most frequent types of renters using the existing Lodge facility. For example, the new building will allow guests at a wedding ceremony in the Lodge to proceed directly to a reception in the new Reception Hall, in lieu of having to travel to an off-site location for a reception. Other potential uses include promotional events such as educational partnerships with the wine programs at Chemeketa Community College and Linfield University.

To avoid detracting from the architectural design of the existing Lodge structure, and to accommodate an existing underground electrical utilities corridor, the Reception Hall will be a freestanding structure located approximately 95 feet west of the Lodge building. It will be located within an existing parking lot, with associated reconfiguration of drive aisles and parking spaces to accommodate it. Other than those localized parking-area changes, no change is proposed in site access and circulation. Proposed floor area is approximately 8,883 square feet (SF) on a single level, with the building’s long axis oriented in an east-west direction and its public entrance near the southeast building corner, adjacent to the parking. The site development plans depict the building’s location and associated parking, landscaping, and site and utility improvements (Exhibit 3, Sheet C1.10). Within the Reception Hall building, the main assembly space will contain 4,284 SF, with kitchen, storage, restrooms, and other facilities comprising the remainder of the building’s floor area.

The narrative below provides evidence, findings of fact, and recommended conclusions of law in support of the request.



Figure 1: Campus Aerial Photo

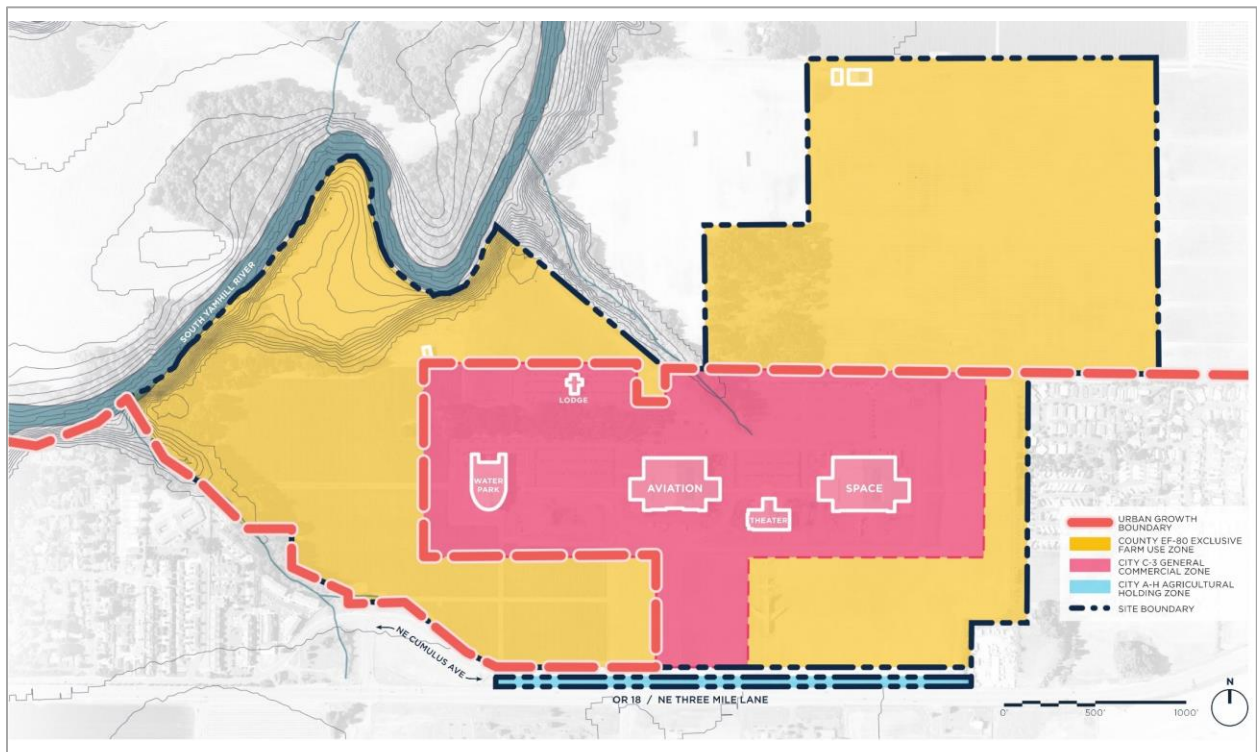


Figure 2: Campus Zoning Map

III. NARRATIVE AND COMPLIANCE

The following discussion addresses the McMinnville Municipal Code (MMC) and prior Ordinance approval criteria and development standards that apply to the proposed Minor Planned Development Amendment, Three Mile Lane Development Review, and Landscape Plan Review. In the sections below, applicable approval standards are shown in *italics*, while responses are shown in a standard typeface.

McMinnville Municipal Code Title 17 – Zoning

Chapter 17.33 C-3 General Commercial Zone

17.33.010 Permitted Uses

In a C-3 zone, the following uses and their accessory uses are permitted:

1. *All uses and conditional uses permitted in the C-1 and C-2 zones, except those listed in Section 17.33.020;*
12. *Auditorium exhibition hall, or other public assembly room;*
22. *Club, lodge, hall, or fraternal organization;*
24. *Community building;*

Response: The proposed Reception Hall shares characteristics with multiple categories of allowed uses, but it falls most closely under the category of “Auditorium exhibition hall, or other public assembly room,” a permitted use in the C-3 zone. This standard is met.

17.33.030 Yard Requirements

Except as provided in MMC 17.54.050, and “A” and “B” below, there shall be no required yards in a C-3 zone:

- A. *Side yard shall not be less than 20 feet when adjacent to a residential zone;*
- B. *Rear yard shall not be less than 20 feet when adjacent to a residential zone.*

Response: The site is not adjacent to a residential zone, so the setbacks denoted in subparagraphs A and B do not apply. Separate compliance findings are provided below for the standards in MMC 17.54.050. The proposed construction is consistent with applicable yard requirements.

17.33.040 Building Height

In a C-3 zone, buildings shall not exceed a height of 80 feet.

Response: As depicted on Sheet A2.10 of Exhibit 3, the proposed building will have a height of 18.3 feet, which is below the 80-foot maximum for the C-3 zone. This standard is met.

Chapter 17.51 Planned Development Overlay

17.51.010 Purpose

The purpose of a planned development is to provide greater flexibility and greater freedom of design in the development of land than may be possible under strict interpretation of the provisions of the zoning ordinance. Further, the purpose of a planned development is to encourage a variety in the development pattern of the community; encourage mixed uses in a planned area; encourage developers to use a creative approach and apply new technology in land development; preserve significant man-made and natural features; facilitate a desirable aesthetic and efficient use of open space; and create public and private common open spaces. A planned development is not intended to be simply a guise to circumvent the intent of the zoning ordinance.

In approving a planned development, the council and the planning commission shall also take into consideration those purposes set forth in MMC 17.03.020. A planned development shall be considered as an overlay to an existing zone, and the development of said property shall be in accordance with that zone's requirements, except as may be specifically allowed by the planning commission. For purposes of implementing these objectives, two means are available:

- A. *The property owner or his representative may apply for a planned development to overlay an existing zone and shall submit an acceptable plan and satisfactory assurances it will be carried out in accordance with MMC 17.51.030. Such plan should accomplish substantially the same general objectives as proposed by the comprehensive plan and zoning ordinance for the area; (The fee charged for processing such an application shall be equal to the one charged for zone changes.)*

Response: This application proposes a Minor Amendment to a previously approved Planned Development, requiring review under the Planned Development Overlay provisions.

- B. *The council, the commission, or the property owner of a particular parcel may apply for a planned development designation to overlay an existing zone without submitting any development plans; however, no development of any kind may occur until a final plan has been submitted and approved. (The planning director shall note such properties and direct that no building permit be issued in respect thereto.)*

1. *A planned development overlay may be approved under these circumstances for a property which has unique characteristics (e.g., geological, ecological, location, or the nature of the surrounding property) and the development of which may have an impact upon the surrounding area or the city as a whole. A planned development overlay initiated by the council or the planning commission shall address itself to the purposes set forth herein.*
2. *The council and planning commission shall set forth the reasons for approval and the areas of concern that must be addressed when final plan are submitted;*

Response: These provisions are not applicable because there is an approved development plan under which development has already occurred. This is a request to amend that development plan.

- C. *The council and planning commission, with the assistance of the planning director, shall ensure that no planned development overlay granted under subsection A or B of this section which is merely a guise to circumvent the intent of the zoning ordinance shall be approved. A denial of such a zone request based upon this principle shall be enunciated in the findings of fact adopted by the planning commission;*

Response: As noted above, the proposed building is for a use allowed outright in the site's C-3 zoning. No aspect of this request seeks to circumvent the intent of the zoning ordinance through the Planned Development process. This requirement is met.

- D. *A planned development overlay shall be heard and approved under the public hearing procedures set forth in Chapter 17.72 MMC (Applications and Review Process). (A planned development overlay and change of the underlying zone may be processed simultaneously.)*
- E. *A planned development overlay proposed by the council, the planning commission, or the property owner under subsection B of this section shall be subject to all of the hearing requirements again at such time as the final plans under MMC 17.51.030 are submitted, unless those requirements have been specifically changed in the planned development approval;*

Response: These provisions contain procedural direction to staff and require no evidence from the applicant.

F. *A property owner shall not be required to pay an additional fee when the planned development overlay was originally initiated by the council or planning commission.*

Response: This provision is not applicable because this application was initiated by the property owner.

17.51.020 Standards and Requirements

The following standards and requirements shall govern the application of a planned development in a zone in which it is permitted:

A. *The principal use of land in a planned development shall reflect the type of use indicated on the comprehensive plan or zoning map for the area. Accessory uses within the development may include uses permitted in any zone, except uses permitted only in the M-2 zone are excluded from all other zones. Accessory uses shall not occupy more than 25 percent of the lot area of the principal use;*

Response: Uses proposed for the campus were approved as part of prior Planned Development actions. As noted above, the proposed additional building will be used for activities consistent with “Auditorium exhibition hall, or other public assembly room,” a permitted use in the C-3 zone. This standard is met.

B. *Density for residential planned development shall be determined by the underlying zone designations.*

Response: The site does not have residential zoning and no residential use is proposed as part of this application. This standard does not apply.

17.51.030 Procedure

The following procedures shall be observed when a planned development proposal is submitted for consideration:

A. *An applicant shall submit 21 copies of a preliminary development plan to the commission for study at least 30 days prior to the commission meeting at which it is to be considered. The preliminary plan shall include the following information:*

1. *Proposed land uses, building locations and housing unit densities.*

Response: The proposed Reception Hall building is located just west of the Lodge. (NOTE: The building currently identified as the “Lodge” was identified as a “chapel” when initially approved, although its location within the site was subsequently revised. In the previously approved plans, “Lodge” referred to a proposed hotel/restaurant building that has yet to be submitted for construction.)

All the approved principal uses and their ancillary uses are permitted outright in the C-3 zone.

2. *Proposed circulation pattern indicating the status of street ownership.*

Response: The proposed Reception Hall building and associated changes in the existing parking lot west of the Lodge building will not affect overall site access and circulation in the Evergreen Campus (see Sheet G1.11 in Exhibit 3 for plan views of the existing and proposed parking configurations). No new streets or public street accesses are proposed. Primary street access will continue to be provided by Captain Michael King Smith Way, a private street connecting the Evergreen Campus with Cumulus Avenue. A short access roadway connects Cumulus Avenue with Highway 18, which is under ODOT jurisdiction. Visitors will utilize the existing streets and internal drive aisles to access the shared parking and circulation system in the northwestern portion of the Evergreen Campus. The overall internal system is designed to allow vehicle circulation

throughout the site and also to accommodate pedestrian travel between the museums, theater/conference center, Lodge, and Waterpark.

The applicant's Exhibit 4 contains a Trip Generation Letter indicating that the proposed facility will generate up to 49 AM or PM peak hour vehicle trips on weekdays, and up to 96 trips during a single hour on a weekend day.

3. *Proposed open space uses.*

Response: The proposed Reception Hall building and associated site improvements will be located entirely within the property that is within City Limits. The building will be partially within the existing parking area on the west side of the existing Lodge building, and partially within the adjacent landscape area to its north. Outdoor patio areas to the north (covered) and west of the building will provide capacity for outdoor tables and seating, for use during fair-weather months of the year.

The adjacent property to the north (outside the City) is owned by the Applicant/Owner and is used as part of the Evergreen Campus; it accommodates a nature trail, a model aircraft runway, and natural areas used by Boy Scout troops for open space activities.

Due to the proposed Reception Hall's relatively small size (under 10,000 SF) in relation to the Evergreen Campus site (approximately 312 acres, of which 92 are within the City limit), and its location mostly within an existing paved parking area, the proposed Reception Hall addition will have no significant effect on open space uses within the property.

4. *Proposed grading and drainage pattern.*

Response: Grading will be relatively minimal and no significant cutting or filling is necessary as the subject property is generally flat. In general, the slope of the site allows water to flow north towards the Yamhill River; however, runoff from roofs and paved surfaces is directed to existing water quality treatment swales both east and west of the Lodge/Reception Hall buildings. The project will enlarge the western swale by extending it to the north. Discharge of treated runoff from both swales will continue to flow in underground pipes to the existing on-site storm drain system that flows east and daylight at a piped outfall to a tributary of the South Yamhill River.

5. *Proposed method of water supply and sewage disposal.*

Response: Public water and sanitary sewer are already in place and serving the Evergreen Campus. A 12" waterline runs from a main located along the north side of Three Mile Lane, through Captain Michael King Smith Way, and connects to a junction near the Aviation Museum. Sanitary sewer service is provided by an 8" sewer line that also connects to facilities within Three Mile Lane. See response to paragraph 4 above regarding storm drainage. Other than installation of laterals to serve the new Reception Hall building, no system capacity enlargements or extensions of public system components are necessary to serve the proposed new building.

6. *The location, size, and type of any isolated trees over four inches in diameter one foot from ground level and any groups of trees.*

Response: The proposed Area of Disturbance is entirely to the north of the large oak grove located north of the Waterpark building, which will not be affected by the proposed construction. 11 existing parking lot landscape trees will be removed to site the new building, with replanting of 19 trees within the reconfigured project area (both in parking lot trees and outdoor areas around the building). The remainder of the tree grove will continue to be used for passive recreation uses that occur within its canopy (e.g., picnic areas).

7. *Relation of the proposed development to the surrounding area and the comprehensive plan;*

Response: The proposed development is entirely within the previously approved boundary of the Evergreen Campus PD and subsequent PD amendments. The proposed addition of the Reception Hall will complement the Lodge building as a venue for wedding ceremonies and other social events within the Evergreen Campus, in concert with other attractions and facilities. Surrounding the Campus on the east, west and north, the applicant operates a vineyard and conducts other agriculture operations on the adjacent properties, outside the UGB. This indicates that the proposal will not be detrimental to existing agricultural enterprises. In summary, the proposed development will enhance the role of the Evergreen campus as a social attraction and venue in the Three Mile Lane district, without causing any conflict with adjacent agricultural uses.

The proposed Reception Hall addition is also consistent with applicable goals and policies of the McMinnville Comprehensive Plan, in particular, the Commercial plan designation of the site and policies related to economic growth and development. The proposed building's location causes no detrimental impacts to critical environmental resources or sensitive environmental areas. Policies related to public services are met because sufficient essential utilities are already in place. This provision is satisfied.

B. *Prior to discussion of the plan at a commission meeting, copies shall be submitted by the planning director to city departments for study and comment;*

Response: This provision contains procedural direction to staff and requires no evidence from the applicant.

C. *The commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the commission shall need to determine that:*

1. *There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;*

Response: The proposed amendment will allow addition of an approximately 8,883 SF freestanding building at a location west of the existing Evergreen Lodge building, for use as a gathering facility for wedding receptions and other social occasions. That use/activity is allowed outright in the applicable C-3 zoning. It is not necessary to revisit in detail the bases of the previous Planned Development approval to determine that this limited amendment remains consistent with the purposes of the property's base zoning as well as the prior Planned Development approval. This standard is met.

2. *Resulting development will not be inconsistent with the comprehensive plan objectives of the area;*

Response: The Evergreen Space Museum facility is a popular attraction in McMinnville, offering multiple experiences to visitors, consistent with comprehensive plan objectives for the area as well as the site's C-3 zoning designation. Within the campus, the Evergreen Lodge building is a popular venue for wedding ceremonies; however, the site currently lacks a suitable building for associated gatherings such as receptions, so wedding parties must contract other facilities to accommodate receptions. The proposed new building will address that specific need within the site at a location proximate to the Evergreen Lodge building, close and convenient for such occasions. The new building will also be capable of hosting other types of social and commercial gatherings consistent with the intent of the site's C-3 zoning designation. This standard is met.

3. *The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;*

Response: As noted above, the proposed building will be located within part of an existing paved parking lot just west of the Evergreen Lodge building. With the exception of reconfiguring circulation and parking immediately around the proposed new building, this proposal has no significant effect on the site's overall circulation pattern or its access locations from public roads. This standard is met.

4. *The plan can be completed within a reasonable period of time;*

Response: The proposed new building and associated site improvements will be constructed in a single phase following land use approval. This standard is met.

5. *The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;*

Response: As noted above, the Evergreen campus is accessed by way of Oregon Highway 18, a Major Arterial, and NE Cumulus Avenue, a Minor Collector. Access to the specific building location is provided by a private roadway within the campus, NE Captain Michael King Smith Way.

Trip generation associated with the proposed 8,883 SF new building represents a small addition to overall trip generation for the site: Exhibit 4 contains a Trip Generation Letter indicating that the proposed facility will generate up to 49 AM or PM peak hour vehicle trips on weekdays, and up to 96 trips during a single hour on a weekend day. This incremental addition to site traffic is not anticipated to cause any significant impact on nearby public streets or intersections.

Notably, particularly for wedding events involving the use of the Evergreen Lodge for the ceremony and the new building for the reception, local network traffic can decrease to the extent both functions will be accommodated within the site: after the ceremony, participants and guests will not need to leave the site and proceed to a separate location for a reception. See discussion in Exhibit 4.

6. *Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;*

Response: The proposed building will occupy part of a paved parking lot that already produces runoff from impervious surfaces. The net result will be a net increase in landscape area of 994 SF. The building's relatively small size and planned uses/activities will not produce water or sanitary sewer service demands that exceed the capacity of the existing systems and installed facilities that currently serve the property, including a 12-inch water line and 8-inch sanitary sewer in the Three Mile Lane corridor. This standard is met.

7. *The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole;*

Response: The social gatherings the proposed building is designed to support (meetings, receptions, and so forth) are not associated with significant noise, or air or water pollution effects. The proposed amendment will not adversely affect surrounding areas, public utilities, or the City as a whole. This standard is met.

- D. *If, in the opinion of the commission, the foregoing provisions are satisfied, the proposal shall be processed according to this section. If the commission finds to the contrary, they may recommend the application be denied or return the plan to the applicant for revision;*

Response: This subsection contains procedural guidance and requires no evidence from the applicant.

- E. *The commission may attach conditions to carry out the purpose of this ordinance provided that such conditions are not used to exclude needed housing or unnecessarily reduce planned densities, and do not result in unnecessary costs or delay;*

Response: This subsection clarifies and limits the Planning Commission's authority, and requires no evidence from the applicant.

- F. *Before approving a planned development, the commission shall follow the procedure for considering an amendment as required in Chapter 17.72 MMC (Applications and Review Process) of this ordinance;*

- G. *Permits for construction in a planned development shall be issued only on the basis of the approved plan. The approved site plan shall be placed on file with the planning department and become a part of the zone and binding on the owner and developer. The developer is responsible for requesting permission of the planning commission for any major change of the details of the adopted site plan. Minor changes to the details of the adopted site plan may be approved by the city planning director. It shall be the planning director's decision as to what constitutes a major or minor change. An appeal from a ruling by him may be made only to the commission. Review of the planning director's decision by the planning commission may be initiated at the request of any one of the commissioners;*

Response: The applicant has requested processing of this Minor Amendment application in accordance with these provisions. The Community Development Director has concluded that the proposed changes constitute a minor change. Separately, the applicant will submit building permit applications for review by City staff.

- H. *An approved planned development shall be identified on the zoning map in addition to the existing zoning.*

Response: This subsection contains procedural guidance to staff and requires no evidence from the applicant.

Chapter 17.52 Airport Overlay Zone

17.52.010 Purpose

The Airport Overlay Zone shall enhance the utility of the McMinnville Municipal Airport by preventing the establishment of any structure or use of land which unreasonably obstructs the safe flight of aircraft in landing or taking off. Further, this overlay zone is intended to prevent the establishment of airspace obstructions through height restrictions and other land use controls, as deemed essential to protect the public health, safety, and welfare consistent with Federal Aviation Regulations (FAR), Part 77. The Airport Overlay Zone is intended to implement recommendations contained in the McMinnville Airport Master Plan Update (1989-2009) and as drawn on the Airport Imaginary Surfaces Map (Wilsey & Ham, 1989).

Response: As shown in Figure 3, the Lodge expansion area is within the Horizontal Surface, so it is subject to applicable provisions of the Airport Overlay.

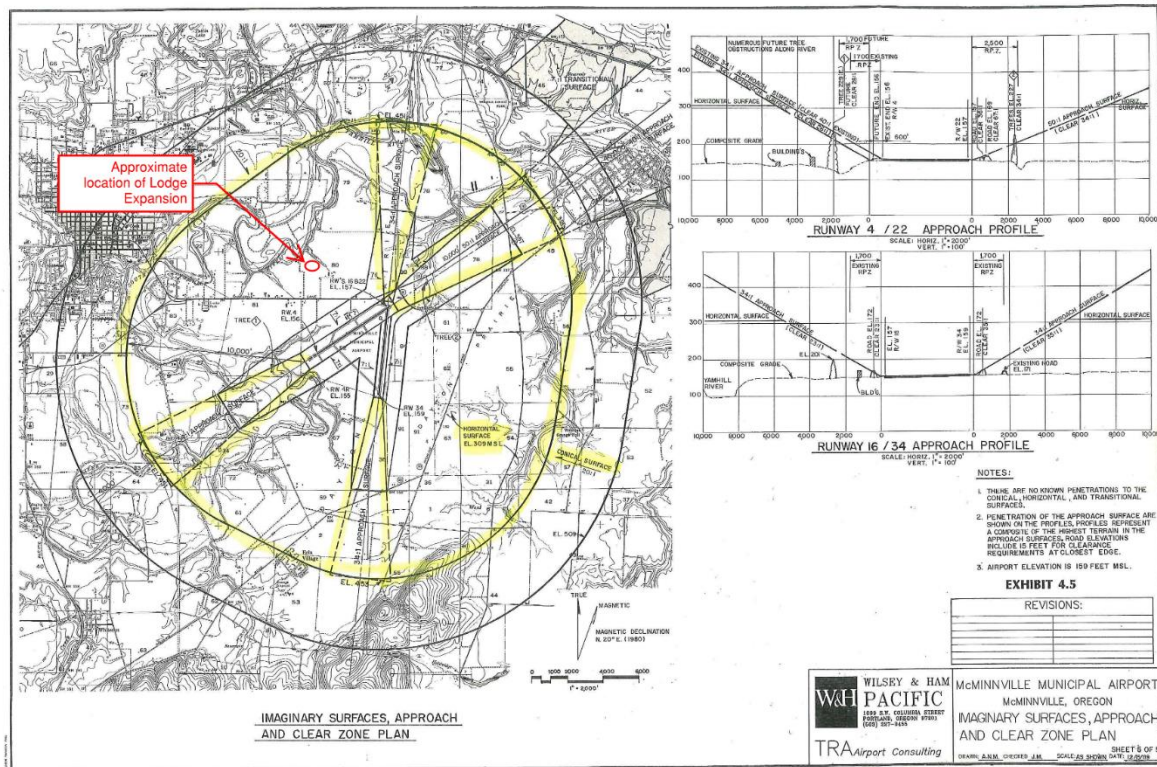


Figure 3: McMinnville Airport Overlay Zone

17.52.030 General Restrictions

No use in the Airport Overlay Zone shall:

- A. Create electrical interference with navigational signals or radio communication between the airport and aircraft; or

Response: The proposed building will not include radio transmission equipment or materials that would have the potential to cause electrical interference with aircraft. This standard is met.

- B. Otherwise endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

Response: The proposed building is located far enough away from the runways that it will not pose a hazard to aviation due to its height. The proposed use will not discharge or emit materials that could impair visibility for pilots, not install lights that could cause glare objectionable to pilots, nor use materials that could increase the likelihood of bird strikes. This standard is met.

17.52.060 Horizontal Zone Restrictions

The following uses are prohibited in the Horizontal Zone:

Any structure which exceeds a height greater than 309 feet above MSL except that a structure may be constructed to a vertical height no greater than 35 feet above the ground in the Eola Hills.

Response: Based on a ground elevation of approximately 158.75 feet above mean sea level (Sheet C1.20 of Exhibit 3) and a proposed building height of 18.25 feet (Sheet A2.10 of Exhibit 3), the proposed structure will have a height of approximately 177 feet above mean sea level, which is well below the standard (309 feet above MSL). The site is not located in the Eola Hills. This standard is met.

Chapter 17.54 General Regulations

17.54.010 Classification of an Unlisted Use

- A. *Purpose. When a specific use is not listed as permitted or conditionally permitted the procedure for determining the permissibility of that use in a particular zoning district and whether that use is compatible with the listed uses is provided in this section.*

Response: This application does not include a request for Classification of an Unlisted Use because the proposed use of the new building is consistent with “auditorium exhibition hall, or other public assembly room,” an outright permitted use in the C-3 zone per § 17.33.010.12.

17.54.050 Yards

- A. *Measurement. The measurement of a yard shall be made perpendicular from the property line to the nearest portion of the building.*

Response: As noted above in the response to § 17.33.030 Yard Requirements, the C-3 zone has no yard requirements at sites not adjacent to a residential zone. The subject property does not abut a residential zone; therefore, no yard requirements apply.

- B. *Requirement exceptions. The following exceptions to the front-yard requirements for a dwelling are authorized for a lot in any zone:*

1. *If there are dwellings on both abutting lots with front yards of depths less than the required depth for the zone, the depth of the front yard for the intervening lot need not exceed the average depth of the front yards of the abutting lots.*
2. *If there is a dwelling on one abutting lot with a front yard of less depth than the required depth for the zone, the front yard for the lot need not exceed a depth halfway between the depth of the abutting lot and the required front-yard depth.*
3. *Whether attached to a residence or as a separate structure, a covered storage facility (garage) for a vehicle on which the main opening is toward a street shall be located not less than 20 feet from the property line bordering the street.*

Response: These provisions are not applicable because the proposed development is not a dwelling.

- C. *Projections into yards. Architectural features such as cornices, canopies, sunshades, windows, chimneys, and flues shall not project more than 18 inches into a required yard. Eaves may extend a distance not to exceed 30 inches into a required yard. Stairs may encroach up to five feet into a required front yard provided that the stairs are not covered or enclosed, except for an eave not exceeding the 30-inch encroachment as noted above.*

Response: This provision is not applicable because there is no yard requirement in the C-3 zone at this location.

- D. *In a district where automobile service stations are permitted or conditionally permitted, freestanding gasoline pumps and pump islands shall not be closer than 10 feet to a street property line.*

Response: This provision is not applicable because no gasoline pumps or pump islands are proposed.

- E. *In a commercial or industrial zone, if an alley is adjacent to a required side or rear yard, the distance for a required yard may be measured from the center of the alley.*

Response: This provision is not applicable because there is no existing or proposed alley.

F. *Yards required along arterial streets. Except in zones where greater setbacks are required, a minimum five-foot yard shall be provided where a lot or parcel abuts an arterial street, as those streets are defined in the city's Transportation Master plan. The required five-foot yard shall be maintained as a clear vision area as defined in MMC 17.54.080 except that the following uses may be allowed when alternatives are unavailable:*

1. *The exceptions described in MMC 17.54.080.*
2. *Signs and signposts provided that the body of the sign is below three feet in height or above eight feet in height when measured from the top of the curb, or where no curb exists, eight and one-half (8.5) feet from the edge of the pavement or top of asphalt measured at the property line.*

Response: The proposed development is located far from the property's frontage on the arterial street, Three Mile Lane (Oregon Highway 18). All proposed work is well beyond the 5-foot minimum specified yard width, and no changes are proposed in the required clear vision area. This standard is met.

G. *A building may be constructed with a cantilever which extends up to two feet over the setback at a height greater than eight feet when measured from the top of the curb, or where no curb exists, from eight and one-half (8.5) feet above the edge of the pavement, or top of asphalt measured at the property line.*

Response: The planned development does not include a building that extends over the setback area. This criterion is met.

H. *Setback variance requests shall be processed under the provisions of Chapters 17.72 (Applications and Review Process) and 17.74 (Review Criteria) MMC, except that:*

1. *The applicant must prove that the vision of motorists, bicyclists, and pedestrians will not be blocked or adversely affected as a result of the variance:*
2. *Variances to the requirements of this section which do not involve building setbacks must comply with subsection (H)(1) of this section, but need not comply with MMC 17.74.110.*

Response: These provisions are not applicable because no yard requirement applies at this location. Responses to CDC Chapters 17.72 and 17.74 are provided below.

17.54.080 Clear Vision Area

A. *Clear Vision Area Requirement. A clear vision area shall be maintained on the corners of all properties at the intersection of two streets, a street and an alley, or a street and a railroad. Clear vision area requirements shall also apply to the first 10 feet of commercial and industrial access driveways when the driveway intersects with a street or alley. A clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction exceeding three feet in height, measured from the top of the curb or, where no curb exists, from three and one-half (3.5) feet above the edge of the pavement, or top of asphalt measured at the property line, except that the following may be allowed in a clear vision area.*

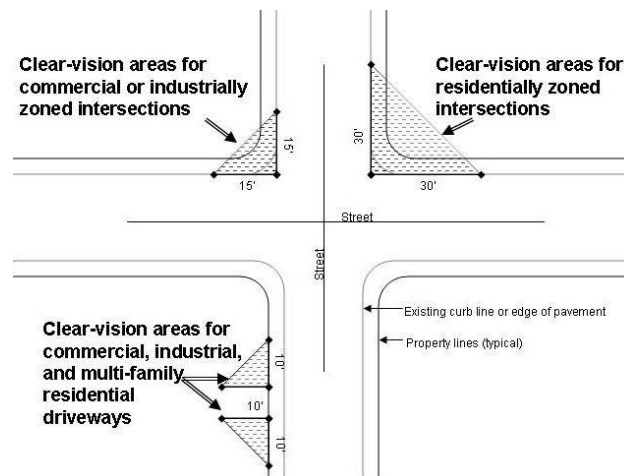
1. *Trees exceeding this height may be located in the clear vision area provided all branches and foliage are removed to a height of eight feet above the grade;*
2. *Telephone, power, and cable television pole, electrical junction boxes.*
3. *Government issued traffic safety signs.*
4. *Telephone switch boxes provided that they are less than 10 inches wide at the widest dimension.*

B. *Clear Vision Area Measurement. The following measurements used in conjunction with the formula established in MMC 17.06.080 shall be used to establish clear vision areas:*

1. *In a residential zone the minimum length of the triangle legs shall be 30 feet at street intersections and 10 feet where a street and an alley intersect;*

2. In all other zones the minimum length of the triangle legs shall be 15 feet at street intersections and 10 feet where a street and an alley or street and access drive intersect, except that when the angle of intersection between two streets, is less than 30 degrees, the length of the triangle legs shall be 25 feet;
3. In commercial and industrial zones, buildings and signs may be constructed with cantilevers which extend out over the clear vision area at a height greater than eight feet when measured from the top of the curb, or where no curb exists, from eight and one-half feet above the edge of the pavement, or top of asphalt measured at the property line;

Clear Vision Area



Response: The proposed new Reception Hall building is located far from the site's access to public streets, and the proposed construction will not affect the configuration of any intersection subject to these standards. These provisions are not applicable because no location to which they apply is proposed for modification.

Chapter 17.57 Landscaping

17.57.030 Zones where required

Landscaping shall be required in the following zones except as otherwise noted:

- D. C-3 (General Commercial zone);

Response: The applicant has submitted plans including proposed landscaping within the proposed work area of the new building and associated parking area modifications. See Exhibit 3.

17.57.050 Plans – Submittal and review – Approval – Time limit for completion

- A. At the time the applicant applies for a building permit, they shall submit, for the Landscape Review Committee, two copies of a landscaping and plot plan. If the plot plan and landscaping plan are separate documents, two copies of each shall be submitted. These may be submitted to the building department to be forwarded to the planning department.
 1. No building permit shall be issued until the landscaping plan has been approved.
 2. The landscaping plan may be used as the plot plan required for a building permit, provided all information required for a building permit is provided;

Response: The applicant has included landscape plan drawings as the L-Series sheets in the submitted development plan set, Exhibit 3. This requirement is met.

- B. *Landscaping review shall occur within 30 days of submission of the plans. The applicant shall be notified of the time and place of the review and is encouraged to be present, although their presence shall not be necessary for action to be taken on the plans. A failure to review within 30 days shall be considered as approval of the plan;*

Response: This provision contains procedural direction for the review of submitted plans. The landscaping plan (L-Series sheets of the plan set in Exhibit 3) is being reviewed together with the whole development plan set for efficiency and to ensure a coherent approach to design and permitting.

- C. *The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the planning department and included within the permanent file;*

Response: The submitted L-Series sheets in the plan set (Exhibit 3) identify landscape planting areas and plant specifications consistent with City requirements. The applicant acknowledges that any changes will be reflected in plans submitted for construction permitting, consistent with this requirement.

- D. *Occupancy permits may be issued prior to the complete installation of all required landscaping if security equal to 120 percent of the cost of landscaping, as determined by the planning director is filed with the city assuring such installation within a time specified by the planning director, but not to exceed six months after occupancy. The applicant shall provide the estimates of landscaping materials and installation to the satisfaction of the planning director prior to approval of the security. "Security" may consist of a faithful performance bond payable to the city, cash, certified check, time certificate of deposit, or assignment of a savings account, and the form shall meet with the approval of the city Attorney. If the installation of the landscaping is not completed within the period specified by the planning director, or within an extension of time authorized by the Landscape Review Committee, the security may be used by the city to complete the installation. Upon completion of the installation, inspection, and approval, any portion of the remaining security deposited with the city shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the final inspection and/or approval to be postponed until the project is completed or cause the security to be used by the city;*

Response: This provision contains procedural direction for the implementation of construction plans following permit issuance. The applicant acknowledges that a financial surety may be required if temporary building occupancy is requested prior to completion of all site landscaping requirements (such as deferral of plantings to the appropriate planting season to promote survival/establishment of plant specimens), consistent with this provision.

- E. *All completed landscape projects shall be inspected by the planning director or their designee. Said projects shall be found to be in compliance with the approved plans prior to the issuance of an occupancy certificate for the structure, or prior to any security or portion thereof being refunded to the applicant. Minor changes in the landscape plan shall be allowed, as determined by the planning director or their designee, as long as they do not alter the character and aesthetics of the original plan.*

Response: This provision contains procedural direction for the implementation of construction plans following permit issuance.

17.57.060 Plans – Information to be included

The following information shall be included in the plans submitted under MMC 17.57.050:

- A. *Existing locations of trees over six inches in diameter, their variety (common or botanical name) and indication of whether they are to remain or to be removed from the site. In the event a large number of trees are to be retained and if no construction or construction access is required through or within the drip line of the trees, the general area with the number of trees involved may be given in lieu of listing and locating each tree;*
- B. *The location in which new plantings will be made and the variety (common or botanical name), and size of all new trees, shrubs, groundcover and lawns;*
- C. *The percentage of the gross area to be landscaped;*
- D. *Any equipment proposed for recreation uses;*
- E. *All existing and proposed site features including walkways, graveled areas, patios, courts, fences, decks, foundations, potted trees, raised planters, or other open spaces so that the review committee may be fully knowledgeable of the project when discussing the application;*
- F. *The location of watering facilities or irrigation systems, or construction notes on the landscape plan detailing the type of watering facilities or irrigation systems that will be installed;*
- G. *All of the information on the plot plan for the building permit.*

Response: The applicant's proposed planting plan is contained in Sheets C1.00, C1.01, C1.10, and the L-Series drawing sheets in Exhibit 3. The plans have been prepared to meet these submittal requirements and provide substantial evidence of compliance with Code provisions. The proposed changes to the existing development will result in a 994 SF net increase in site landscaping area, and an equivalent net decrease in overall impervious surface coverage (pavement reduction). This requirement is met.

17.57.070 Area Determination – Planning factors

- 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.)*

Response: The proposed development plan (Sheet C1.00 in Exhibit 3) includes take-offs from the plans for buildings, impervious surface areas, and landscape areas.¹ Within the 39,182 SF Area of Disturbance, existing conditions consist of 26,817 SF of paved areas (68%) and 12,365 SF of landscape area (32%). This proposal will change that Area of Disturbance to contain one new building containing 8,883 SF (23%), with paved areas of 16,940 SF (43%) and 13,359 SF of landscaping (34%). Therefore, the project results in a net increase in overall site landscaping, which already well exceeds the minimum requirement. This standard is met.

- 4. *A parking lot or parking structure built in any zone providing parking spaces as required by the zoning ordinance shall be landscaped in accordance with the commercial requirements set forth above in subsection (A)(2) of this section.*

Response: Within the area of proposed work (to construct the Reception Hall building and reconfigure adjacent parking), the proposed development plan (Exhibit 3) locates landscape plantings at the perimeter of the parking area and within three landscape islands in the parking lot. This standard is met.

¹ Precise topographic CAD data is available only for the western sub-area of the property containing 20.59 acres. All work related to the proposed development is situated entirely within that sub-area. Area figures and percentage shares/ratios in this report are based on that sub-area.

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. *ALC (additional lot coverage) X % of landscaping required X Total lot area ELC (existing lot coverage)*
 - 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;*

Response: The proposed construction of the Reception Hall, located partially within an existing parking area, is a new building rather than an addition to or expansion of an existing structure, and it reduces rather than expands the area of an existing parking lot. For these reasons, the proposed project is not subject to this provision.

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

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

Response: The proposed development site is located far from any public right-of-way or boundary of another owner's property, so there is low potential for any significant visual impact of the proposed development. The proposed landscaping complies with standards for parking lot screening by being compatible with the proposed development and the local context.

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

Response: Full screening of the proposed Reception Hall building is not a design objective because it is preferable for the building to be easily seen to enable visitors to locate it within the Evergreen campus. Screening of the parking areas to reduce headlight glare (as viewed from the public right-of-way on Three Mile Lane) will be achieved by parking lot screen plantings, as well as the existing grove of oak trees and the Waterpark building located between the project site and the south property boundary (frontage). This standard is met.

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.*

Response: The proposed Reception Hall building is located partially within an existing parking area. Existing landscape trees will be preserved in landscape islands except where the parking lot must be reconfigured to accommodate the new building. In the reconfigured portion of the parking area, new parking lot perimeter landscaping and tree planter islands consistent with applicable standards are proposed, as shown in the L-Series drawings in Exhibit 3. This standard is met.

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

Response: New parking lot perimeter landscaping and tree planter islands are proposed in the reconfigured parking area consistent with applicable standards, as shown in the L-Series drawings in Exhibit 3.

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.*

Response: This provision does not come into play because the proposed development sub-area is internal to the large Evergreen campus site, far from any street frontages. Because the project will not involve any public street frontage improvements, where street tree plantings could otherwise be appropriate, this provision is not applicable.

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

Response: The landscape plan requires all planted areas to be irrigated with a timer-activated irrigation system, to be a design-build item for the contractor at time of development. See L-Series sheets in Exhibit 3. This standard is met.

- C. *All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. Minor changes in the landscape plan, such as like-for-like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. It shall be the planning director's decision as to what constitutes a major or minor change. Major changes to the landscape plan shall be reviewed and approved by the Landscape Review Committee.*

Response: The landscape plan included in Exhibit 3 (Sheet L0.01) notes that all planting areas are to be watered by a timer activated irrigation system. The applicant acknowledges responsibility to perform landscaping maintenance including weeding, pruning, mowing, and replacing dead specimens on an ongoing basis. This criterion is met.

Chapter 17.58 Trees

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;*

Response: Within the proposed project area, there are no existing trees subject to subparagraphs A, B, or C. Eleven existing landscape trees in and around the affected portion of the western parking lot cannot be retained due to conflicts with the proposed Reception Hall building and the associated parking/circulation configuration, as shown on Sheet C1.01 (Demolition Plan) of Exhibit 3. As shown in the L-Series drawing sheets in that Exhibit, mitigation will be achieved by planting of new trees on the west, south, and east sides of the Reception Hall building, including the following species: Claremont western redbud, white flowering dogwood, First Blush™ flowering cherry, and halka zelkova. This standard is met.

17.58.040 Tree Removal/Replacement

- A. *The removal or major pruning of a tree, if applicable under MMC 17.58.020, shall require city approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the McMinnville planning department. The applicant shall include information describing the location, type, and size of the subject tree or trees, and the reasons for the desired action, and the costs associated with tree removal, replacement, and repair of any other public infrastructure impacted by the tree removal or major pruning. Requests for tree removal or pruning of trees outside of the Downtown Tree Zone shall be forwarded to the McMinnville Landscape Review Committee for a decision within 30 days of submittal. Requests for tree removal within the Downtown Tree Zone shall be submitted to the McMinnville planning department. Such requests shall be acted upon as soon as practicable, with consideration given to public safety, value of the tree to the public, and work schedules. The planning director or their designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or planning director, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in MMC 17.58.050. A decision of the committee or director may be appealed to the planning commission if written notice of the appeal is filed with the planning department within 15 days of the committee's or director's decision. A decision made by the planning director in response to a request to remove an unsafe tree, or a tree causing repeated and excessive damage to sidewalks or other public or private improvements or structures shall be final, unless appealed by the applicant; no other party shall have standing to appeal.*
- B. *Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the city. The planning director, after consultation with appropriate city staff and/or a certified arborist, shall direct removal of downtown trees that are identified in a current Downtown Tree Zone inventory assessment as unhealthy, dangerous to the public, inappropriate for the downtown area, or otherwise in need of removal.*
- 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.*
- D. *Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. The value of the existing 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. Every attempt should be made to plant replacement trees in the same general location as the tree being removed. In the event that a replacement tree cannot be planted in the same general location, a condition of approval may be required to allow for the replacement tree to be planted in another location in the city as part of the city's annual tree planting program.*
- 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.*
- 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.*

- G. *Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.*
- H. *The planting of street trees shall be subject to the design drawings and specifications developed by the city in May 2014. Specific design drawings and specifications have been developed for trees outside the Downtown Tree Zone. Such design specifications may be periodically updated by the city to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees to minimize the potential for sidewalk / tree root conflict.*

Response: This application incorporates the applicant's request for City approval to remove and replace trees in accordance with these provisions.

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.*

Response: The trees proposed for removal are part of the proposed Reception Hall development project, being at locations that are incompatible with the proposed development plan. The request is consistent with subsection C of this provision as a basis for granting a tree removal permit.

17.58.075 Protection of Trees

- A. *It shall be unlawful for any person to remove, destroy, break, or injure any street tree or public tree. Individuals convicted of removing or destroying a tree without city approval shall be subject to paying to the city an amount sufficient to fund the planting and establishment of a tree, or trees, of similar value. The value of the removed or destroyed tree 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.*
- B. *It shall be unlawful for any person to attach or keep attached to any street or public tree or to the guard or stake intended for the protection of such tree, any rope, wire, chain, sign, or other device, except as a support for such tree.*
- C. *During the construction, repair, alteration or removal of any building or structure it shall be unlawful for any owner or contractor to leave any street tree or public tree in the vicinity of such building or structure without a good and sufficient guard or protectors as shall prevent injury to such tree arising out of or by reason of such construction or removal.*
- D. *Excavations shall not occur within the drip line of any street tree or public tree without approval of the city, applying criteria developed by the Landscape Review Committee. Utility pole installations are exempted from these requirements. During such excavation or construction, any such person shall guard any street tree or public tree within the drip line, or as may be required by the Landscape Review Committee.*
- E. *All building material or other debris shall be kept outside of the drip line of any street tree or public tree.*

Response: Sheet C1.01 in Exhibit 3 clearly labels trees to be removed, trees to be protected in place, and tree protection fencing locations. The plans demonstrate that construction practices can ensure that these provisions are satisfied.

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 MMC 17.58.090.

Response: The proposed development project is at an internal location within the large Evergreen campus site, far from any public street frontage area (i.e., Three Mile Lane at the south property boundary). Therefore, there is no property frontage where planting of additional street trees is required to meet these requirements. (Detailed provisions in related subsections are omitted below for brevity.)

Chapter 17.60 Off-Street Parking and Loading

17.60.020 Property owner's responsibility

The provision and maintenance of off-street parking and loading spaces is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this chapter. Should the owner or occupant of any lot or buildings change the use to which the lot or building is put, thereby increasing off-street parking and loading requirements, it shall be unlawful and a violation of this title to begin or maintain such altered use until such time as the increased off-street parking and loading requirements are met.

Response: On-site parking is provided to meet the parking needs of each of the Evergreen campus buildings and facilities. Findings below describe how the parking needs associated with the proposed Reception Hall facility will be satisfied by parking to be provided immediately adjacent to it and the Lodge building. This standard is met.

17.60.030 Plans Required

A plan drawn to scale, indicating how the off-street parking and loading requirements are to be fulfilled, shall accompany an application for a building permit.

Response: The applicant has submitted plans (Exhibit 3) showing locations, dimensions, and numbers of proposed on-site parking spaces that comply with the standards of this chapter. All final plans will be submitted with the application for a building permit. This provision is satisfied.

17.60.040 Spaces – Used to park automobiles only

Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

Response: The proposed parking spaces are to be used by employees and visitors to the Reception Hall and Lodge, consistent with this provision.

17.60.050 Spaces – Location

A. *Except as provided below, required off-street parking spaces for dwellings shall be located on the same lot with the dwelling. For the following residential uses, off-street parking shall be located not farther than 500 feet from the building or use they are required to serve, measured in a straight line from the building:*

1. *Off-street parking for one or two upper story residential dwelling units above a nonresidential use;*

2. *Off-street parking for residential uses in the city center housing overlay zone designated in Chapter 17.66.*

Response: These provisions are not applicable because no dwellings exist or are proposed at the subject property.

- B. *All other required parking spaces shall be located not farther than 200 feet from the building or use they are required to serve, measured in a straight line from the building.*

Response: Parking is currently located in two adjacent parking areas, both to the east and west of the existing Lodge building (See Sheet G1.11 in Exhibit 3). Each of those parking areas currently contains 120 parking spaces (for a total of 240 spaces); however, the proposed new reception building's location and associated site changes will reduce the western parking area's capacity to 54 spaces (the eastern parking area will not be affected). Combined, the two parking areas will then provide a total of 174 parking spaces in two areas located within 200 feet of both the Lodge and the Reception Hall building. This provision is met.

- C. *When parking is provided on a different lot than the use it is required to serve, the applicant shall provide evidence of a binding parking agreement for use of the property for off-street parking consistent with the provisions of this chapter for as long as the parking is required to serve the property. If the property is in different ownership or subsequently conveyed to a different owner, the parking agreement shall be recorded.*

Response: None of the parking to serve the proposed facility is located on a separate lot. This provision is not applicable.

17.60.060 Spaces – Number required

Except for the southerly 100 feet of Block 10 and the northerly 100 feet of Block 11, Rowland's Addition and the area bounded by Second Street, Adams Street, Fourth Street, and Galloway Street, at the time of erection of a new structure or at the time of enlargement or change of use of an existing structure, off-street parking spaces shall be provided as follows unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking or unloading.

B. Institutional land use category:

- | | |
|--|---|
| 1. <i>Churches, clubs or lodges</i> | <i>One space per every four fixed seats or every eight feet of bench length in the main auditorium or sanctuary. One space per every 75 square feet in the main auditorium when no permanent seats or benches are maintained.</i> |
| 8. <i>Library, reading room, museum, or art gallery</i> | <i>One space per 300 square feet of floor area.</i> |
| 9. <i>Other places of public assembly including stadiums</i> | <i>One space per four seats or eight feet of bench length.</i> |

C. Commercial land use category

- | | |
|---|---|
| 7. <i>Dance hall, skating rink, pool or billiard parlor, and similar commercial recreational uses without fixed seating</i> | <i>One space per 100 square feet of floor space.</i> |
| 9. <i>Establishments for sale and consumption on the premises</i> | <i>One space per 100 square feet of floor area or one per four seats, whichever is greater.</i> |

of beverages, food, or
refreshments

21. Theater

One space per each three seats.

Response: This section does not specify a parking ratio corresponding precisely to the intended use of the Reception Hall building. Per MMC 17.60.090, in instances where uses are not listed, parking ratios should be based on the most comparable use that is listed. Like the existing Lodge building, the Reception Hall will be an open space without fixed seating, suitable for a variety of gatherings and interior (movable) seating configurations. On that basis, the applicant believes “Churches, clubs or lodges ... when no permanent seats or benches are maintained” per Section 17.60.060.B.1 is the appropriate parking category for both buildings, requiring a minimum of one parking space per 75 SF of floor area in the main auditorium (or in this instance, within the gathering space in the new building); however, parking capacity can also be analyzed based on the seating capacities of the Reception Hall and Lodge building, and the required minimum parking ratio in relation to on-site parking capacity in the adjacent parking areas. The applicant has examined parking using both approaches below.

Parking Analysis: Square Footage Basis

Table III-1 below calculates adjacent parking capacity based on the existing developed condition at the Lodge building. For the 5,752-SF Lodge building, the available 240 parking spaces exceed the 77-space minimum parking requirement by 163 spaces:

Table III-1: Existing Building and Adjacent Parking Capacity – Gross Square Footage							
Building	SF	Parking Category	Minimum Ratio	Minimum Reqmt.	East	West	Surplus or (Deficit)
Lodge	5,752	Churches ... Lodges without fixed seating [17.60.060.B.1]	1 space per 75 SF in main auditorium	77	120	120	-
TOTAL	5,752	-	-	77	240		163

Table III-2 below calculates adjacent parking capacity based on the proposed developed condition with both the Reception Hall and the Lodge building, using the *Churches, Clubs or Lodges* minimum parking ratio. For the combined gross 10,036 SF of the Lodge and Reception Hall gathering spaces (analogous to the main auditorium in a church, club or lodge), if both facilities were occupied simultaneously, the available 174 parking spaces would be 39 spaces above the nominal minimum parking requirement.

Table III-2: Proposed Buildings and Adjacent Parking Capacity – Gathering Space Square Footage							
Building	SF	Parking Category	Minimum Ratio	Minimum Requirement	East	West	Surplus or (Deficit)
Lodge	5,752	Churches ... Lodges without fixed seating [17.60.060.B.1]	1 space per 75 SF in main auditorium	77	120	54	-
Reception Hall	4,284	Churches ... Lodges without fixed seating [17.60.060.B.1]	1 space per 75 SF in main auditorium	58			
TOTAL	10,036	-	-	135	174		39

Alternatively, parking needs with the proposed new Reception Hall could be calculated using required parking for a Commercial use (i.e., Dance Hall, etc. per 17.60.060.C.7, or food and drink establishment per 17.60.060.C.9), both at 1 space per 100 SF of total building area. Table III-3 below provides that alternative calculation, which indicates that the adjacent parking will exceed the minimum requirement by eight spaces.

Table III-3: Proposed Buildings and Adjacent Parking Capacity – Commercial Gross Square Footage							
Building	SF	Parking Category	Minimum Ratio	Minimum Requirement	East	West	Surplus or (Deficit)
Lodge	5,752	Churches ... Lodges without fixed seating [17.60.060.B.1]	1 space per 75 SF in main auditorium	77	120	54	-
Reception Hall	8,883	Commercial Dance Hall or Food/Refreshments [17.60.060.C.7 or 9]	1 space per 100 SF	89			
TOTAL	14,635	-	-	166	174		8

Therefore, analysis based on square footage indicates that the available parking will exceed the minimum requirement by at least eight spaces, assuming both facilities were to be occupied at their respective seating capacities simultaneously by different user groups. Notably, this is not the anticipated typical facility rental scenario for the Lodge and Reception Hall buildings. The proposal to add the Reception Hall to the campus arises from observed demand from parties scheduling events at the Lodge building: being in the form of a chapel, a substantial number of reservations are for wedding ceremonies; however, because the campus lacks a suitable separate facility for wedding receptions, parties must leave the campus and proceed to a separate location for that associated function. When the Reception Hall is available, the applicant expects most if not all parties that reserve the Lodge for wedding ceremonies to

also rent the Reception Hall for an immediate on-site reception. Based on that scheduling model, the parking capacity requirement substantially exceeds the parking needed for either of the two buildings, because they will typically be used sequentially by one party, rather than being utilized separately by two groups who would both require parking.

Finally, both the Lodge and the Reception Hall require advance reservations, so Evergreen campus staff have the opportunity to schedule groups, based on their projected attendance, to further ensure that parking capacity conflicts will not arise in practice.

Parking Analysis: Seating Capacity Basis

Although neither the Lodge nor the proposed Reception Hall have fixed seating, in Figure 4, the applicant has provided floor plan layouts for movable seating as the basis for seating capacity and an alternative calculation of required parking using ratios provided in the Code:

- Churches, clubs, or lodges and other places of public assembly require one space per four fixed seats or eight feet of bench length in the main auditorium or sanctuary [17.60.060.B.1 and 9];
- Commercial theaters require one space per four seats if that calculation exceeds one space per 100 square feet of floor area [17.60.060.C.21].

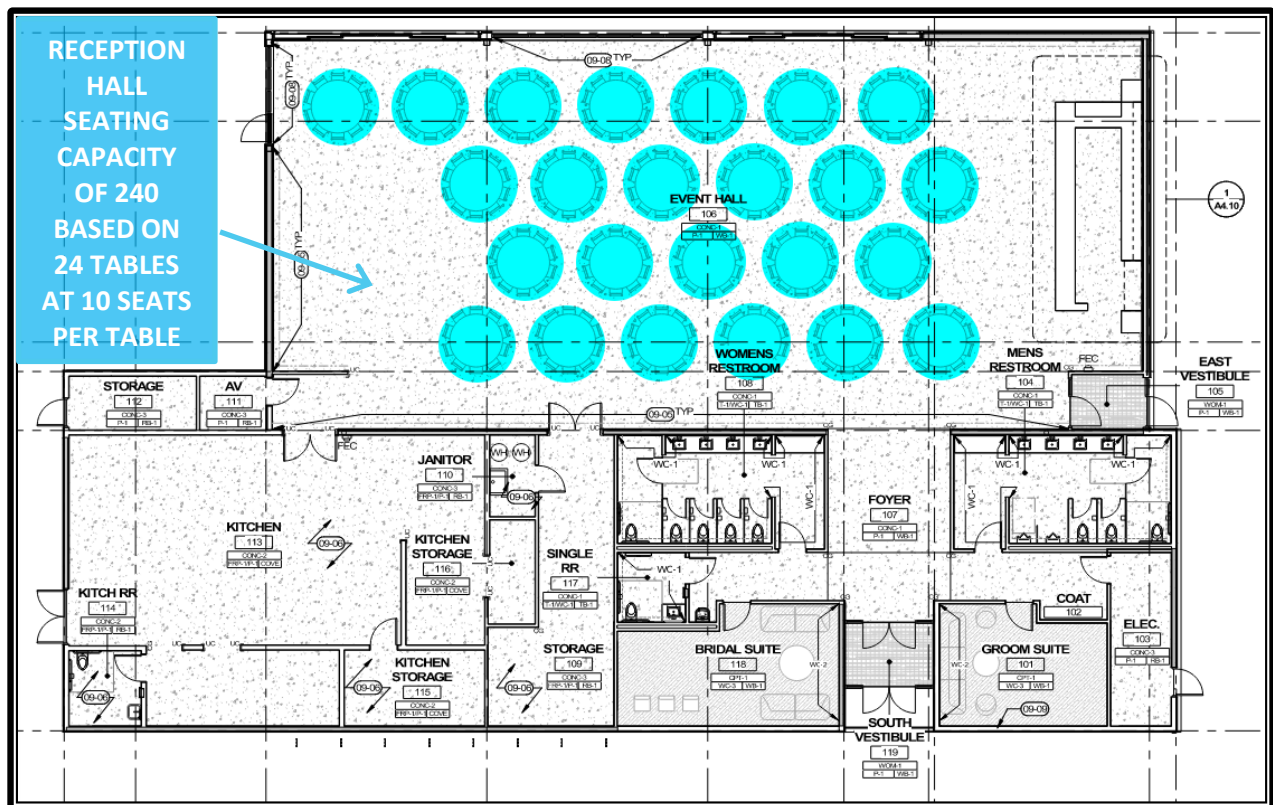


Figure 4: Movable Seating Capacity

Table III-4 below uses seating capacity to calculate adjacent parking capacity of the existing developed condition at the Lodge building. For the 200-seat capacity of the Lodge building (based on the applicant's

actual experience renting the facility to parties), the available 240 parking spaces exceed the 67-space minimum parking requirement by 173 spaces:

Table III-4: Existing Building and Adjacent Parking Capacity – Seating Capacity							
Building	Seating	Parking Category	Minimum Ratio	Minimum Requirement	East	West	Surplus or (Deficit)
Lodge*	200	Theater [17.60.060.C.21]]	1 space per 3 seats	67	120	120	-
TOTAL	200	-	-	67	240		173
* Lodge seating capacity is reported based on the applicant's actual experience renting the facility							

Table III-5 below uses seating capacity to calculate adjacent parking capacity based on the proposed developed condition with both the Reception Hall and the Lodge building. The combined seating capacity is 440 for the Lodge and Reception Hall buildings. Even if (hypothetically) both facilities were occupied at capacity simultaneously, the available 174 parking spaces would exceed the 147-space nominal minimum parking requirement by 27 spaces.

Table III-5: Proposed Buildings and Adjacent Parking Capacity – Seating Capacity							
Building	Seating	Parking Category	Minimum Ratio	Minimum Requirement	East	West	Surplus or (Deficit)
Lodge*	200	Theater [17.60.060.C.21]]	1 space per 3 seats	67	120	54	-
Reception Hall	240	Theater [17.60.060.C.21]]	1 space per 3 seats	80			
TOTAL	440	-	-	147	174		27
* Lodge seating capacity is reported based on the applicant's actual experience renting the facility							

As in the case of the square-footage based analysis above, this analysis conservatively uses the Theater seating capacity ratio requirement (one space per three seats), which is 33% higher than the requirement for churches and other activities (one space per four seats).

Therefore, analysis based on seating capacity indicates that the available parking will exceed the minimum requirement by 27 spaces even if both facilities were to be occupied at their respective seating capacities simultaneously by different user groups (which is not the anticipated typical facility rental scenario for the Lodge and Reception Hall buildings).

Based on the above findings, with the proposed development the Evergreen campus will continue to provide sufficient on-site parking to meet the needs of its visitors and staff, in compliance with the applicable minimum standards. These provisions are satisfied.

17.60.070 Off-street loading requirements

- A. *Buildings or structures to be built or substantially altered which receive and distribute materials and merchandise by trucks shall provide and maintain off-street loading berths in sufficient number and size to adequately handle the needs of the particular use.*

Response: The proposed Reception Hall is not designed as a facility to “receive and distribute materials and merchandise by trucks.” Occasionally, commercial vans may deliver items such as catering materials and equipment to the facility in preparation for a specific event; however, such deliveries (and post-event pick-ups) will necessarily be scheduled to occur before and after the event itself, when the parking area will not be occupied by visitors, so vans will be able to maneuver as needed to accomplish loading operations without causing conflicts. Therefore, this facility does not require a dedicated loading berth.

- B. *The following standards shall be used in establishing the minimum number of berths required:*

*Gross Floor area of the Building in Square Feet
Number of Berths*

<i>5,000 to 10,000</i>	<i>1</i>
<i>10,000 and over</i>	<i>2</i>

For buildings or structures up to 5,000 square feet, regular off-street parking areas may be used to meet the off-street loading requirements.

Response: Based on the general operational explanation provided above under subsection A, the proposed Reception Hall is not required to have a dedicated loading berth, and use of the off-street parking areas to meet loading needs is allowed.

- C. *A loading berth shall contain a space 12 feet wide and 35 feet long and have a vertical clearance of 14 feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required size of these berths shall be increased.*

Response: These provisions are not applicable because no loading berth is required, as explained above in the responses to subsections A and B.

17.60.080 Design requirements

- A. *All parking lots and driving aisles shall be asphaltic cement concrete or Portland cement concrete with driving aisles, maneuvering aisle and parking spaces clearly marked, except that in an industrial zone, parking spaces which are in addition to those required by this chapter, may be surfaced with a minimum of treated gravel and maintained dust free.*

Response: All proposed parking areas and drive aisles will be paved with asphaltic concrete consistent with this standard. See C-series sheets in Exhibit 3.

- B. *In a residential zone, a required front yard or a required side yard adjacent to the street shall not be used for any purpose except for off-street parking of motor vehicles, unless otherwise allowed by this ordinance, and such parking space shall not be less than 20 feet in depth from the property line.*

Response: This provision is not applicable because the subject property is not in a residential zone.

- C. *Safe access shall be provided as follows:*

1. *Access aisles shall be of sufficient width for all vehicular turning and maneuvering.*
2. *Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.*
3. *Driveways to off-street parking areas shall be designed and constructed to facilitate the flow of traffic and to provide for maximum safety of pedestrians and vehicular traffic on the site.*
4. *Clear vision areas shall be provided at driveway exits for all uses except single-family and two-family residential and shall have minimum dimensions of ten feet measured along the street right-of-way and the edge of the driveway. In commercial and industrial zones, buildings and signs may be constructed with cantilevers which extend out over the clear vision area at a height greater than eight feet when measured from the top of the curb, or where no curb exists, from the established centerline grade. Except for existing permanent buildings and structures (other than signs), nonconformities shall be made to comply with the provisions of this section within seven years from the date of its adoption.*
5. *Driveway cuts shall be a minimum of 20 feet from a street intersection.*

Response: All access aisles and groupings of parking spaces are dimensioned and oriented for vehicle movements in compliance with these requirements (see C-series sheets in Exhibit 3). The proposed development is internal to the site and will have no effect on any of the site's existing driveways where access to and from public roadways occurs. These standards are met.

D. *Parking areas shall be made compatible with surrounding uses as follows:*

1. *Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property, sidewalk, or street.*

Response: The proposed development is internal to the site. Although parking spaces at the perimeter of the western parking area (to be modified) are contained by curbing, no part of the parking area is abutting or near a property boundary. The proposed parking area modifications are consistent with this requirement (see C-series sheets in Exhibit 3). This standard is met.

2. *When a parking area in a commercial or industrial zone abuts a property in a residential zone, a site-obscuring fence or wall, either permanent or of living material, shall be placed along the affected property line. The responsibility for placement of the fence or wall lies with the commercial or industrial property.*

Response: This provision is not applicable because the affected parking area is not in a commercial or industrial zone abutting property in a residential zone.

3. *Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.*

Response: As noted above, the proposed Reception Hall development site is in the northern part of the Evergreen campus area, far from any public road, and more than 2,800 feet from the residential zoning and development located east of the Evergreen PD campus boundary. New exterior lighting is proposed only in plaza areas to the north and west of the building, and right at the south building entrance; no lighting changes are proposed in the existing parking area that will remain in use to the south of the Reception Hall building. If warranted, a detailed lighting plan can be provided with the building permit application to demonstrate compliance with this and other applicable standards for exterior lighting.

E. *Space size minimum shall be as follows:*

1. *Handicap parking spaces shall be a minimum of 12 feet wide and 19 feet in length.*

2. *Compact and subcompact parking spaces shall be a minimum of eight feet by 16 feet.*
3. *Standard parking spaces shall be a minimum of eight feet six inches by 19 feet.*

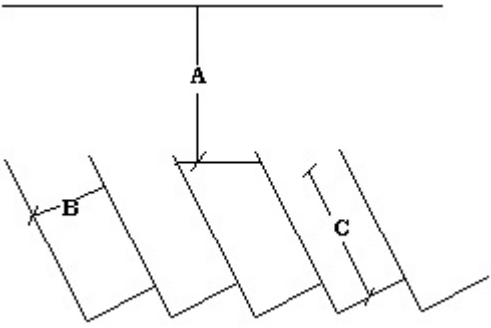
Response: The Site Plan (Sheet C1.10 in Exhibit 3) shows handicap parking spaces with a minimum of 13 feet in width and 19 feet in length, standard parking spaces measuring 8.5 feet in width and 19 feet in length, and no proposed compact parking spaces. These standards are met.

F. The type of space shall be set as follows:

1. *Handicap spaces shall be required and designated as per current federal, state, and local regulations.*
2. *Standard spaces shall comprise not less than 65 percent of all newly constructed lot spaces.*

Response: The layout of the proposed change in the western parking lot provides a combination of 52 standard and two accessible parking spaces dimensioned to satisfy these standards. Additionally, 15 of the standard spaces and one of the accessible spaces will be configured as Electric-Vehicle (EV) charger-ready spaces with conduit in place for future hookups (see C-series sheets in Exhibit 3). This standard is met.

G. Except as varied for good cause by the building official or planning director, maneuvering room shall be required and parking stalls measured according to the following table:

TABLE 17.60.080.G – PARKING MANEUVERING ROOM TABLE				
Parking Angle	Width of Spaces	One Way Aisle Width	Two Way Aisle Width	Stripe Length
Parallel	8'0" 8'6" 9'0" 9'6"	13'0" 12'6" 12'0" 11'6"	26'0" 25'0" 24'0" 23'0"	Standard space - Minimum requirements: Width 8.5' Length 19'
30°	8'0" 8'6" 9'0" 9'6"	13'0" 13'0" 11'0" 11'0"	26'0" 24'0" 22'0" 22'0"	Compact space - Minimum requirements Width 8' Length 16'
45°	8'0" 8'6" 9'0" 9'6"	14'0" 13'0" 12'0" 11'0"	26'0" 26'0" 24'0" 22'0"	Handicapped space - Minimum requirements: Width 12' Length 19'
60°	8'0" 8'6" 9'0" 9'6"	17'0" 16'0" 15'0" 15'0"	25'0" 25'0" 24'0" 24'0"	PARKING SPACE MEASUREMENT DIAGRAM:
75°	8'0" 8'6" 9'0" 9'6"	25'0" 24'0" 23'0" 22'0"	25'0" 25'0" 24'0" 24'0"	
90°	8'0" 8'6" 9'0" 9'6"	28'0" 27'0" 26'0" 25'0"	28'0" 27'0" 26'0" 25'0"	A = Aisle Width B = Space Width C = Space Length

Response: All proposed parking is perpendicular (90°) and dimensioned in accordance with the standards in Table 17.60.080.G. This standard is met.

17.60.090 Requirements for uses not listed

The parking space requirements for buildings and uses not set forth herein shall be determined by the planning director, and such determination shall be based upon the requirements for the most comparable building or use specified herein. All decisions made by the planning director may be appealed to the planning commission.

Response: Please refer to the facts and recommended findings presented above in the response to Section 17.60.060.

17.60.110 More than one use per structure

In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.

Response: The proposed Reception Hall is not proposed for multi-tenant or mixed-use occupancy. This provision is not applicable.

17.60.120 Joint use of space permitted

Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the commission in the form of deeds, leases, or contracts to establish the joint use.

Response: This application involves a single owner/applicant, so no easement or other form of agreement is necessary *per se*; however, the applicant intends to manage events and parking for the Lodge building and the Reception Hall using both the parking areas to the east and west of the two buildings, in a manner generally consistent with the intent of this provision. The applicant's evidence above in response to Section 17.60.060 demonstrates that the combined 174-spaces capacity of the east (120 spaces) and west (54 spaces) adjacent lots exceeds by 27 spaces the combined minimum required by the Lodge and the Reception Hall on a seating-capacity basis (147 spaces), irrespective of scheduling concerns. Therefore, the proposed parking configuration is consistent with City policy regarding shared use of parking areas (although in this instance it does not actually involve separate properties or landowners).

17.60.125 Shared access

When it is in the public interest, a shared driveway and circulation subject to a shared access easement and agreement may be authorized by the planning director when it would achieve one or more objectives of the comprehensive plan or this title, such as reducing access points onto access-managed streets or reducing the amount of land required for access to parking spaces. Except where otherwise provided in this title, a shared driveway to access parking spaces shall not replace the requirements for street frontage or other provisions of this code. The planning director may require that a shared driveway be located on the common property line between properties in certain circumstances, such as a situation where access is shared, but parking is not.

Response: This provision does not come into operation because the proposed site changes will have no effect on the site's driveway access and overall circulation pattern and routes.

17.60.140 Bicycle parking

A. Bicycle parking facilities shall be required as follows:

1. *In any commercial (C-1, C-2, and C-3) or office/residential (O-R) zone, bicycle parking facility requirements shall be based on the amount of automobile parking required. The minimum number of bicycle parking spaces provided shall be ten percent of the automobile parking spaces required.*

Response: Using the (higher) commercial gross square footage-based approach to calculate parking requirements above in the response to Section 17.60.060, bicycle parking for the proposed Reception Hall calculates as 10% of the 89 parking spaces the facility requires, or nine bike parking spaces. As shown on the Site Plan (Sheet C1.10 of Exhibit 3), capacity for 12 bicycles is proposed near the west edge of the proposed development area, just north of the vehicle parking spaces. This standard is met.

2. *The uses exempted from bicycle parking requirements include: residential uses, drive-in theaters, mortuaries, motels, hotels, and automobile service stations.*

Response: The proposed use does not fall within these exemptions.

3. *In all zones, for each 15 automobile parking spaces required, a required automobile parking space may be eliminated if five bicycle parking spaces are provided.*

Response: This provision is not applicable because the applicant does not propose to substitute bicycle parking for required vehicle parking spaces.

- B. *Bicycle parking facilities shall be provided pursuant to the following design standards. (as modified by the Bicycle Parking Administrative Rule of September 14, 1984):*

1. *At a minimum, a bicycle parking facility shall consist of a stationary object to which the user can lock the frame and both wheels with a user-provided six-foot cable or chain and lock.*

Response: As shown on the Site Plan (Sheet C1.10 of Exhibit 3), six pedestals designed for locking two bicycles each are located near the west edge of the proposed development area, just north of the vehicle parking spaces. This standard is met.

2. *Fixed objects which are intended to serve as bicycle parking facilities but not obviously designed for such purposes shall be clearly labeled as available for bicycle parking.*

Response: The location, appearance and spacing of the pedestal-style bike locking racks will make their function apparent, particularly to cyclists seeking a suitable fixture to which to lock. This standard is met.

3. *Bicycle parking facilities shall provide a least an 18-inch clearance between adjacent bicycles.*

Response: The proposed spacing of the locking pedestals complies with this standard. See Sheet C1.10 of Exhibit 3).

4. *Aisles between bicycle parking facilities shall be at least five-feet in width.*

Response: The proposed locking pedestals are clustered together at the end of a walkway. No between-aisle is necessary because there is only one locking facility.

5. *Paving is not required for bicycle parking areas, but the outside ground surface shall be finished or planted in such a way that the surface will remain free from mud or dust. Bicycle parking may be provided within a required landscape area.*

Response: The proposed bike parking area will have a concrete surface consistent with the pedestrian walkways to the building entrances.

6. *Bicycle parking should be situated at least as conveniently as the most convenient car parking area. Bicycle and automobile parking areas shall be separated by a physical barrier or sufficient distance to protect parked bicycles from damage by automobiles.*

Response: The proposed bike parking area is along the concrete walkway that motorists who park west of the building will use to walk to the building entrance, which is comparable to the convenience of the vehicle parking. Curbing, a walkway, and landscaping segregate the bike parking pad from the paved parking and circulation. See the C- and L-Series sheets in Exhibit 3. These standards are met.

Chapter 17.61 Solid Waste and Recycling Enclosure Plan

17.61.020 Applicability and exemptions

- A. *The requirements of this chapter shall apply to all new commercial, industrial and multi-family developments of three or more dwelling units.*

Response: The proposed development, a new building within a site in commercial use, is subject to these provisions.

- B. *Existing development is exempt from the above requirements. Change-of-use and tenant improvement applications will be assessed on an individual basis for their conformity to the enclosure requirements based on intensity of use and recommendations of the service provider.*

Response: The applicant interprets these provisions to require the proposed new development to satisfy their requirements, but also to limit application of the requirements to the new proposed building/facilities. Compliant facilities are proposed to serve the new Reception Hall building.

- C. *When unique physical constraints exist on a property, the planning director has the authority to work with the property owner to establish an alternative trash and recycling enclosure plan while still preserving the intent of the requirements of this chapter. Additionally, the planning director, in consultation with the service provider, has the authority to grant an exception to the requirement for a solid waste and recycling enclosure if it is determined that the proposed use will not generate enough trash and recycling to necessitate the use of trash receptacles which require screening or if the receptacles are to be maintained inside the building.*

Response: This provision is not applicable because the applicant does not seek approval on an alternative basis pursuant to these provisions.

17.61.030 Guidelines and Standards

- A. *The location of an enclosure must allow for collection agency drive-in access. A 50-foot access approach is recommended. In addition to the approach, either an exit that allows the truck to move forward or a turn area with a minimum radius of 46.5 feet is preferred. Both approach and location shall be unobstructed and free of over head wires and low hanging trees. An 19-foot minimum height clearance above the enclosure approach is required and a 32-foot vertical clearance is required above the container itself. The enclosure shall be of sufficient size to store trash and recycling receptacles, the size of which shall be determined by the collection agency and will be based on proposed use. A minimum distance of two feet is required between the container and existing or proposed structures. The enclosure shall be a minimum of six feet tall or six inches higher than the top of the tallest container.*

Response: The site plan in Exhibit 3 illustrates that the planned trash and recycling enclosure will be located on an 11-foot by 17-foot concrete pad near the southwest corner of the western parking area. Its position adjacent to the drive aisle provides sufficient access by the hauler, in accordance with these standards. This provision is satisfied.

- B. *Solid waste enclosures shall not be located within 20 feet of a required front or exterior yard and should be placed at the rear of a building whenever possible. Should an enclosure be placed within a required landscaped front or exterior yard, additional landscaping must be provided elsewhere on the property to compensate for the encroachment into the required landscaped yard. Any modifications to required landscaping must meet the approval of the Landscape Review Committee.*

Response: The proposed trash enclosure pad location is deep within the Evergreen campus site, distant from any public street frontage and not within a required landscaped front or exterior yard area. The proposed enclosure will visually screen the containers using black chain link fencing with privacy slat inserts, per Detail 1 on Sheet A5.15 of the plan set in Exhibit 3. This standard is met.

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

Response: The location of the trash and recycling enclosure was chosen for efficient access, but also to minimize visual impacts on adjacent public rights-of-way. The proposed trash/recycling enclosure is located about 1,600 feet (more than a quarter-mile) north of the Oregon Highway 18 right-of-way, and it

will be obscured from view by landscaping, including a grove of trees nearby to the south, and by the Wings & Waves Waterpark building, also to the south. For these reasons, onsite landscaping and other conditions effectively screen the trash enclosure from visibility from abutting public rights-of-way. This standard is met.

- D. Where a commercial or industrial zone abuts a residential zone, enclosures must be placed a minimum of 39 feet from any residential structure or as otherwise approved by the planning director.*

Response: The subject property does not abut a residential zone. This criterion does not apply.

- E. Generally, the design of the structure should match the exterior surface of the building and can be constructed of masonry, wood or concrete blocks in combination with plant material capable of forming a complete evergreen hedge. The floor of the enclosure shall be a concrete holding pad which must extend eight feet beyond the gates.*

Response: The proposed waste enclosure is not adjacent to the Reception Hall building, but is located at the southwest corner of the western parking area, over 125 feet from the nearest corner of the Reception Hall building. This location is intended to downplay its visual significance and keep waste hauler collection operations at a distance from the Reception Hall building and social gatherings. In this context, it is not necessary to match the surface materials of the proposed building to maintain the desired aesthetic character. The concrete holding pad is proposed to abut existing concrete paved parking area, consistent with these provisions.

- F. Gates that screen the containers are required and must remain closed at all times except at times of service.*

Response: Screening gates are included in the waste enclosure, per Detail 1 of Sheet A5.15 in Exhibit 3.

- G. Parking is prohibited in front of the enclosure and all parked vehicles must be located at a safe distance. A "No Parking" sign must be visibly placed on the gates of the enclosure.*

Response: The proposed waste/recycling enclosure is located beside parking spaces along a drive aisle, so conflicting parking or vehicle movements are not anticipated. The applicant will install signage consistent with this requirement.

- H. Solid waste and recycling enclosures must be placed in a location that is compatible with the city of McMinnville's Fire Code.*

Response: The proposed waste/recycling enclosure is distant from any neighboring buildings or flammable materials for safety as well as aesthetic reasons. The preliminary plans will be provided to Recology and to City of McMinnville's Fire Department for pre-approval and consideration. This standard is met.

17.61.040 Procedure

The applicant is responsible for contacting the collection agency for information regarding the size of containers required relative to proposed use prior to submittal of building plans. Two copies of a Solid Waste and Recycling Enclosure plan shall be included in the submitted site (plot) plan or as a separate plan to allow for planning department review. At a minimum, the Enclosure plan will illustrate the location, size and height of the proposed trash enclosure in addition to listing construction materials and any required landscaping. The structure must conform to the approved site plan at the time of final inspection.

Response: Prior to submitting building construction permit plans, the applicant will communicate with the waste hauler and ensure that the proposed final configuration and containers are satisfactory. This requirement can be satisfied by a condition of approval.

Chapter 17.62 Signs

[detailed provisions omitted for brevity]

Response: No signage designed for visibility from outside the site is part of this proposal. Future signage (if any) will be limited to small way-finding information for the benefit of people already inside the property. The applicant will seek sign permits for any non-exempt signs under a separate request, prior to installation.

Chapter 17.72 Applications and Review Process

17.72.020 Application submittal requirements

Applications shall be filed on forms provided by the planning department and shall be accompanied by the following;

- A. A scalable site plan of the property for which action is requested. The site plan shall show existing and proposed features, such as access, lot and street lines with dimensions in feet, distances from property lines, existing and proposed buildings and significant features (slope, vegetation, adjacent development, drainage etc.)*
- B. An explanation of intent, nature and proposed use of the development, and any pertinent background information.*
- C. Property description and assessor map parcel numbers(s).*
- D. A legal description of the property when necessary.*
- E. Signed statement indicating that the property affected by the application is in the exclusive ownership or control of the applicant, or that the applicant has the consent of all partners in ownership of the affected property.*
- F. Materials required by other sections of the McMinnville Zoning Ordinance specific to the land use application.*
- G. Other materials deemed necessary by the planning director to illustrate compliance with applicable review criteria, or to explain the details of the requested land use action.*

Response: This narrative and the accompanying application form, drawings, and supporting technical information have been prepared and submitted to satisfy the requirements of this Section.

17.72.030 Filing fees

The city shall charge and collect a filing fee for each such application as established by resolution of the city council.

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

Response: The applicant has paid the application fee(s) for the required land use review(s) and procedure(s).

17.72.070 Concurrent applications

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

Response: Pursuant to this Section, the applicant requests review in a consolidated procedure for the submitted applications for Minor Planned Development Amendment, Three Mile Lane Development Review, and Landscape Plan Review.

Chapter 17.74 Review Criteria

17.74.010 Purpose

The purpose of this chapter is to provide the approval criteria for the following applications:

C. *Planned Development Amendment*

17.74.070 Planned Development Amendment – Review Criteria

An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the planning director. Major changes to an adopted site plan shall be processed in accordance with MMC 17.72.120, and include the following:

- *An increase in the amount of land within the subject site;*
- *An increase in density including the number of housing units;*
- *A reduction in the amount of open space; or*
- *Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas and access.*

Response: The proposed amendment to the Planned Development does not significantly expand the scale of overall development or activity within the Planned Development; it primarily relates to specific locations within the overall Planned Development campus area where certain buildings and activities will be located. The proposal does not increase the Planned Development’s land area, request an increase in the allowed density for housing, reduce the required amount of open space, or alter the locations of access and circulation routes in a way that would trigger a “major change” review under this provision. For these reasons, the applicant has requested review and approval under the minor change provisions, consistent with prior coordination with the Community Development Director.

An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

A. *There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;*

Response: The Planned Development approval process is appropriate for a use such as the Evergreen campus because its large campus size, multiple attractions, and multiple concurrent functions warrant departure from standard zoning and development regulations. The large campus area and specific mission provide special opportunities for identity and branding; creation of a mini-district environment that manages and enhances visitors’ experiences; entertainment, teaching, and creative exploration; and social, cultural, and ceremonial gatherings including wedding ceremonies (for which the Lodge building is popular) and (in the future) receptions in the proposed Reception Hall. This application is the latest in a series of Planned Development approvals establishing the Evergreen campus as a Planned Development site and adapting the plan itself in response to needs and opportunities that have evolved over time. This application demonstrates how the revised campus plan responds to changing needs and opportunities, and warrants approval under the Planned Development regulations.

B. *Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;*

Response: The requested minor change will allow construction of a new Reception Hall building adjacent to the existing Lodge building. The Reception Hall will complement the Lodge – already a popular venue for wedding ceremonies – by providing an adjacent space suitable for receptions and other gatherings. These kinds of social events are consistent with the commercial functions associated with the City’s Commercial Comprehensive Plan Map designation and zoning of the subject property. Please refer also to responses below in the section on relevant policies of the Comprehensive Plan and Three Mile Lane Area Plan.

C. *The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;*

Response: The Planned Development site is surrounded to the north, east and west by land also in the same ownership but outside the City Limit and UGB at this time. There are no adopted plans designating corridors through the Planned Development property where roads or utility services must be extended at this time to serve planned future urban use; however, it is also the case that utilities extensions and roadways within the Planned Development have potential to become the long-term alignments for such future expansions. Therefore, the overall Planned Development is consistent with this criterion. This specific minor change proposal does not significantly affect the on-site access and circulation plan; rather, it will allow redevelopment of part of an existing parking area for construction of an additional on-site building in a way that continues to rely on the established circulation and access pattern/system. This criterion is met.

D. *The plan can be completed within a reasonable period of time;*

Response: The applicant intends to construct the Reception Hall and associated improvements in a single phase following approval of this request. This criterion is met.

E. *The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;*

Response: The proposed new building adds only approximately 10,000 SF of building floor area to the set of existing buildings within the approximately 92 acres within City Limits. Notably, as discussed above, adding the Reception Hall will enable parties that rent the Lodge building for wedding ceremonies to remain on-site for an immediate reception; this will tend to decrease travel on the local street network because people will not immediately leave the site to travel to another destination that may or may not be elsewhere in the community.

Three Mile Lane (Oregon Highway 18) is designated as an arterial and NE Cumulus Avenue is classified as a minor collector in the City of McMinnville's Transportation Plan, with no identified deficiencies present in the local segments. Pedestrian and bicycle facilities – including a raised crossing that aligns with the sidewalks on the north and south sides of the access driveway and a change in materials – were added to NE Cumulus Avenue by previous development projects.

A Trip Generation Letter is included as Exhibit 4. In relation to traffic of the museum operation as a whole, the corresponding increase in overall trip generation will be small and should not have a significant effect on the capacity and functioning of either of the affected roadways. This criterion is met.

F. *Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;*

Response: The applicant's submitted plans (see C-Series sheets in Exhibit 3) show how facilities to serve the proposed new building and revised western parking area will provide connections to the established utility systems within the Museum property. All planned improvements have been designed pursuant to applicable City of McMinnville, state and federal standards. This criterion is met.

G. *The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.*

Response: The Reception Hall will be a place of assembly for wedding receptions and other meetings. No environmental noise, air, or water pollution effects on surrounding areas or City systems are associated with those activities. This criterion is met.

McMinnville Comprehensive Plan and Three Mile Lane Area Plan

[detailed provisions omitted for brevity]

Response: This application is a request for Three Mile Lane Development Review, Landscape Plan Review, and a Minor Amendment of the Planned Development that applies to the subject property, to allow addition of a one new 8,883 SF building, identified as the “Reception Hall,” for use in conjunction with the existing Lodge building in the northwestern portion of the Evergreen campus. The building will be a commercial facility available for scheduled rental use to accommodate social gatherings such as weddings, receptions, and group meetings. These forms of commercial activity are allowed as of right in the applicable land use zoning of the property, were approved for the site through previous Planned Development amendments, and have been a part of the Evergreen campus’s economic and social functions in the years since the Lodge building was constructed.

In this context, functionally, the proposed new Reception Hall building is entirely consistent with City policy as reflected in the series of Planned Development approvals that forms the site’s current regulatory environment; however, the current proposal differs from previous approvals to the extent the specific locations of the Lodge building and Reception Hall differ from prior Planned Development approvals and amendments.

As explained above, based on the limited scope of the proposed changes, Minor Planned Development Amendment review is required for this request rather than Major Planned Development Amendment review. Unlike some Planned Development requests, this application does not seek Planned Development approval to allow any use or activity, or unusual scale of activity, that would not be allowed outright in the applicable land use zone without Planned Development approval. Because land use zoning implements policies in the Comprehensive Plan, activities and forms of development allowed outright under zoning regulations are deemed to be consistent with the Comprehensive Plan without further analysis. Because this proposal includes no activity or construction that represents an exception to what is allowed by existing zoning and prior Planned Development approvals, it is not necessary to provide a point-by-point analysis of this proposal against Comprehensive Plan and Three Mile Lane Area Plan policies.

In the section below, the Applicant has identified certain Goals and Policies that are relevant to this proposal, and has provided responses to indicate how the request is aligned with them.

Chapter IV – Economy of McMinnville

GOAL IV 1:

TO ENCOURAGE THE CONTINUED GROWTH AND DIVERSIFICATION OF McMINNVILLE’S ECONOMY IN ORDER TO ENHANCE THE GENERAL WELL-BEING OF THE COMMUNITY AND PROVIDE EMPLOYMENT OPPORTUNITIES FOR ITS CITIZENS. COMMERCIAL DEVELOPMENT

GOAL IV 2:

TO ENCOURAGE THE CONTINUED GROWTH OF McMINNVILLE AS THE COMMERCIAL CENTER OF YAMHILL COUNTY IN ORDER TO PROVIDE EMPLOYMENT OPPORTUNITIES, GOODS, AND SERVICES FOR THE CITY AND COUNTY RESIDENTS.

21.00 Commercial uses and services which are not presently available to McMinnville residents will be encouraged to locate in the City. Such uses shall locate according to the goals and policies in the comprehensive plan.

Response: The proposed additional Reception Hall building will enhance the attractiveness of the campus's Lodge building as a wedding venue by offering an on-site supporting facility for preparations as well as receptions. As a commercial facility, it will bring economic activity to McMinnville and provide associated economic benefits such as tourism, employment, and capturing an increased share of trade locally.

GOAL IV 3:

TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALLY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

22.00 The maximum and most efficient use of existing commercially designated lands will be encouraged as will the revitalization and reuse of existing commercial properties.

Response: Allowing an additional building within the commercially-zoned Evergreen campus will improve its overall utilization, consistent with the goals set forth in Section 22.00 of the City's Comprehensive Plan. This goal is met.

24.00 The cluster development of commercial uses shall be encouraged rather than auto-oriented strip development.

Response: As discussed above, adding the Reception Hall will enable parties that rent the Lodge building for wedding ceremonies to remain on-site for an immediate reception in the adjacent building to the west. This concept is consistent with the City's policy to cluster commercial uses together to reduce demand for single-occupant vehicle (SOV) travel and reduce congestion on the City's streets.

29.00 New direct access to arterials by large-scale commercial developments shall be granted only after consideration is given to the land uses and traffic patterns in the area of development as well as at the specific site. Internal circulation roads, acceleration/deceleration lanes, common access collection points, signalization, and other traffic improvements shall be required wherever necessary, through the use of planned development overlays.

Response: The site gains access via NE Cumulus Avenue, a Minor Collector.

30.00 Access locations for commercial developments shall be placed so that excessive traffic will not be routed through residential neighborhoods and the traffic-carrying capacity of all adjacent streets will not be exceeded.

Response: The site gains access via NE Cumulus Avenue, a Minor Collector which routes traffic to OR-18 without routing traffic through residential neighborhoods. Exhibit 4 discusses the trip generation potential of the proposed development. This policy is satisfied.

Three Mile Lane Area Plan

Policy 11: New commercial developments should be designed to be at a walkable, human scale and for ease of use by all ages and abilities.

Response: The proposed Reception Hall building will add a reception hall next door to the Lodge building, a popular venue for wedding ceremonies. Under present conditions, wedding receptions cannot be accommodated on the premises, so wedding parties must leave the Evergreen campus and proceed to another location for a wedding reception. The proposed Reception Hall will provide a venue for wedding receptions a short walk from the Lodge building, making it the easiest and most convenient location for this important component of a wedding gathering. The proposal furthers this Policy.

Policy 16. New development should consider adjacency to agricultural fields and respect this heritage through careful transitions.

Response: The proposed Reception Hall building will utilize glazing and an outdoor patio to afford views of adjacent agricultural areas, consistent with this Policy.

Policy 17. Architectural building design that includes simple roof forms (industrial and agricultural) is encouraged in the Three Mile Lane Area.

Response: The proposed Reception Hall building will utilize a simple roof form in accordance with this Policy. See Sheets A2.10 and A2.11 in Exhibit 3.

Policy 20. Encourage site design and architecture that visibly convey the historic or current industry on the site (e.g., aviation, winemaking).

Response: The proposed Reception Hall building will utilize glazing and an outdoor patio to afford views of the surroundings and the building's context within the Evergreen campus exposes users to the site's aviation and vineyard context.

Policy 21. New commercial, mixed-use, office, and industrial campus development should consider using local materials for cladding and building structure (timber, corrugated steel cladding, red brick), and incorporating vibrant color.

Response: The proposed Reception Hall building will utilize wood and metal cladding in accordance with this Policy. See Sheets A2.10 and A2.11 in Exhibit 3.

Three Mile Lane - Ordinance No. 4131 (1981)

Three Mile Lane

Section 1 Statement of Purpose

The City of McMinnville finds that the development of lands on the north and south sides of Three Mile Lane (Oregon Highway 18) is acceptable if provisions are made to integrate the dual functions of the highway as a bypass around the City and a land service arterial for adjacent properties. The City also finds that development along Three Mile Lane is desirable if it is of good quality and design, if the living and working environments developed are compatible with each other, and if the living environment includes open spaces, parks, and features buffering of residential uses from the highway. The City recognized, during the comprehensive planning process, that to insure that these concerns are met, proper designations on the McMinnville Comprehensive Plan and Zoning Maps must be made, and, further, that a planned development overlay must be placed over the area establishing specific conditions for development.

Section 2 Planned Development Overlay

The planned development overlay which is created and implemented by this ordinance shall be placed over areas to the north and south of Oregon Highway 18 from the eastern city limits west to the vicinity of the Three Mile Lane Spur intersection with Highway 18. The affected area is further described by map in Exhibit "A". Areas within and without the city limits shall carry this designation. The policies and procedures set by this ordinance shall be applied to all land use decisions under the jurisdiction of the City of McMinnville. The overlay shall not impinge the legal jurisdiction of Yamhill County for areas outside the city limits.

Response: Within the Planned Development Overlay on the north side of Oregon Highway 18, the Evergreen campus is a prominent landmark destination that contributes substantially to the character and attraction of the Three Mile Lane district. In addition to the popular museum (two buildings), the Theater/conference center and the waterpark, the Lodge building on the campus has become a popular venue for wedding ceremonies. In that context, it has come to light that there is not a suitable on-premise

venue for receptions and similar gatherings. The proposed addition of the Reception Hall is designed to respond to that need and latent demand for such a facility within the Evergreen campus. The Evergreen campus, and in particular the proposed site just west of the Lodge building, provides an appropriate location for this function because activities (including evening gatherings) will not be proximate to any residential area. The new building and related improvements do not affect the Planned Development's access locations, internal circulation, or utility systems services requirements. See Exhibit 2. For these reasons, the proposal is consistent with the Purpose of the Three Mile Lane Planned Development Overlay and its Policies.

Evergreen Planned Development-Related Amendments

In the sections below, the applicant has identified certain statements and conditions of approval that are relevant to this proposal, and has provided responses to indicate how the request is aligned with them.

Comprehensive Plan Map Amendment – Ordinance No. 4662 (1998)

Section 3

That the property described in Exhibit "A" is hereby rezoned from a city AH (Agricultural Holding) zone and a county EF-40 (Exclusive Farm use -40 acre minimum) zone to a C-3 PD (General Commercial Planned Development) zone, subject to the following conditions:

2. *That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee and Three Mile Lane Design Review Committee. A minimum of 15 percent of the site must be landscaped with emphasis placed at the building perimeter, highway frontage, and off-street parking areas. Said plan must include street trees adjacent to and within the access drive, parking lot, and a detailed plan of the measures to be implemented to protect and preserve existing trees located in the northwest portion of the site.*

Response: As noted above, within the 39,182 SF Area of Disturbance, existing conditions consist of 26,817 SF of paved areas (68%) and 12,365 SF of landscape area (32%). This proposal will change that Area of Disturbance to contain one new building containing 8,883 SF (23%), with paved areas of 16,940 SF (43%) and 13,359 SF of landscaping (34%). Therefore, the project results in a net increase in overall site landscaping, which already well exceeds the minimum requirement. The proposal complies with this condition of approval.

PD Amendment for Captain Michael King Smith Evergreen Educational Center – Ordinance No. 4718 (2000)

[No affected or directly applicable statements or approval conditions.]

PD Amendment for Evergreen Theater – Ordinance No. 4810 (2004)

[No affected or directly applicable statements or approval conditions.]

Master Plan Amendment for Adventure Park – Ordinance No. 4949 (2012)

Section 1

That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Evergreen Aviation.

Section 2

That the proposed amendments to the current master plan for Evergreen Aviation, dated November 3, 2011 ("Amendment 1a" in the applicant's submitted material) are hereby approved subject to the following conditions:

1. *That the site plan submitted by the applicant as part of this application, and identified as Exhibit 3 (c) in this report, shall be placed on file with the Planning Department and become binding on the applicant. The applicant will be responsible for requesting permission of the Planning Commission for any major change of the details of the adopted site plan. Minor changes to the details in the adopted plan may be approved by the City Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by him may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the commissioners.*

Response: This application is a request for a Minor Amendment, Three Mile Lane Development Review, and Landscape Plan Review affecting details of the adopted plan, as amended, pursuant to this condition of approval.

2. *That this approval is limited to the Adventure Park and ancillary uses (such as restrooms, etc.) and associated parking lot to the west. Prior to the development of other uses (e.g., student housing, restoration building, etc.) within the subject site, the applicant shall prepare and submit detailed plans to the City for review and approval. Such review shall occur consistent with the City's planned development amendment process. As part of that review and approval process, the City may amend the conditions of this planned development to address the identified infrastructure, environment or land use [sic] compatibility issues.*

Response: This proposal to add a new Reception Hall building just west of the existing Lodge building within the Evergreen campus is submitted to comply with the requirements of Condition 2. As noted in findings presented above, the addition of the relatively small (about 9,000 SF) building does not require changes in the Planned Development's access or infrastructure systems or connections to public systems.

IV. CONCLUSION

This report and supporting evidence in the attached Exhibits provide substantial evidence demonstrating that the proposed addition of the Reception Hall building and its location just west of the existing Lodge building within the Evergreen campus are consistent with previous Planned Development and Zoning approval for the subject property and associated conditions of approval. The applicant respectfully requests approval of these applications.

SHEET INDEX

L0.01	LANDSCAPE GENERAL INFORMATION
L1.10	MATERIALS PLAN
L1.11	LAYOUT AND JOINT PLAN
L1.30	PLANTING PLAN
L1.31	PLANTING ENLARGEMENTS
L1.32	PLANTING ENLARGEMENTS
L1.40	IRRIGATION PLAN
L5.10	DETAILS
L5.11	DETAILS
L5.12	DETAILS

TABLE OF ABBREVIATIONS

ANSI	AMERICAN NATIONAL STANDARDS INSTITUTE	MAX	MAXIMUM
B&B	BALL AND BURLAP	MIN	MINIMUM
CAL	CALIPER	MIX	MIXTURE
CONC	CONCRETE	NTS	NOT TO SCALE
DEG	DEGREE	OC	ON CENTER
DIA/Ø	DIAMETER	POC	POINT OF CONNECTION
DWGS	DRAWING	PVC	POLY VINYL CHLORIDE
ELL	ELBOW	SCH	SCHEDULE
EQ	EQUAL	SE	SQUARE FOOT
FT	FEET/FOOT	SPEC	SPECIFICATION
GAL	GALLON	TYP	TYPICAL
GALV	GALVANIZED	X	TIMES
HHT	HEIGHT		

LANDSCAPE NOTES

GENERAL

- CONTRACTOR SHALL CONFIRM ALL EXISTING CONDITIONS PRIOR TO COMMENCING WORK.
- CALL BEFORE YOU DIG. CONTRACTOR SHALL VERIFY INVERT ELEVATIONS OF ALL UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT IF THERE ARE ANY DISCREPANCIES WITH PLANTING ROOT ZONES. TO REQUEST LOCATES FOR PROPOSED EXCAVATION CALL 1-800-332-2344 (OR 811) IN OREGON.
- NOTIFY THE OWNER OR OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES OR CONFLICTS WITH EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF ANY WORK.
- LOCATION OF EXISTING TREES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK.
- DAMAGE TO EXISTING CONCRETE CURB, ASPHALT PAVING, OR OTHER STRUCTURE SHALL BE REPAIRED OR REPLACED TO PRE CONSTRUCTION CONDITIONS.
- CONTRACTOR SHALL COORDINATE WITH THE OWNER ANY DISRUPTION TO VEHICULAR CIRCULATION PRIOR TO COMMENCEMENT OF ANY WORK.

PLANTING

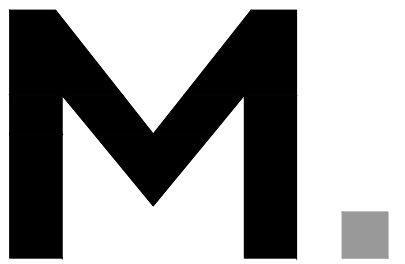
- ALL EXISTING TREES, PLANTS, AND ROOTS SHALL BE PROTECTED FROM DAMAGE FROM ANY CONSTRUCTION PREPARATION, REMOVAL OR INSTALLATION ACTIVITIES WITHIN AND ADJACENT TO PROJECT LIMITS.
- SHRUBS ADJACENT TO PARKING AREAS SHALL BE PLANTED 2 FT MINIMUM AWAY FROM THE BACK OF CURB. SHRUBS AND GROUND COVER ALONG OTHER PAVEMENT EDGES SHALL BE PLANTED A MINIMUM OF ONE HALF THEIR ON CENTER SPACING AWAY FROM PAVEMENT EDGE.
- ALL PLANT MATERIAL SHALL BE HEALTHY NURSERY STOCK, WELL BRANCHED AND ROOTED, FULL FOLIAGE, FREE FROM INSECTS, DISEASES, WEEDS, WEED ROT, INJURIES AND DEFECTS WITH NO LESS THAN MINIMUMS SPECIFIED IN AMERICAN STANDARDS FOR NURSERY STOCK, ANSI Z60.1-2004.
- TREES IN THE RIGHT OF WAY SHALL BE TALL ENOUGH TO BE LIMBED UP TO AT LEAST 8 FT ABOVE DRIVE SURFACE GRADE WHILE MAINTAINING ENOUGH BRANCHES TO SUPPORT HEALTHY GROWTH.
- DO NOT PLANT TREES ABOVE WATERLINES, UTILITIES, OR OTHER UNDERGROUND PIPING.
- IF DISTURBANCE IS NECESSARY AROUND EXISTING TREES, CONTRACTOR SHALL PROTECT THE CROWN AND ALL WORK WITHIN THE TREE DRIPZONE SHALL BE LIMITED TO THE USE OF HAND TOOLS AND MANUAL EQUIPMENT ONLY.
- REPLACE, REPAIR AND RESTORE DISTURBED LANDSCAPE AREAS DUE TO GRADING, TRENCHING OR OTHER REASONS TO PRE-CONSTRUCTION CONDITION AND PROVIDE MATERIAL APPROVED BY THE OWNER AND OWNER'S REPRESENTATIVE.
- EXISTING AREAS PROPOSED FOR NEW PLANT MATERIAL SHALL BE CLEARED AND LEGALLY DISPOSED UNLESS SO NOTED.
- A SOILS ANALYSIS, BY AN INDEPENDENT SOILS TESTING LABORATORY RECOGNIZED BY THE STATE DEPARTMENT OF AGRICULTURE, SHALL BE USED TO RECOMMEND AN APPROPRIATE PLANTING SOIL AND/OR SPECIFIED SOIL AMENDMENTS.
- TOPSOIL SHALL BE AMENDED AS RECOMMENDED BY AN INDEPENDENT SOILS TESTING LABORATORY AND AS OUTLINED IN THE SPECIFICATION.
- ALL LANDSCAPED AREAS SHALL BE COVERED BY A LAYER OF ORGANIC MULCH TO A MINIMUM DEPTH OF 2-INCHES.

IRRIGATION

- ALL NEW PLANTING AREAS TO BE IRRIGATED BY AUTOMATIC IRRIGATION SYSTEM. IRRIGATION ZONES TO BE VALVED ACCORDING TO PLANT TYPES, EXPOSURE, AND MICROCLIMATIC CONDITIONS.
- ASSESS EXISTING IRRIGATION SYSTEM FOR FUNCTIONALITY AND ABILITY TO ACCOMMODATE ALL NEW LANDSCAPE AREAS.
- VALVES SHALL BE WIRED AND INSTALLED PER MANUFACTURER'S RECOMMENDED INSTALLATION PROCEDURES AND CONNECTED TO THE IRRIGATION CONTROLLER.
- PROVIDE SLEEVING AT ALL AREAS WHERE PIPE TRAVELS UNDER CONCRETE OR HARD SURFACING.
- IRRIGATION SYSTEM AS DESIGNED AND INSTALLED SHALL PERFORM WITHIN THE TOLERANCES AND SPECIFICATIONS OF THE SPECIFIED MANUFACTURERS.
- ALL IRRIGATION PIPE MATERIAL AND INSTALLATION SHALL CONFORM TO APPLICABLE CODE FOR PIPING AND COMPONENT REQUIREMENTS.
- SYSTEM SHALL SUPPLY MANUFACTURER'S SPECIFIED MINIMUM OPERATING PRESSURE TO FARTHEST EMITTER FROM WATER METER.
- IRRIGATION SHALL BE WINTERIZED THROUGH LOW PRESSURE, HIGH VOLUME AIR BLOWOUT CONNECTION THROUGH QUICK COUPLER.
- CONTRACTOR SHALL DIG WITH CARE AND REPAIR OR REPLACE ANY DAMAGE TO PRE CONSTRUCTION CONDITIONS USING MATERIALS MATCHING EXISTING SYSTEM.
- ZONE TREES SEPARATELY.
- MINIMIZE IMPACTS TO EXISTING TREES TO THE GREATEST EXTENT POSSIBLE. TRENCH UNDER ROOTS GREATER THAN 2-INCHES IN DIAMETER. ARBORIST SHALL BE PRESENT FOR ANY TRENCHING WITHIN THE CRITICAL ROOT ZONE OF EXISTING TREES.
- CONTRACTOR SHALL SUBMIT SHOP DRAWINGS (IRRIGATION PLANS) TO LANDSCAPE ARCHITECT PRIOR TO PURCHASE OR INSTALLATION OF SYSTEM. DRAWINGS TO INDICATE POINT OF CONNECTION, PIPE ROUTING, WATER PRESSURE, HEAD/DRIIP TYPE, GALLONS PER MINUTE, LATERAL LINES, AND BE AT MINIMUM SCALE OF 1"=20'.
- CONTRACTOR TO DETERMINE STATIC WATER PRESSURE AT THE P.O.C. PRIOR TO PREPARING SHOP DRAWINGS.
- CONTRACTOR SHALL ESTABLISH MINIMUM PRESSURE AND MAXIMUM DEMAND REQUIREMENTS FOR IRRIGATION SYSTEM DESIGN, AND PROVIDE INFORMATION IN AN IRRIGATION SCHEDULE.
- CONTRACTOR TO LOCATE AND VERIFY LOCATION AND CONDITION OF POINT OF CONNECTION, CONTROLLER AND VALVES ONSITE. CONTRACTOR SHALL UTILIZE EXISTING POINT OF CONNECTION AND CONTROLLER.

PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	SIZE		REMARKS
	CO	CERCIS OCCIDENTALIS 'CLAREMONT' CLAREMONT WESTERN REDBUD	2" CAL. B&B		MULTI-STEM
	CE	CORNUS x ELWINORTONII 'STARLIGHT' STARLIGHT DOGWOOD	2.5" CAL. B&B		SPECIMEN QUALITY
	PJ	PRUNUS 'JFS-KW14' FIRST BLUSH FLOWERING CHERRY	2" CAL. B&B		MATCHING
	TC	TILLA CORDATA 'GREENSPIRE' GREENSPIRE LINDEN	2" CAL., B&B		MATCHING, SPECIMEN QUALITY
EXISTING	CODE	BOTANICAL / COMMON NAME	SIZE		REMARKS
	EX	EXISTING TREE TO REMAIN	---		
SHRUBS	CODE	BOTANICAL / COMMON NAME	SIZE	SPACING	REMARKS
	ACA MOL	ACANTHUS MOLLIS BEAR'S BREECHES	3 GAL.	48" o.c.	
	ALL GRA	ALLIUM AMPLECTENS 'GRACEFUL BEAUTY' GRACEFUL BEAUTY ALLIUM	1 GAL.	12" o.c.	
	ALL GR2	ALLIUM HOLLANDICUM 'PURPLE SENSATION' PURPLE SENSATION ORNAMENTAL ONION	1 GAL.	9" o.c.	
	ALL GLO	ALLIUM X 'GLOBEMASTER' GLOBEMASTER ORNAMENTAL ONION	1 GAL.	12" o.c.	
	ARM MAR	ARMERIA MARITIMA SEA THRIFT	1 GAL.	12" o.c.	
	DEU GRA	DEUTZIA GRACILIS 'NIKKO' SLENDER DEUTZIA	5 GAL.	48" o.c.	
	EUP WUL	EUPHORBIA WULFENII MEDITERRANEAN SPURGE	3 GAL.	48" o.c.	
	HEM STE	HEMEROCALLIS 'STELLA DE ORO' STELLA D'ORO REBLOOMING DAYLILY	1 GAL.	12" o.c.	
	HOS ANG	HOSTA X 'BLUE ANGEL' BLUE ANGEL HOSTA	1 GAL.	48" o.c.	
	HYD ARB	HYDRANGEA ARBORESCENS 'ANNABELLE' ANNABELLE HYDRANGEA	5 GAL.	60" o.c.	
	ILE GLA	ILEX GLABRA 'SHAMROCK' INKBERRY	3 GAL.	24" o.c.	
	LAV MUN	LAVANDULA ANGUSTIFOLIA 'MUNSTEAD' MUNSTEAD LAVENDER	3 GAL.	36" o.c.	
	LIR BIG	LIRIOPE MUSCARI 'BIG BLUE' BIG BLUE LILYTURF	1 GAL.	12" o.c.	
	LIR MON	LIRIOPE MUSCARI 'MONROE'S WHITE' MONROE'S WHITE LILYTURF	1 GAL.	18" o.c.	
	PEN LIT	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY' LITTLE BUNNY DWARF FOUNTAIN GRASS	1 GAL.	12" o.c.	
	POL MUN	POLYSTICHUM MUNITUM WESTERN SWORD FERN	3 GAL.	24" o.c.	
	ROS MEI	ROSA 'MEICOUBLAN' WHITE MEIDLAND ROSE	3 GAL.	24" o.c.	
	SAR RUS	SARCOCOCCA RUSCIFOLIA FRAGRANT SWEETBOX	5 GAL.	36" o.c.	
	THU OCC	THUJA OCCIDENTALIS 'SMARAGD' EMERALD GREEN ARBORVITAE	5' HT. MIN.	48" o.c.	MATCHING
	TRA JAS	TRACHELOSPERMUM JASMINOIDES STAR JASMINE	3' HT. MIN.	24" o.c.	VINE FORM
	VIB CAR	VIBURNUM CARLESII KOREAN SPICE VIBURNUM	5 GAL.	48" o.c.	
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	SIZE	SPACING	REMARKS
	AJU REP	AJUGA REPTANS BUGLEHERB	4" POT	12" o.c.	
	GRA	GRASS SEEDED SWALE	---		
	TL	TURF LAWN	---		



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LANDSCAPE
GENERAL
INFORMATION

SHEET

L0.01

JOB NO. 2220161.00

LANDSCAPE PLAN REVIEW 8/11/23

REVISION SCHEDULE		
Delta	Issued As	Issue Date

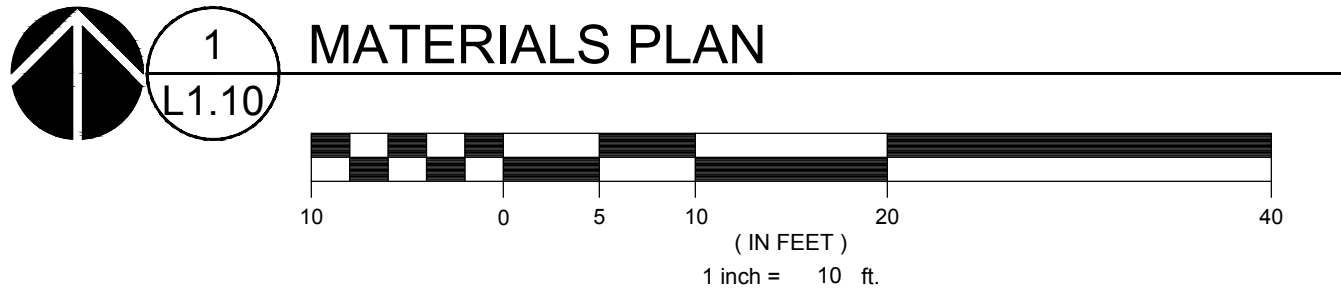
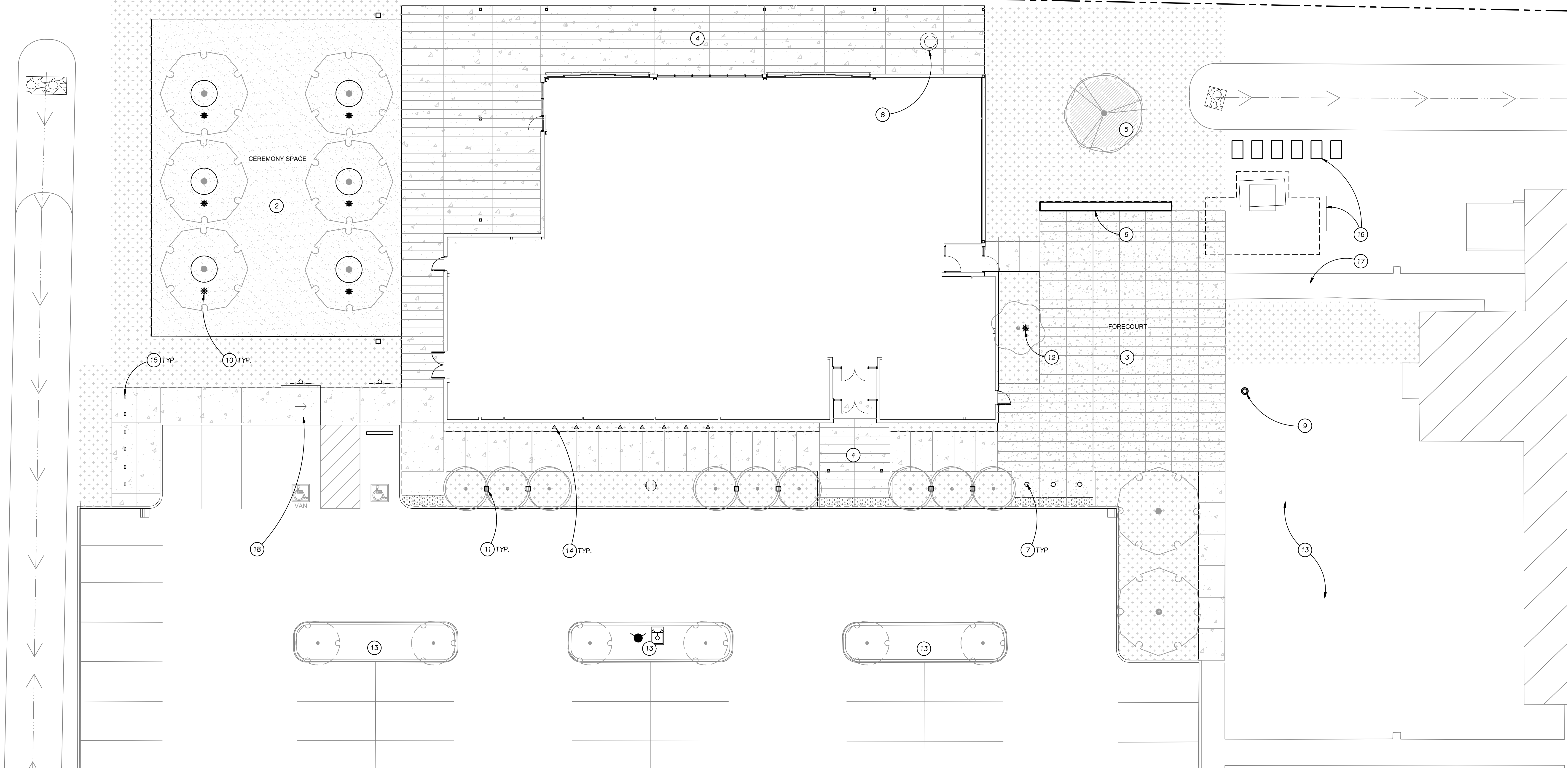
**MATERIALS
PLAN**

SHEET

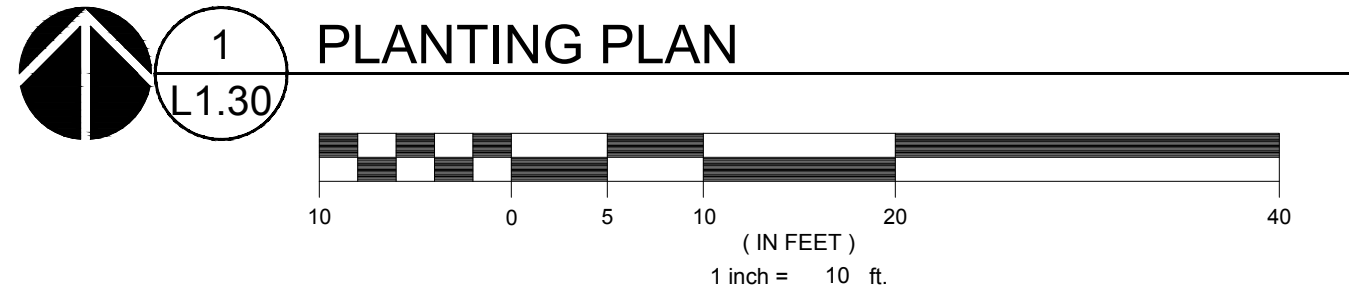
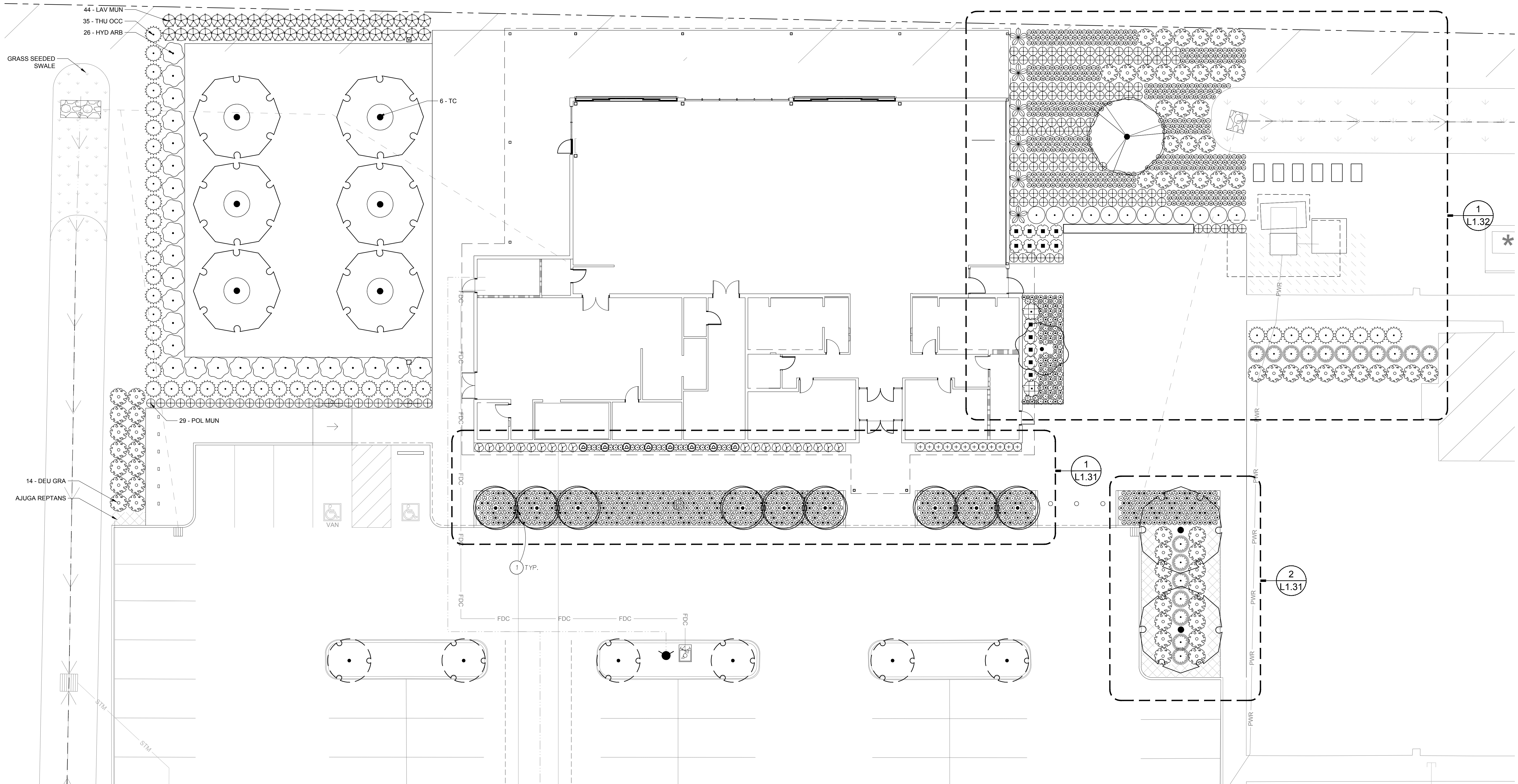
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LANDSCAPE PLAN REVIEW 8/11/23

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- KEYNOTES**
- NEW PLANTING AREA. SEE L0.01 AND L1.30 FOR NOTES, PLANTING SCHEDULE, AND PLANTING PLAN
 - DECOMPOSED GRANITE SURFACING, SEE DETAIL 4/L5.10
 - VEHICLE RATED CONCRETE PAVING, SEE DETAIL 7/L5.10
 - CONCRETE PAVING 1/L5.10
 - HAZELNUT SHELL MULCH, SEE SPECS
 - STACKED STONE SEATWALL, SEE SPECS AND DETAILS 5-6/L5.10
 - REMOVABLE BOLLARD, 3 TOTAL, SEE SPECS
 - ODYSSEY FIRE BOWL. SEE SPECS, INSTALL PER MFG. RECOMMENDATIONS. CONTRACTOR TO PROVIDE CONNECTION TO GAS AND OBTAIN PERMITS.
 - POLE LIGHT, SEE SPECS AND ELECTRICAL
 - IN-GROUND UPLIGHT, SEE SPECS AND ELECTRICAL
 - OUTLET FOR CHRISTMAS LIGHTS, SEE ELECTRICAL
 - GROUND MOUNTED FLOODLIGHT, SEE SPECS AND ELECTRICAL
 - EXISTING LANDSCAPE. PRESERVE AND PROTECT. REPAIR AND REPLACE ANY DAMAGE CAUSED DURING CONSTRUCTION TO PRE-CONSTRUCTION CONDITIONS.
 - STAINLESS STEEL CABLES, SEE SPECS AND SEE DETAIL 8/L5.10
 - BIKE RACKS (12 SPACES), SEE SPECS
 - TRANSFORMERS AND AC UNITS, SEE ELECTRICAL AND CIVIL
 - EXISTING WALKWAY TO BE PRESERVED
 - ACCESSIBLE RAMP, SEE CIVIL

[illegible]

KEYNOTES

1. OUTLET FOR CHRISTMAS LIGHTS, SEE ELECTRICAL

REVISION SCHEDULE		
Delta	Issued As	Issue Date

PLANTING
ENLARGEMENTS

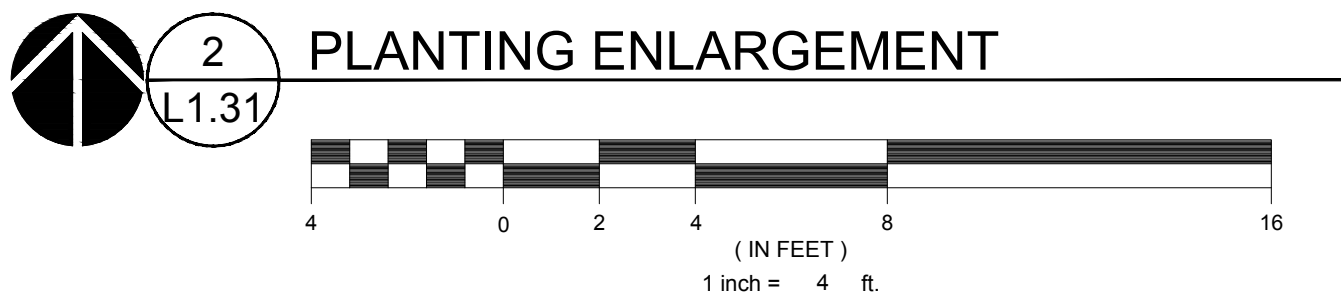
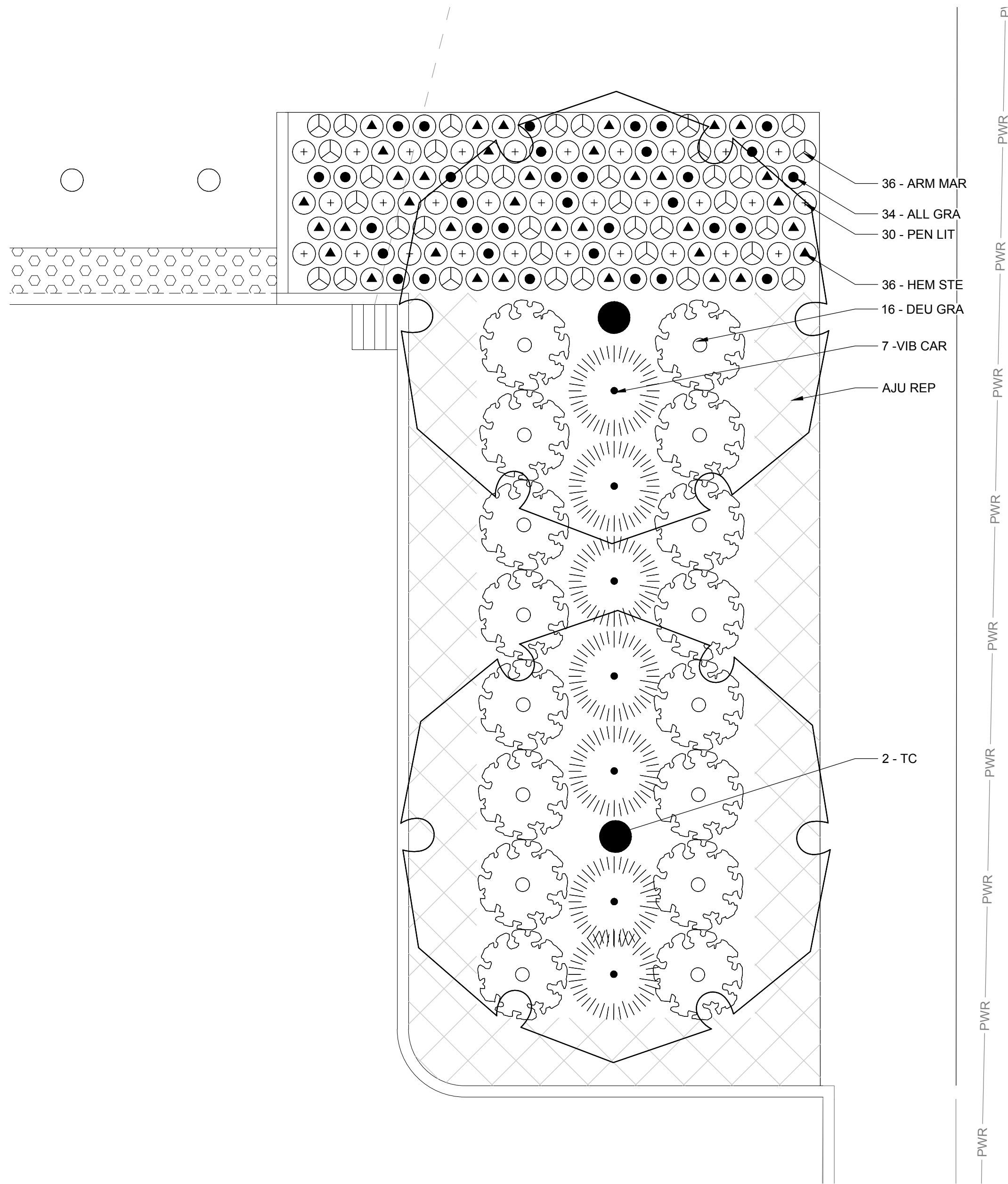
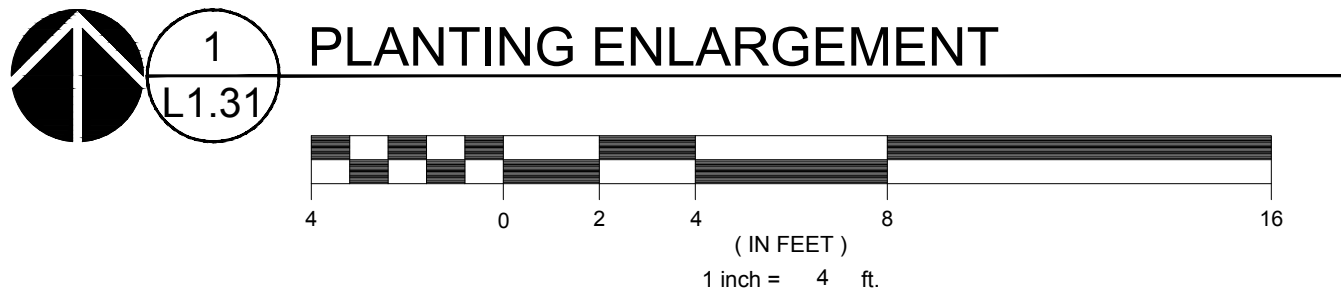
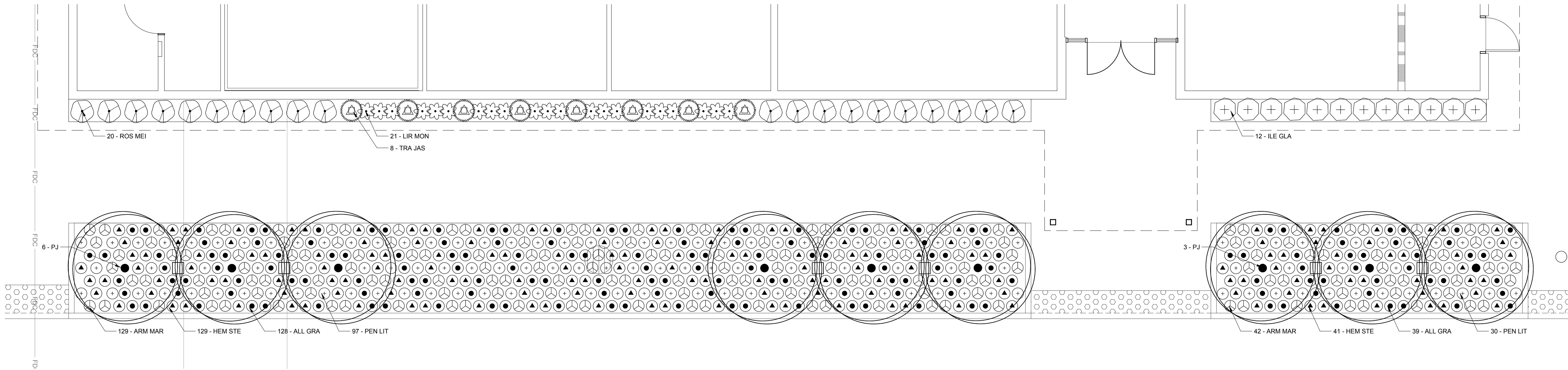
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L1.31

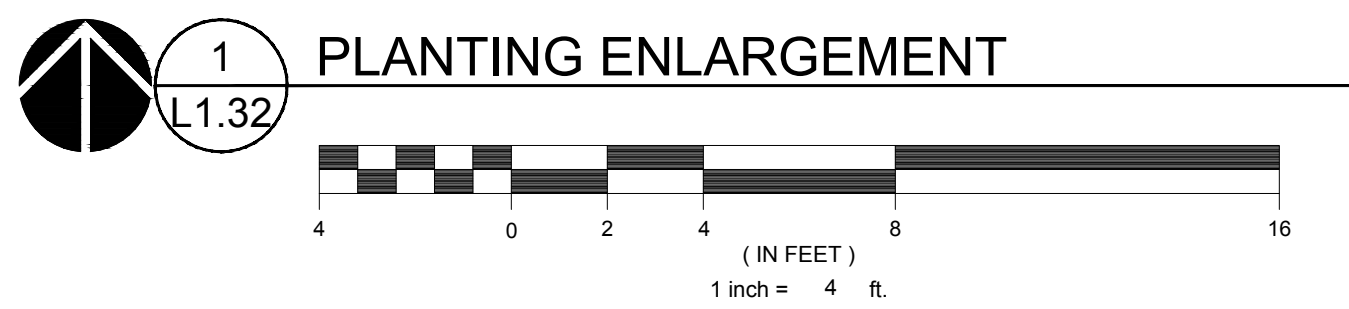
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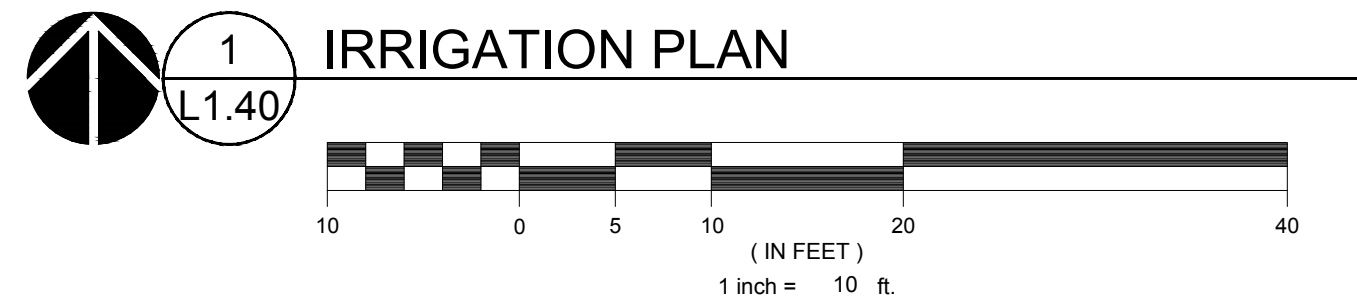
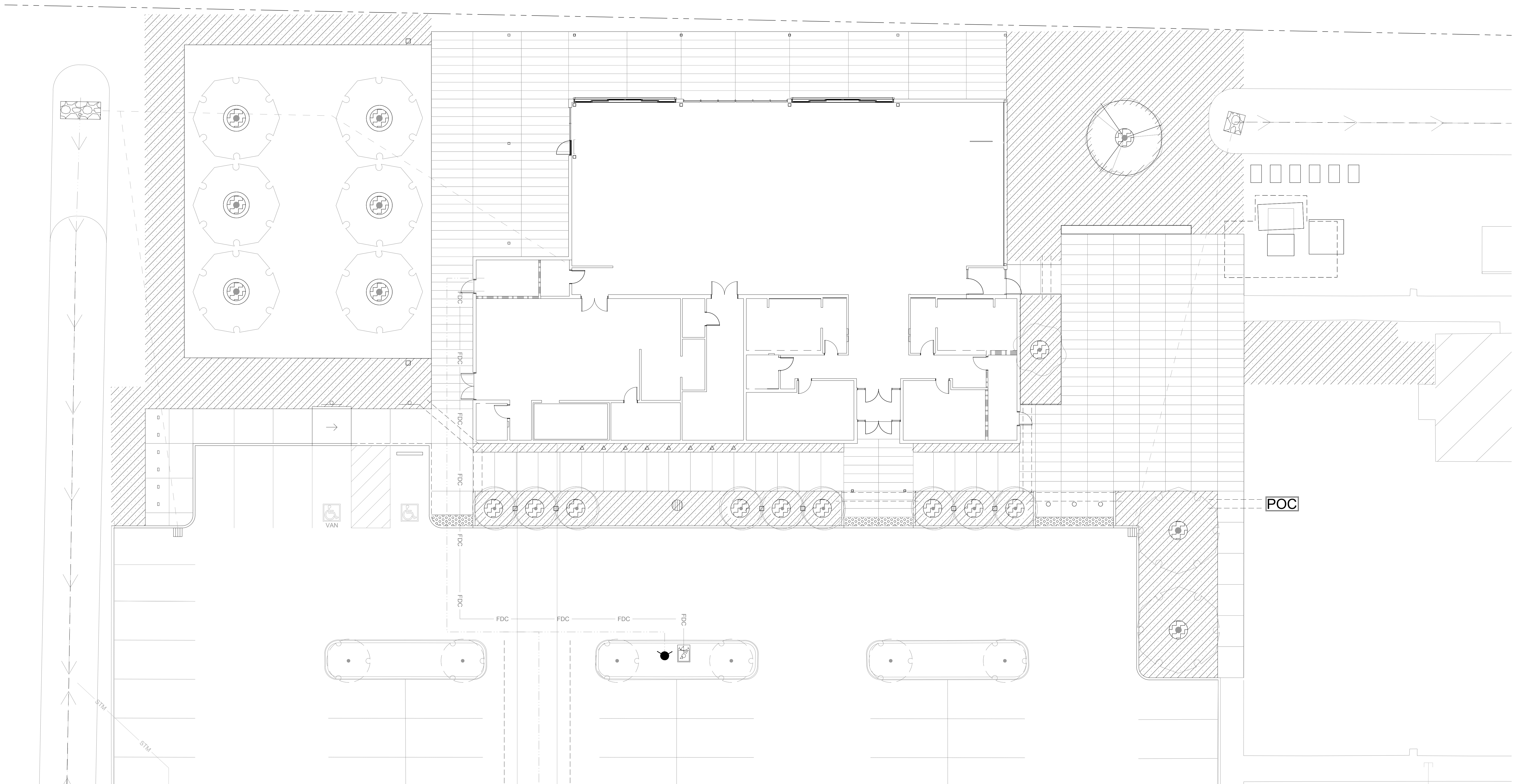
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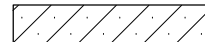
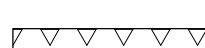




PLANTING ENLARGEMENTS

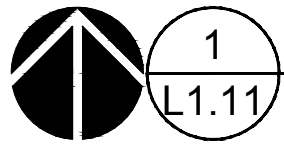
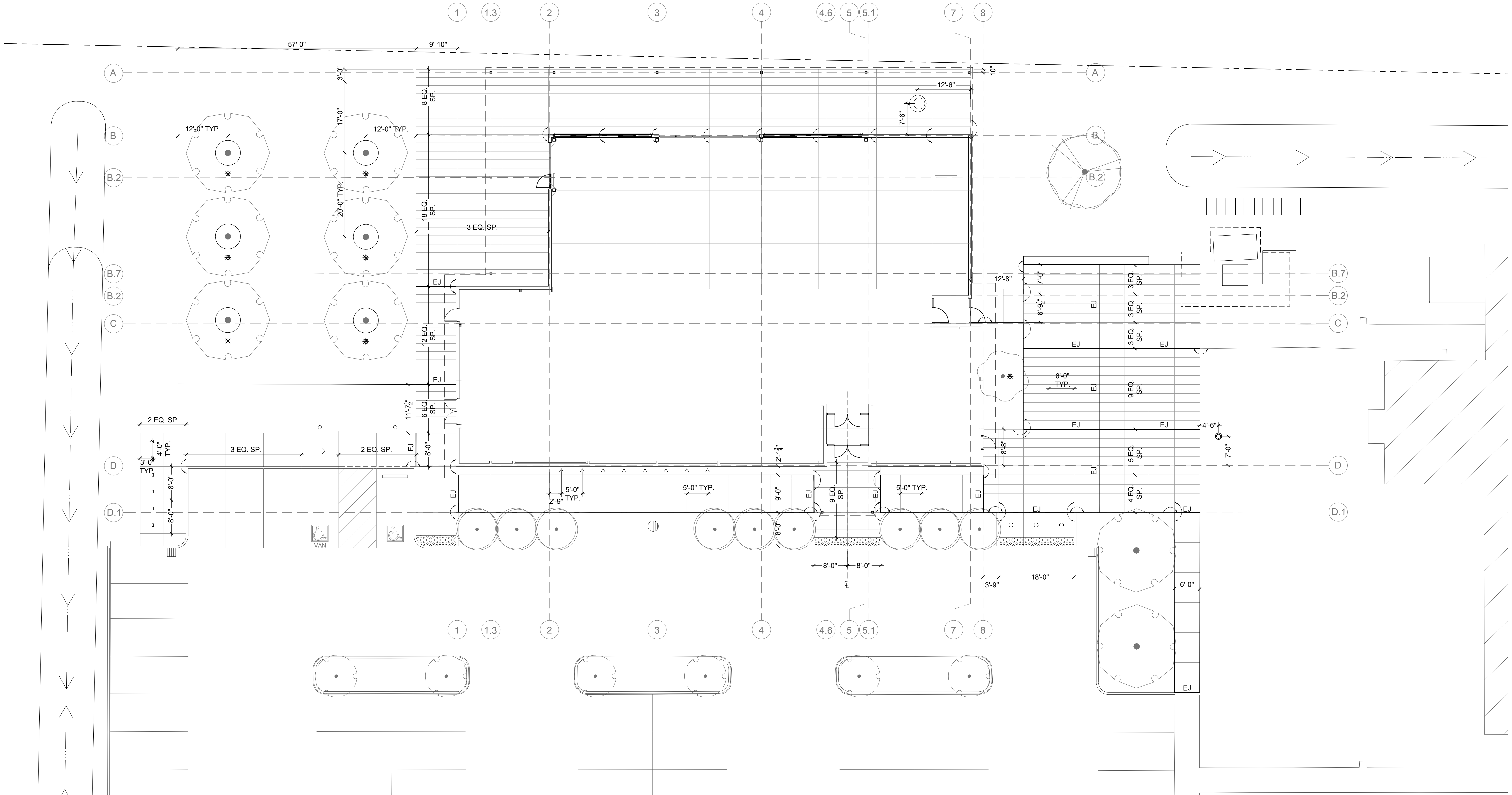


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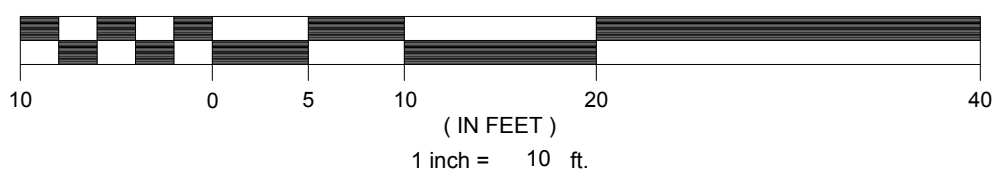
IRRIGATION LEGEND

- | | |
|---|--|
| --- | MAINLINE SLEEVE- DIAMETER AT LEAST TWICE
DIAMETER OF PIPE BEING SLEEVED |
|  | SHRUB AND GROUND COVER DRIP AREA |
|  | STORMWATER AREA - ZONE SEPARATELY |
|  | ROOT ZONE IRRIGATION AT TREES - ZONE SEPARATELY |
|  | POINT OF CONNECTION, INCLUDE DOUBLE CHECK
BACKFLOW PREVENTOR, MASTER VALVE AND FLOW
SENSOR - SEE DETAIL ON L5.10 |

NOTE: PLAN IS DIAGRAMMATIC ONLY. SEE L0.01 AND SPECS FOR DESIGN BUILD IRRIGATION REQUIREMENTS.

[illegible]

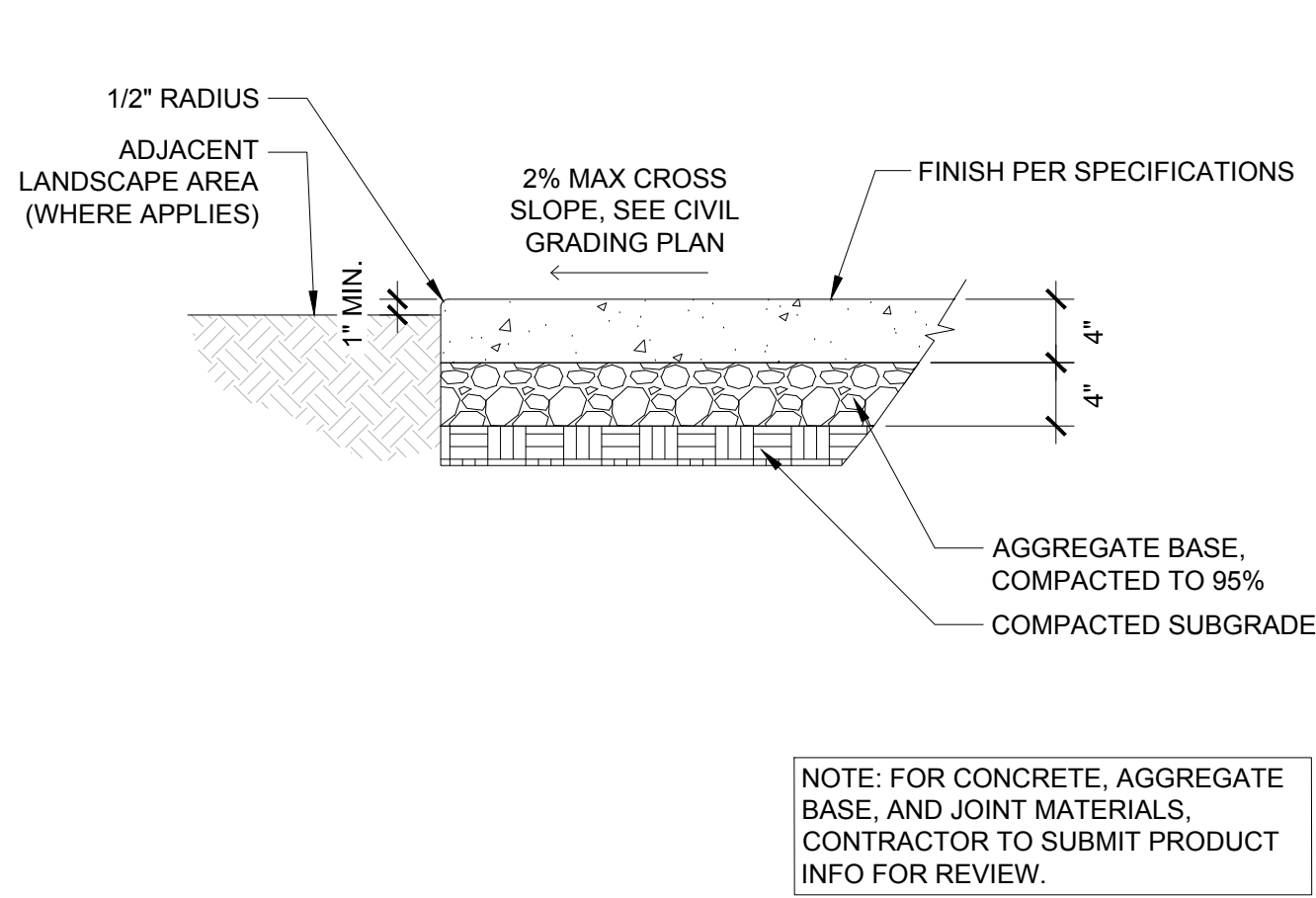
1 LAYOUT AND JOINT PLAN



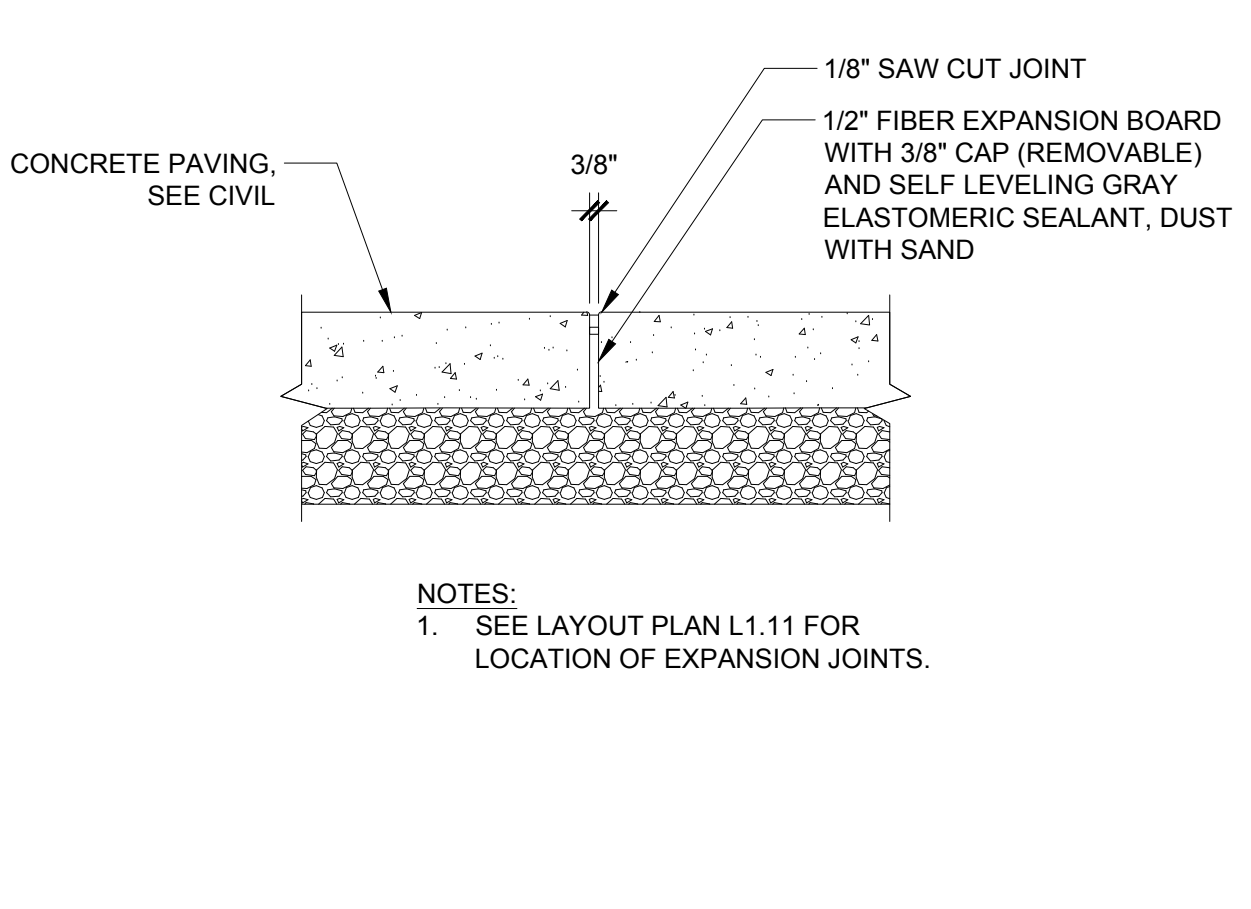
REVISION SCHEDULE		
Delta	Issued As	Issue Date

DETAILS

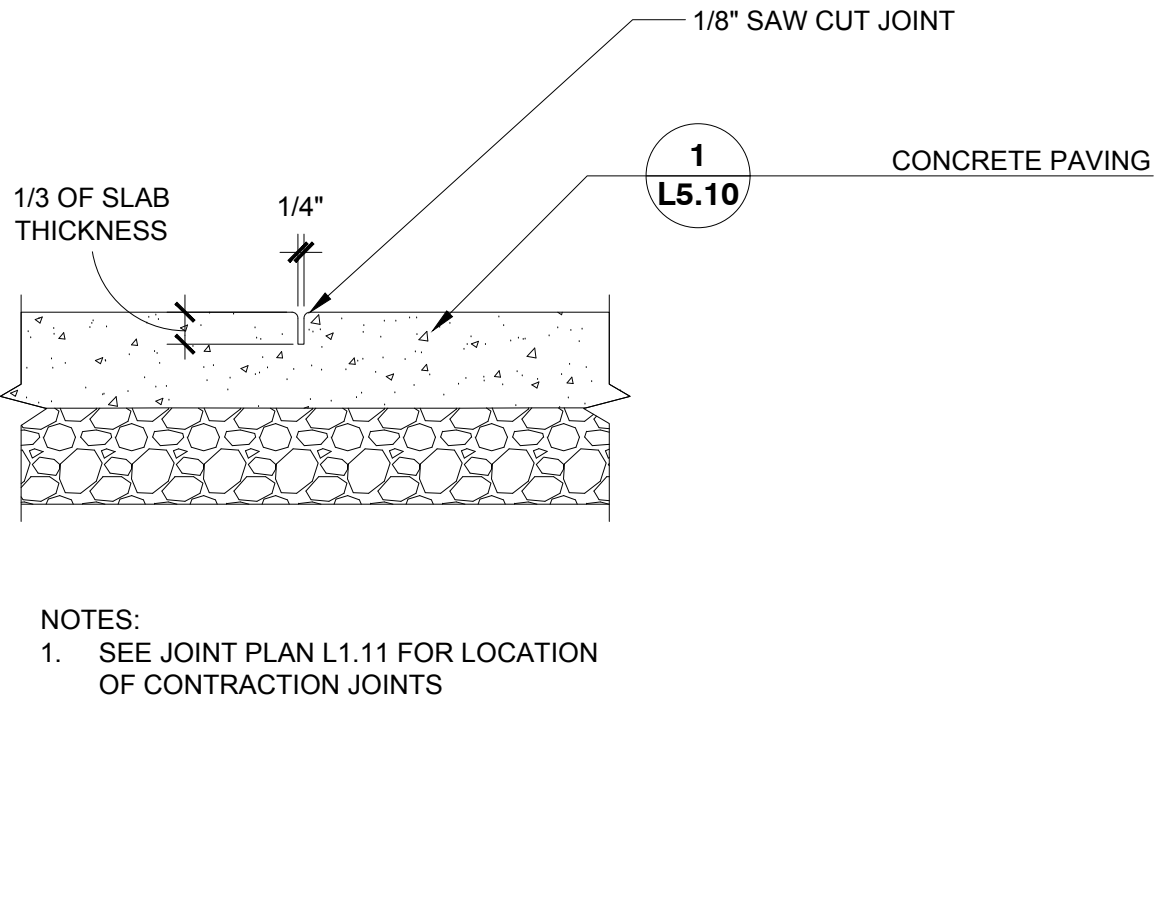
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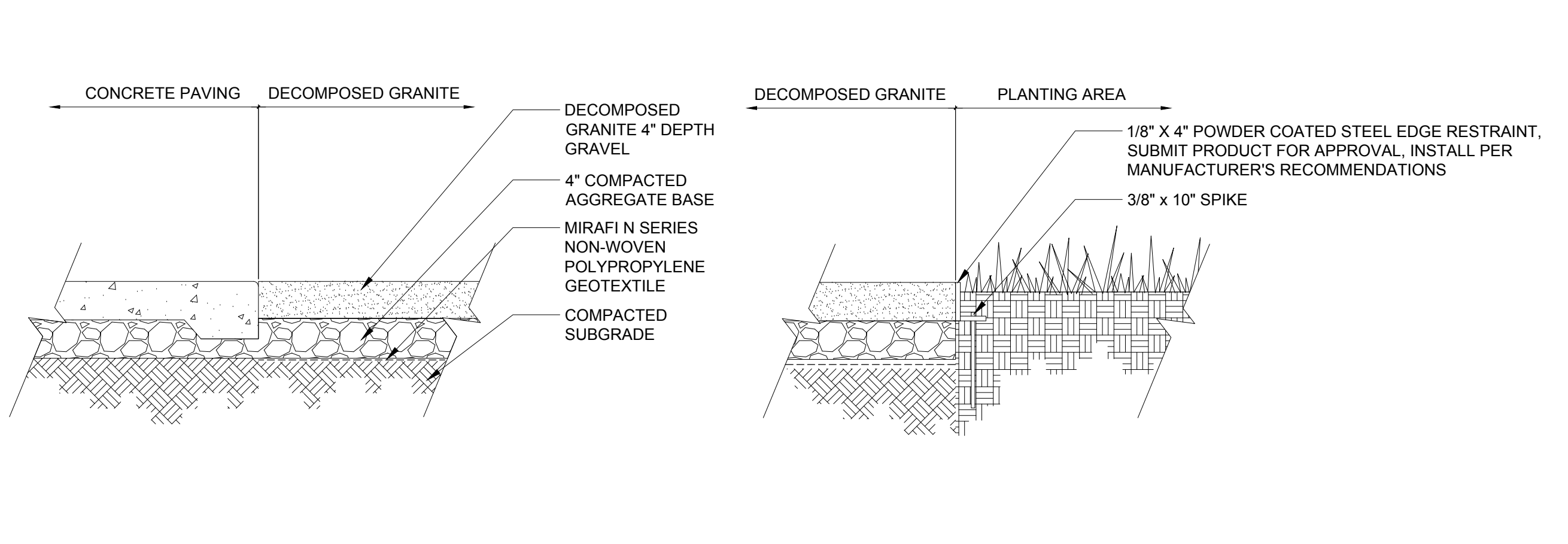
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SCALE: NTS



2 EXPANSION JOINT (EJ)
SCALE: NTS

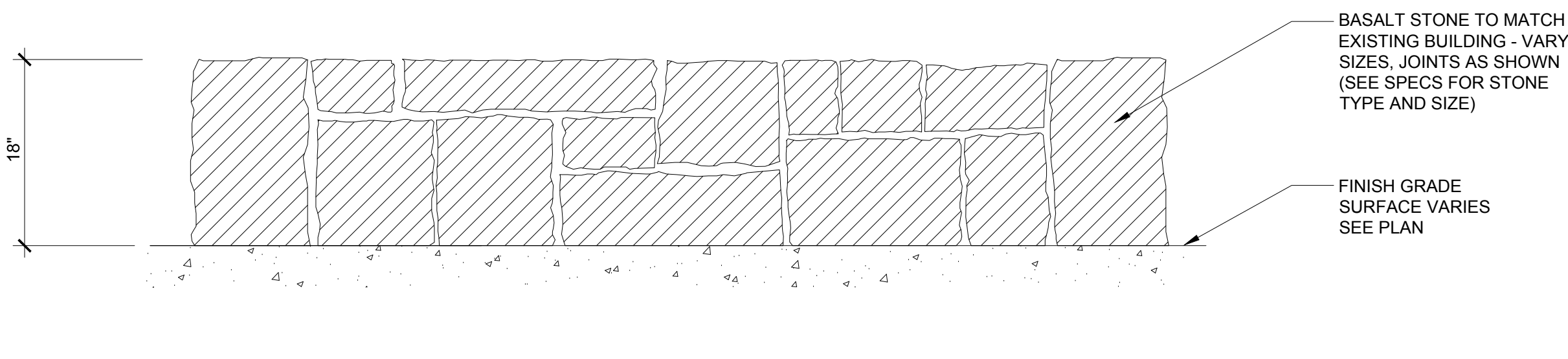


3 CONTRACTION JOINT (CJ)
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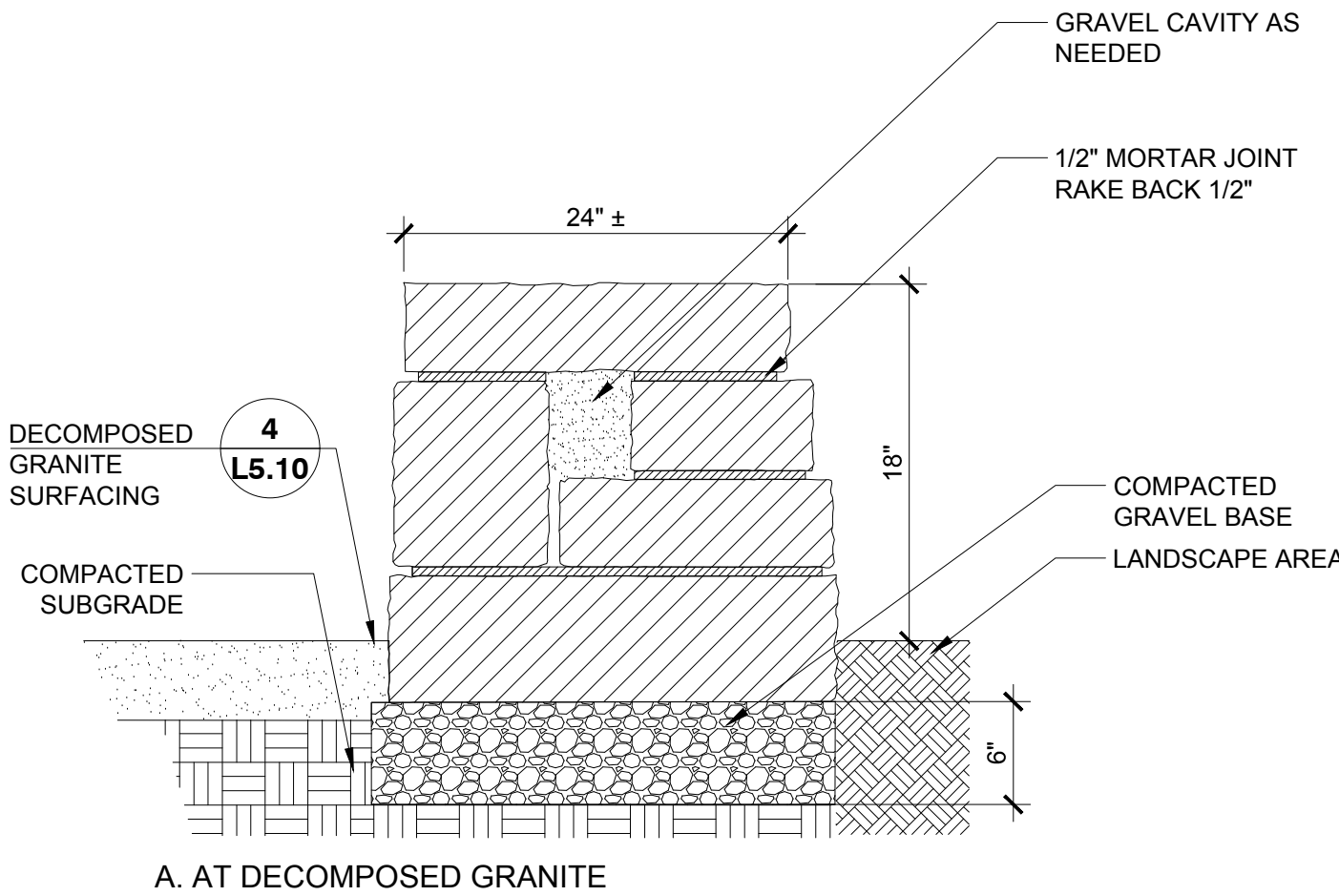


4 DECOMPOSED GRANITE SURFACING
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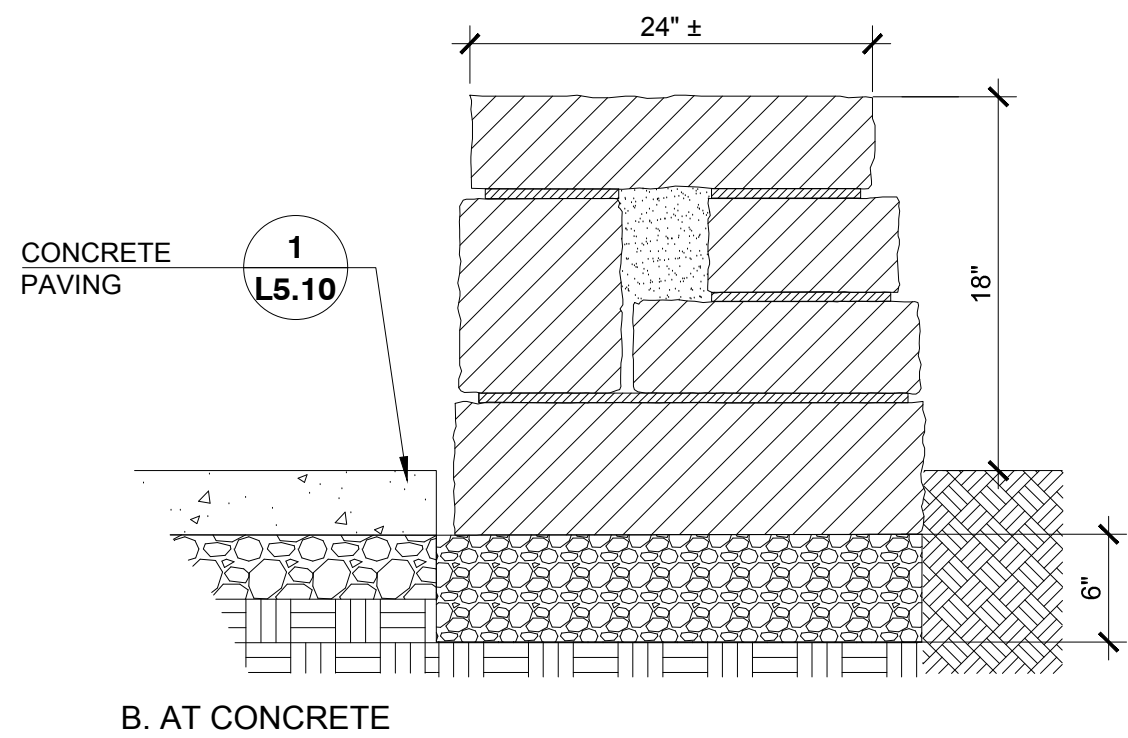
STONE SIZES	
100%	8" - 12" THICKNESS
75%	6" - 12" HEIGHT
25%	12" - 24" HEIGHT
100%	12" - 36" LENGTH
TOLERANCES	+/- 1"



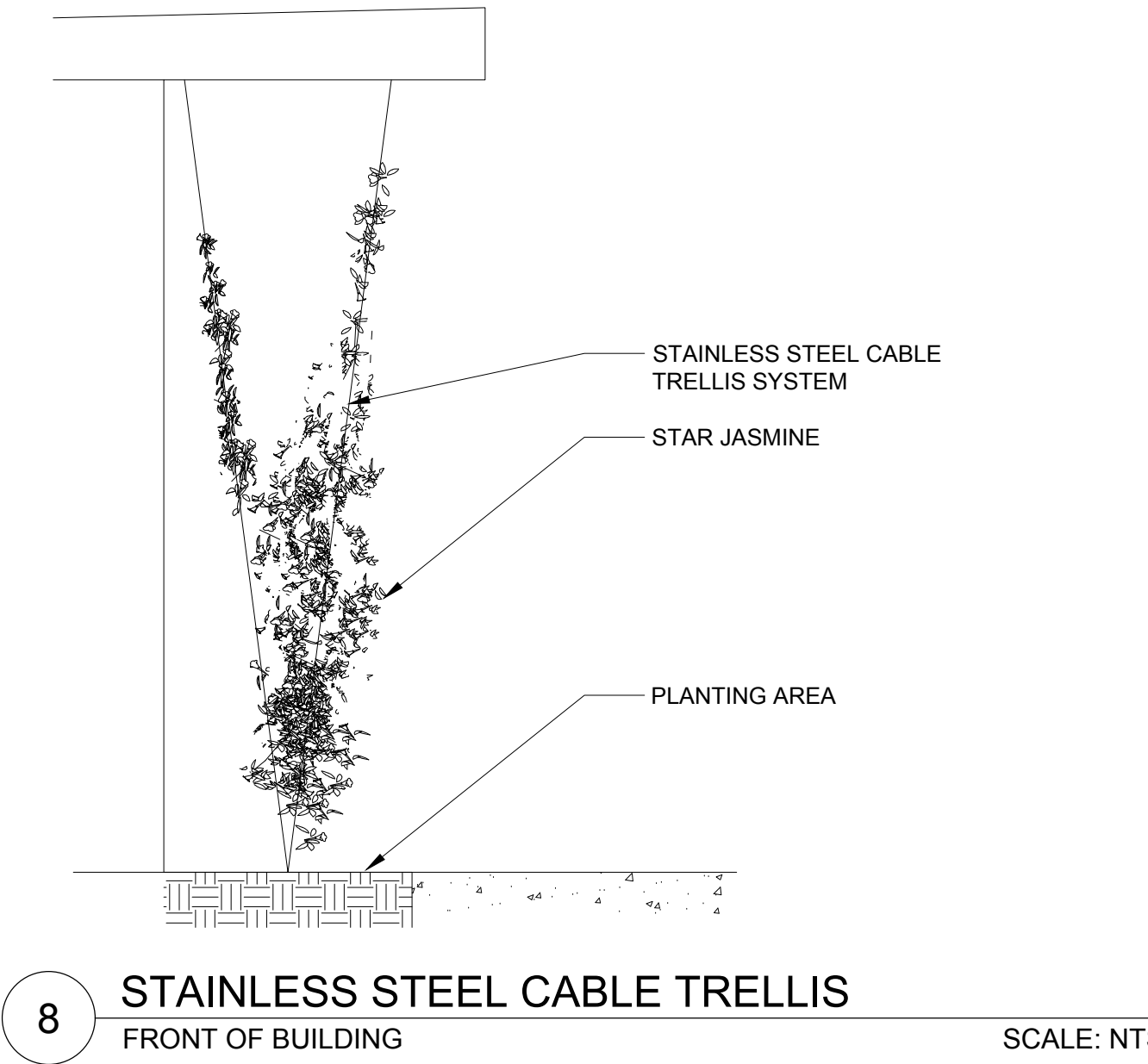
5 STACKED STONE SEATWALL
ELEVATION
SCALE: NTS



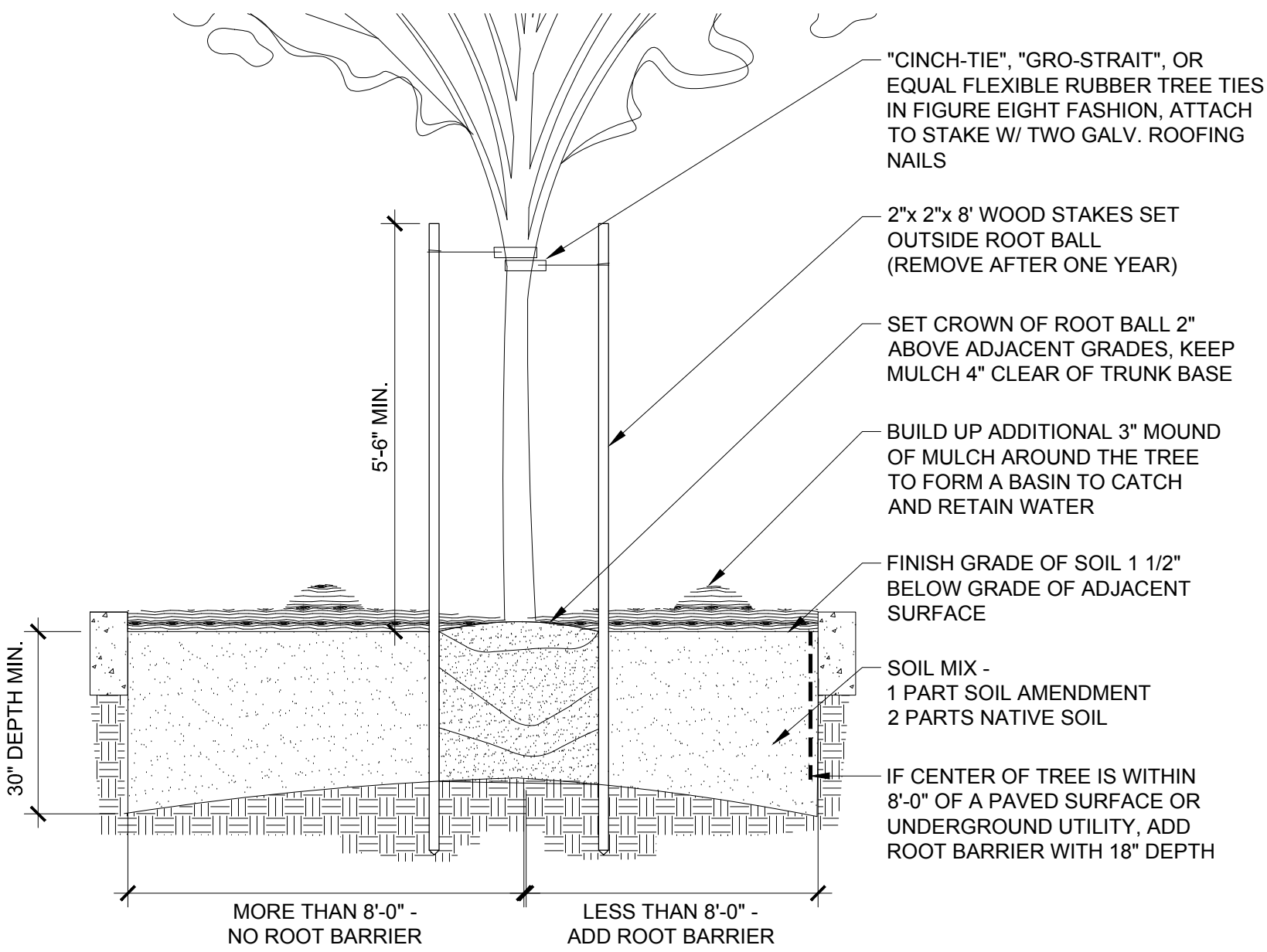
6 STACKED STONE SEATWALL
SECTION
SCALE: NTS



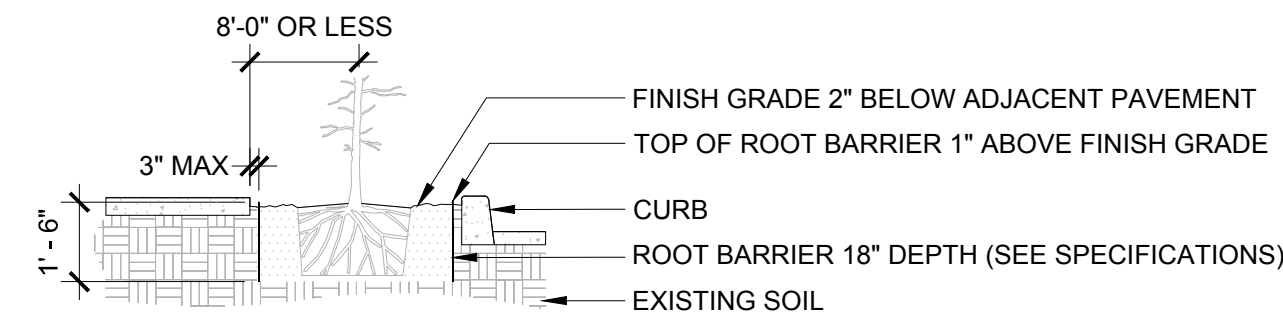
7 VEHICULAR PAVING
SCALE: NTS



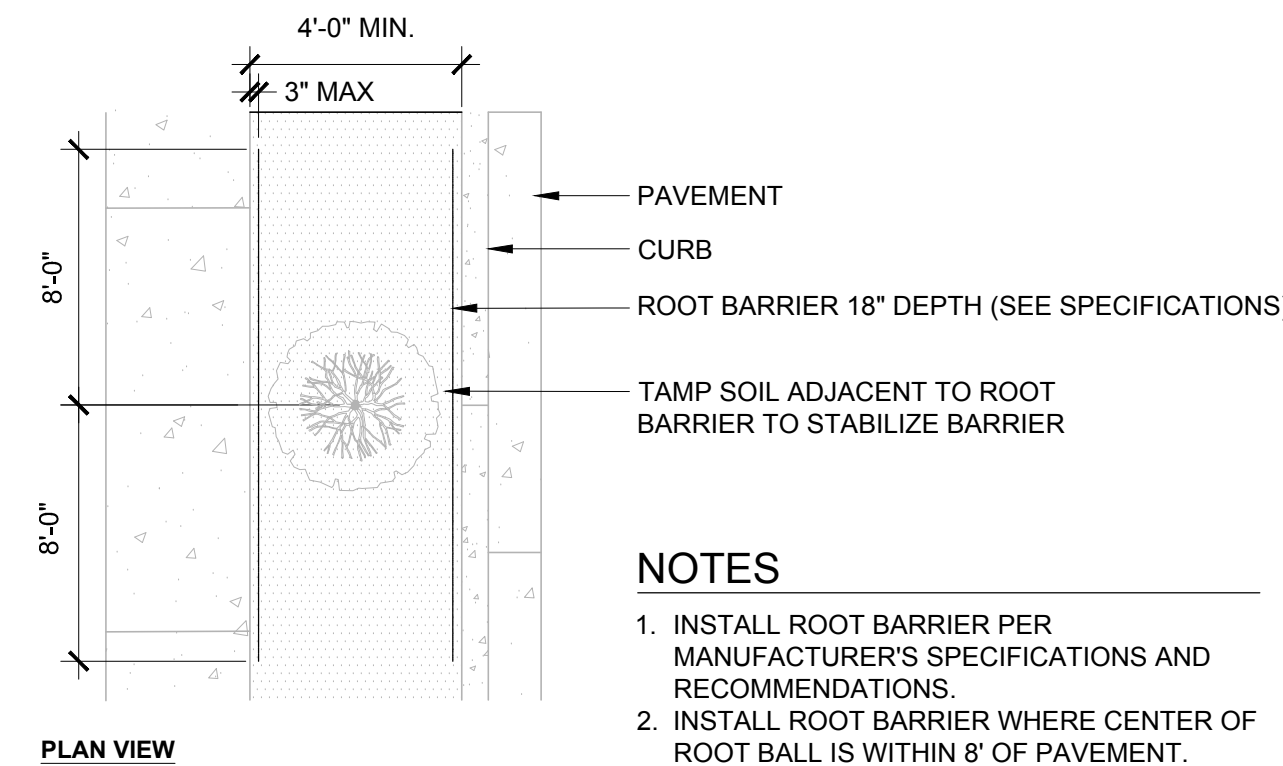
8 STAINLESS STEEL CABLE TRELLIS
FRONT OF BUILDING
SCALE: NTS



1 DECIDUOUS TREE PLANTING DETAIL - CURBED



2 SHRUB PLANTING

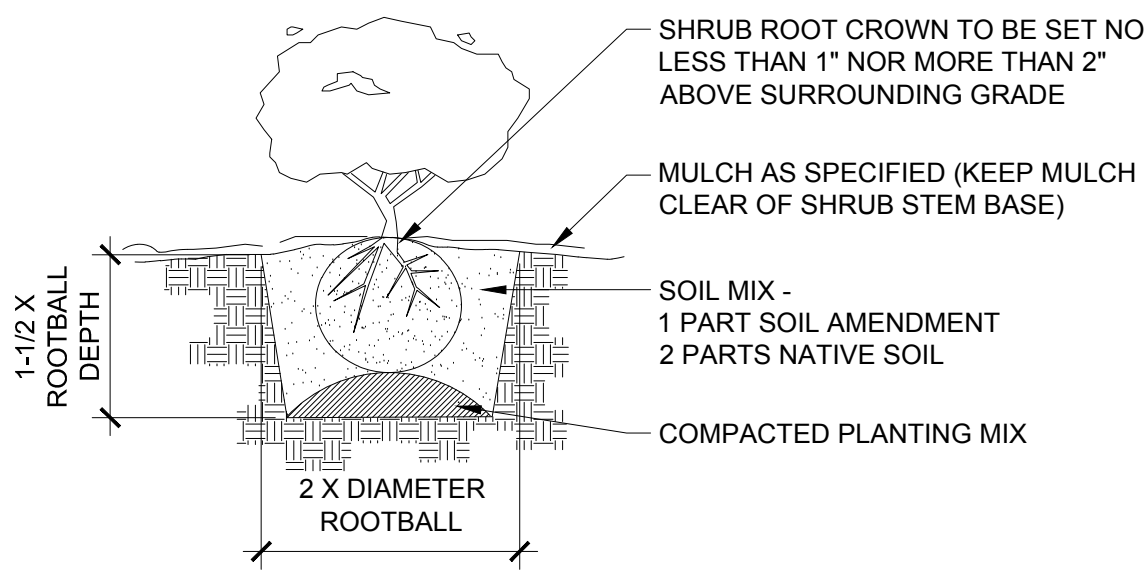


3 GROUNDCOVER PLANTING



4 SOIL PREPARATION

- NOTES**
1. PLANT ALL TREES AT LEAST 32 INCHES FROM THE END OF HEAD-IN PARKING SPACES TO PREVENT DAMAGE FROM CAR OVERHANGS.
 2. ALL ROOTS MUST BE COMPLETELY COVERED. BACKFILL SHOULD BE THOROUGHLY WATERED AS IT IS PLACED AROUND THE ROOTS.
 3. SCARIFY AND ROUGHEN BOTTOM OF PLANTING PIT PRIOR TO PLACING TREE AND TOPSOIL. SLOPE BOTTOM TO DRAIN TO SIDES.
 4. THE ENTIRE WIDTH OF THE PLANTING ISLAND SHALL CONTAIN ONLY SOIL/COMPOST PLANTING MIX AND BE FREE OF ALL DEBRIS INCLUDING GARBAGE, CONCRETE, GRAVEL OR OTHER FOREIGN MATERIALS.
 5. ALL TREES SHALL CONFORM TO MOST RECENT ANSI Z60.1 AMERICAN STANDARD FOR NURSERY STOCK. FIRST LIMBS OF DECIDUOUS TREES IN PARKING LOTS AND ALONG STREETS AND SIDEWALKS SHALL BE 5 FEET ABOVE GROUND OR HIGHER.
 6. EXCAVATE HOLE INTO PREPARED SOIL TO ONE INCH LESS THAN HEIGHT OF ROOTBALL AND TWO TIMES THE WIDTH OF THE ROOTBALL. TAMP BOTTOM OF PIT UNDER ROOTBALL THOROUGHLY TO KEEP TREE FROM SETTLING. BUTTRESS AT THE BOTTOM OF THE PIT NO LESS THAN THREE FEET WIDE IF NEEDED TO REINFORCE LATERAL SUPPORT.
 7. DO NOT DAMAGE THE ROOTBALL WHEN PLANTING. REMOVE ALL WIRE, STRING AND BURLAP FROM TOP AND SIDES OF ROOTBALL ONLY AFTER PLACING IN THE HOLE.
 8. SET TREE STRAIGHT ON TAMPED SOIL.
 9. BACKFILL HOLE WITH APPROVED PLANTING MEDIUM MIX TO HALF DEPTH. TAMP SOIL TO STABILIZE ROOTBALL. FINISH BACKFILLING AND TAMP AGAIN.
 10. STAKE TREES OUTSIDE OF ROOTBALL AND PARALLEL TO PLANTING ISLAND CURBS WITH TREE STAKES. USE ONE INCH HEAVY CHAINLOCK TREE TIES OR SIMILAR. REMOVE AFTER ONE YEAR.
 11. WATER IMMEDIATELY AND THOROUGHLY, TWICE PER WEEK DURING THE FIRST MONTH, THEN ONCE PER WEEK THROUGH THE REMAINDER OF THE DRY SEASON. WATER A MINIMUM OF ONCE PER MONTH DURING THE SECOND SUMMER SEASON.
 12. ALL PLANTING BEDS CONTAINING TREES AND SHRUBS AND SURFACE DRAINAGE SHALL BE PREPARED SIMILAR TO THIS LANDSCAPE TREE PLANTING AND DRAINAGE DETAIL.



5 TREE PROTECTION MEASURES

UNLESS OTHERWISE INDICATED FOR REMOVAL ALL TREES SHALL RECEIVE PROTECTIVE MEASURES FOR THE DURATION OF THE PROJECT IN ACCORDANCE WITH THE CITY REQUIREMENTS.

6' HIGH MINIMUM CHAIN-LINK FENCING, SHALL BE ERECTED AND MAINTAINED. FENCING SHALL BE INSTALLED AS INDICATED ON THIS PLAN. IN AREAS WHERE ROOT ZONE ENCROACHMENT IS UNAVOIDABLE ADJUSTMENTS OF FENCING LOCATION SHALL BE COORDINATED WITH A CERTIFIED ARBORIST PRIOR TO START OF WORK.

NO ACTIVITY MAY BE CONDUCTED WITHIN ANY DESIGNATED TREE PROTECTION AREA INCLUDING BUT NOT LIMITED TO PARKING EQUIPMENT, PLACING SOLVENTS, STORING MATERIALS AND SOIL DEPOSITS, DUMPING CONCRETE WASHOUT, OR OTHER DEBRIS, OR ANY EXCAVATION OR COMPACTION WORK.

DURING CONSTRUCTION NO OBJECTS SHALL BE ATTACHED TO ANY TREE DESIGNATED TO BE RETAINED AND PROTECTED.

FENCE SHALL REMAIN IN PLACE UNTIL THE COMPLETION OF CONSTRUCTION ACTIVITIES. MOVEMENT OR REMOVAL OF THE FENCE REQUIRES APPROVAL BY THE ARBORIST AND/OR THE CITY'S AUTHORIZED REPRESENTATIVE.

EXCAVATION / TRENCHING AROUND TREES

PROPOSED TRENCHING AND EXCAVATION AROUND TREES SHALL BE COORDINATED WITH CONSULTING ARBORIST.

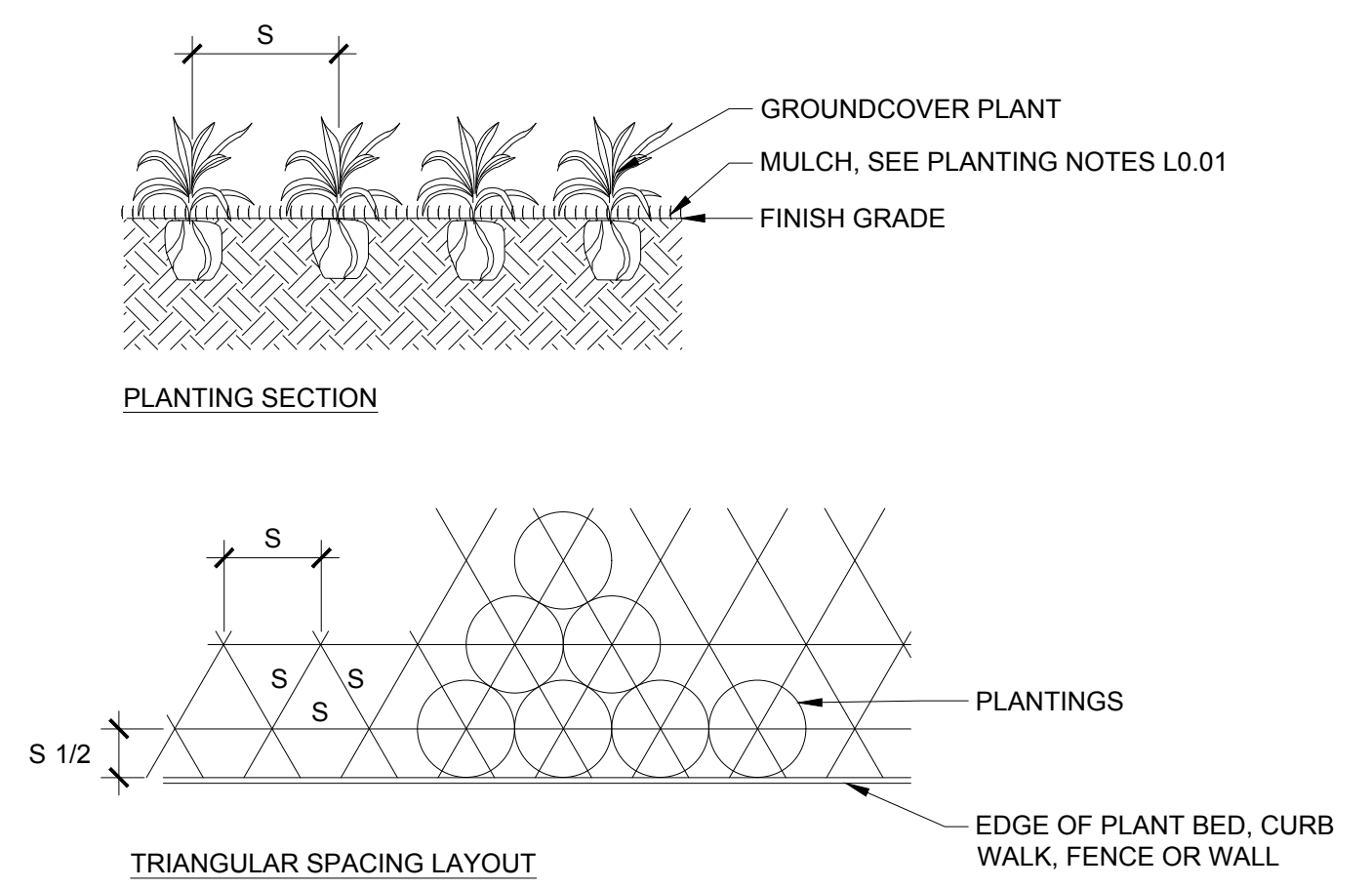
WHERE TRENCHING IS REQUIRED WITHIN CRITICAL ROOT ZONE, TUNNEL UNDER OR AROUND ROOTS BY HAND DIGGING OR BORING. DO NOT CUT MAIN LATERAL ROOTS OR TAP ROOTS. CLEANLY CUT/SEVER SMALLER ROOTS. RELOCATE ROOTS IN BACKFILL AREAS WHEREVER POSSIBLE.

DO NOT ALLOW EXPOSED ROOTS TO DRY OUT BEFORE PERMANENT BACKFILL IS PLACED. PROVIDE TEMPORARY EARTH COVER, OR PACK WITH PEAT MOSS AND WRAP WITH BURLAP. WATER AND MAINTAIN IN MOIST CONDITION UNTIL RELOCATED AND COVERED WITH BACKFILL.

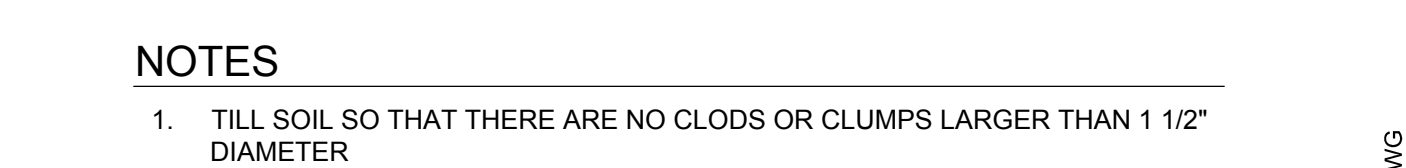
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6 PLANTING SECTION

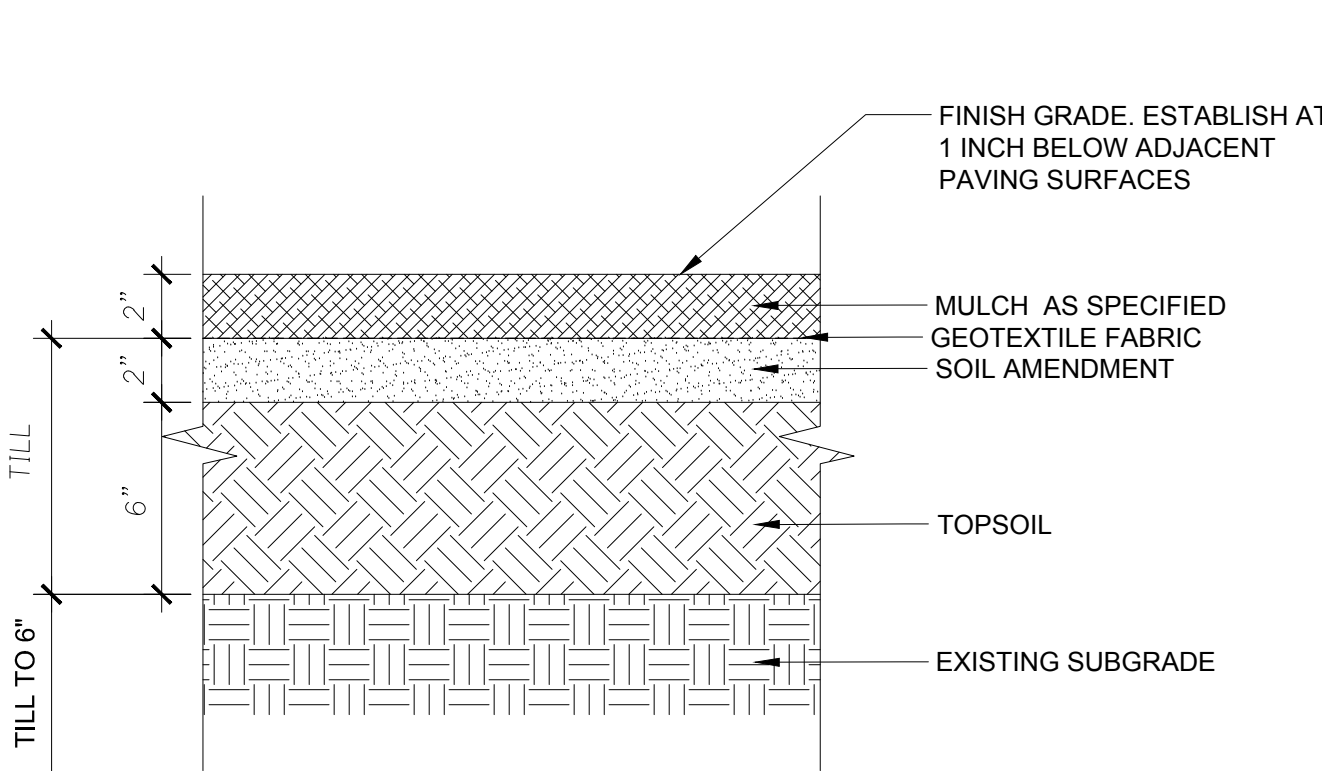


7 TRIANGULAR SPACING LAYOUT

NOTES

1. TILL SOIL SO THAT THERE ARE NO CLOUDS OR CLUMPS LARGER THAN 1 1/2" DIAMETER

8 GROUNDCOVER PLANTING

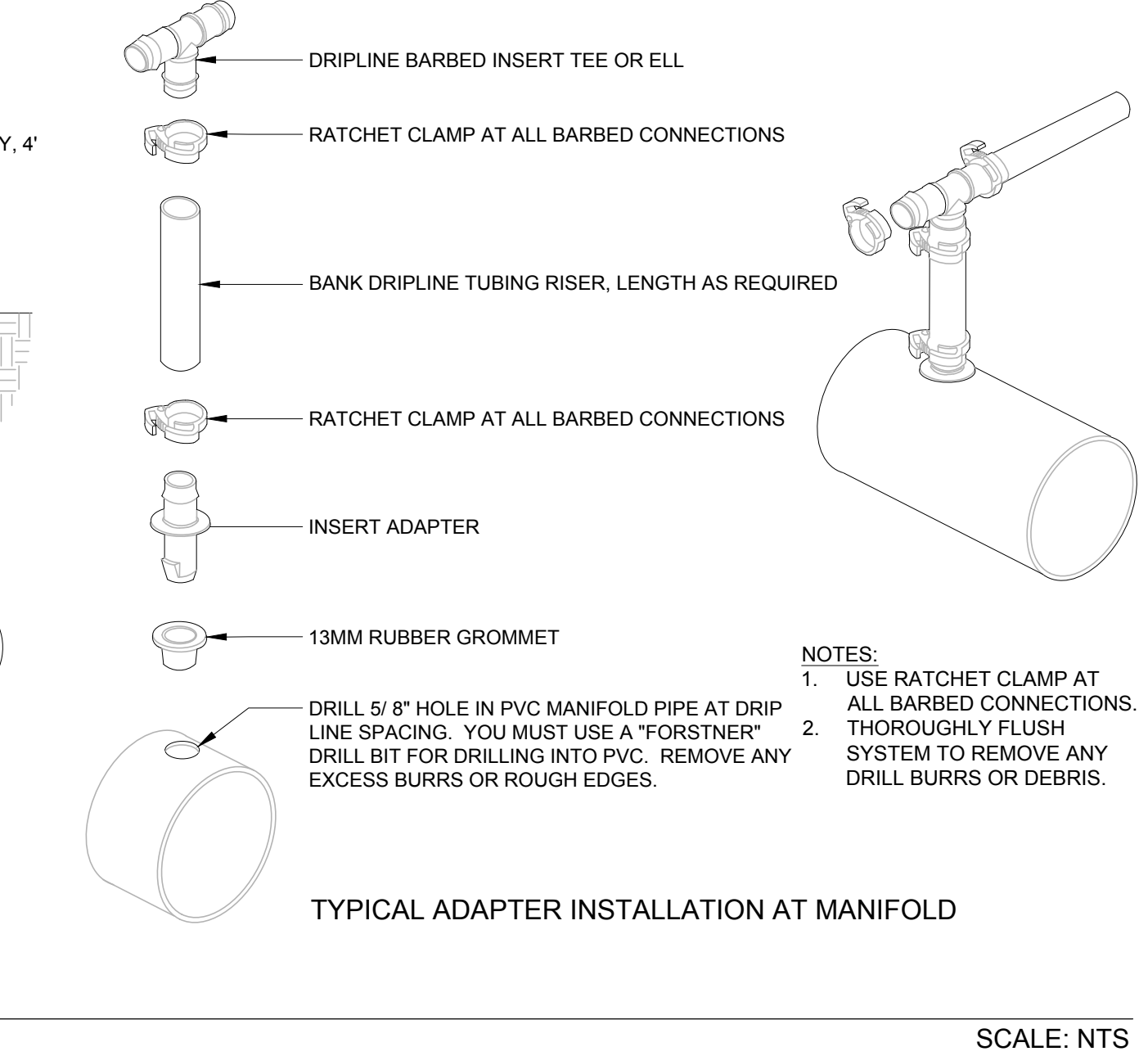
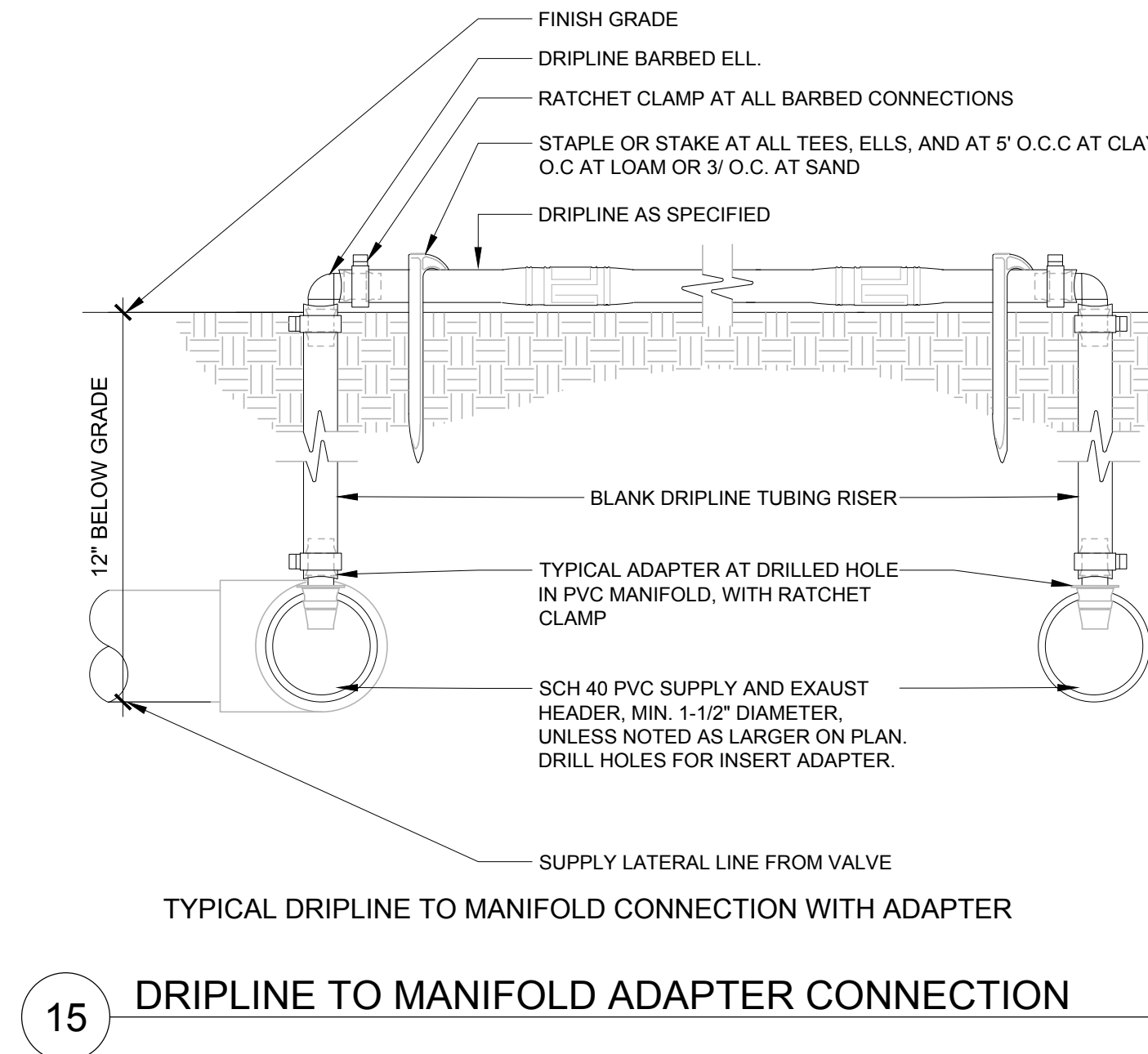
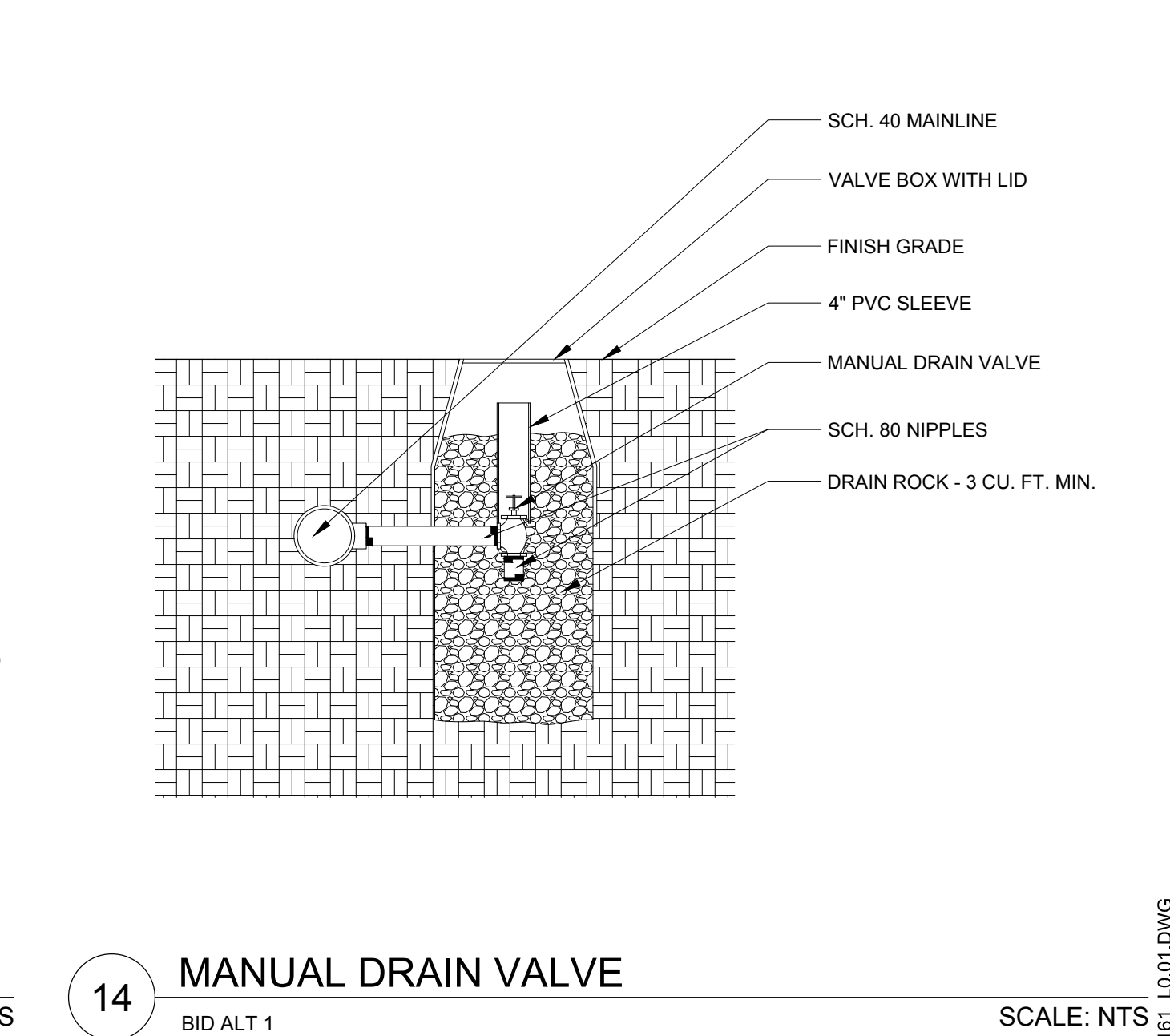
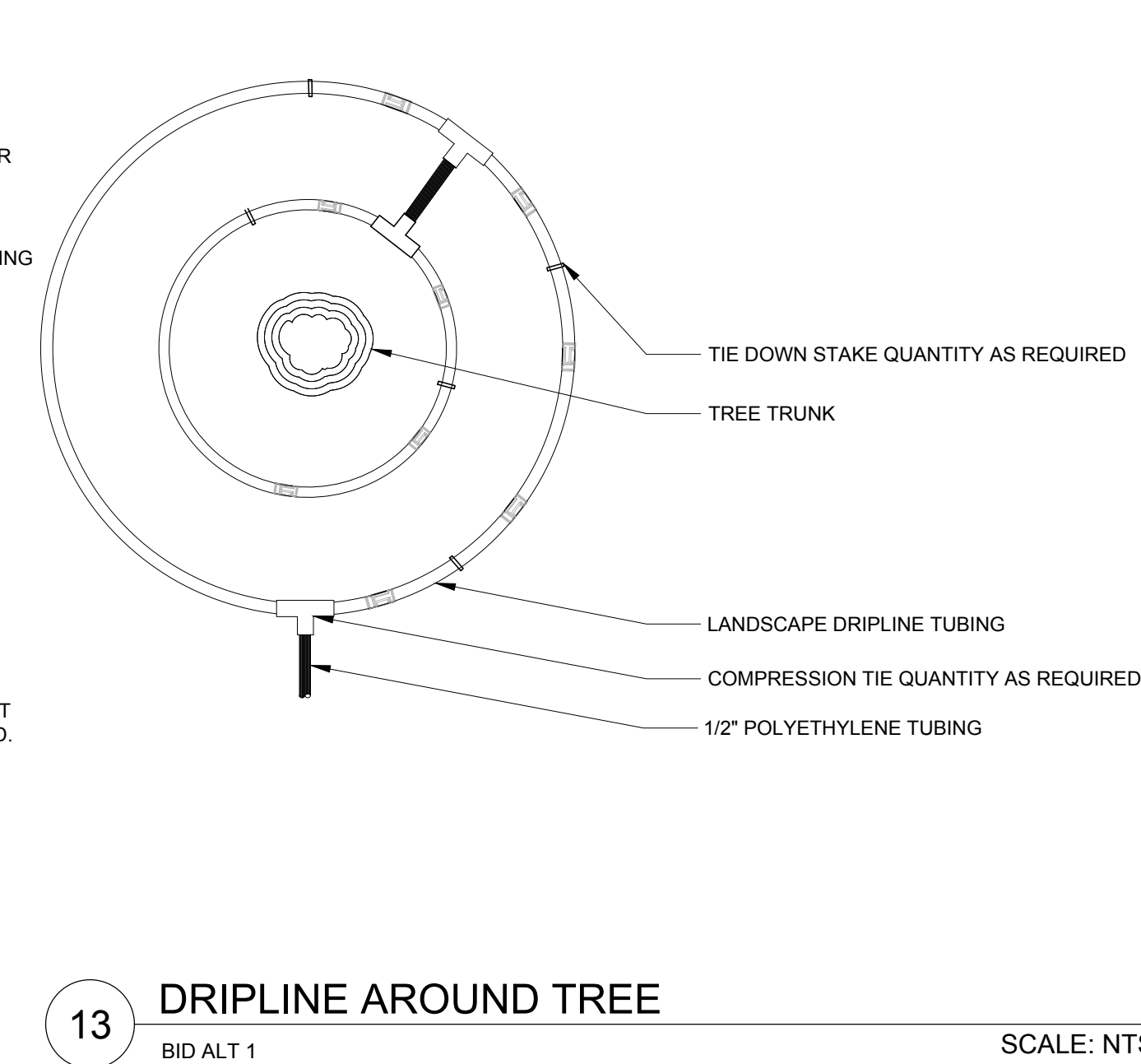
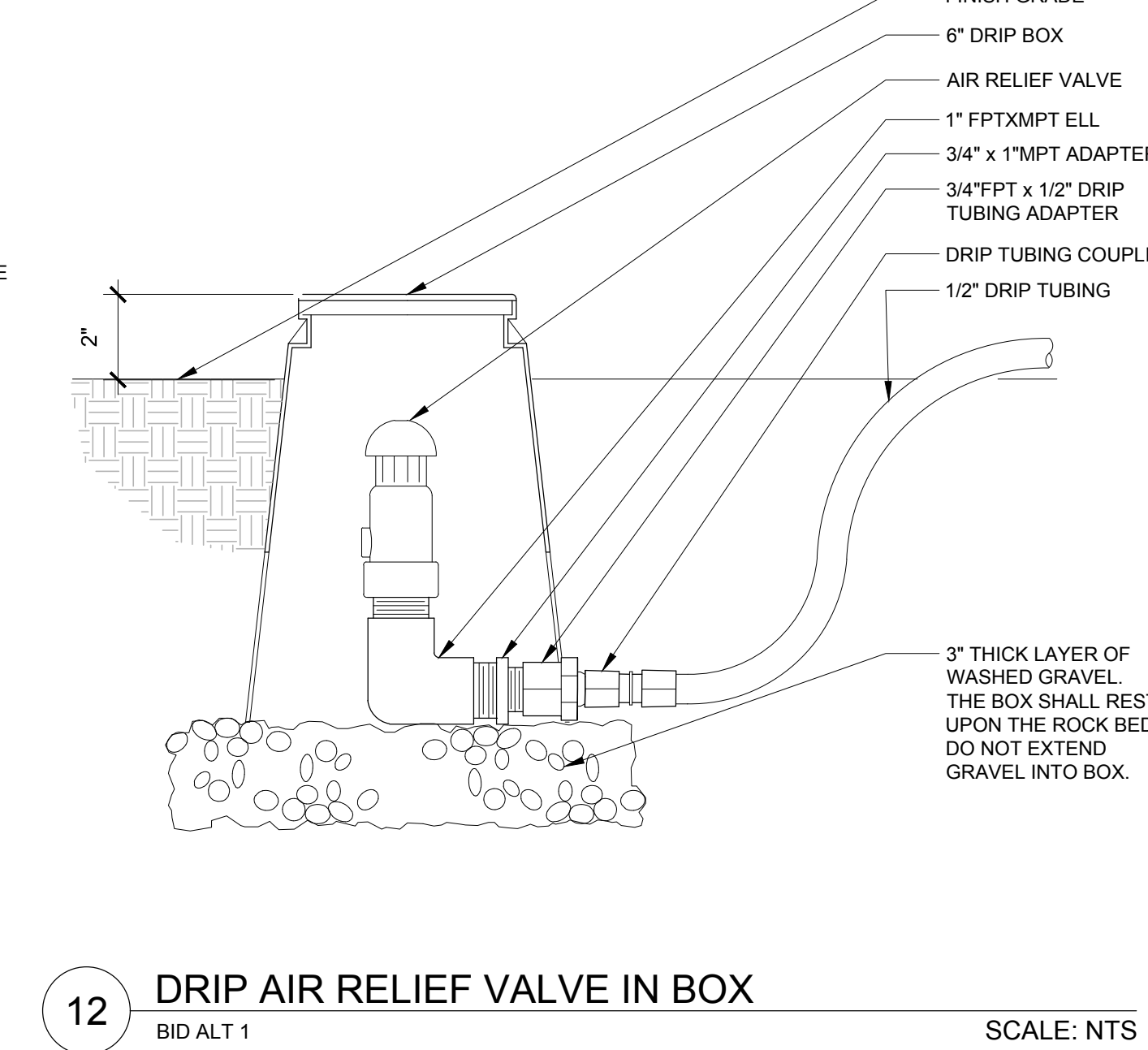
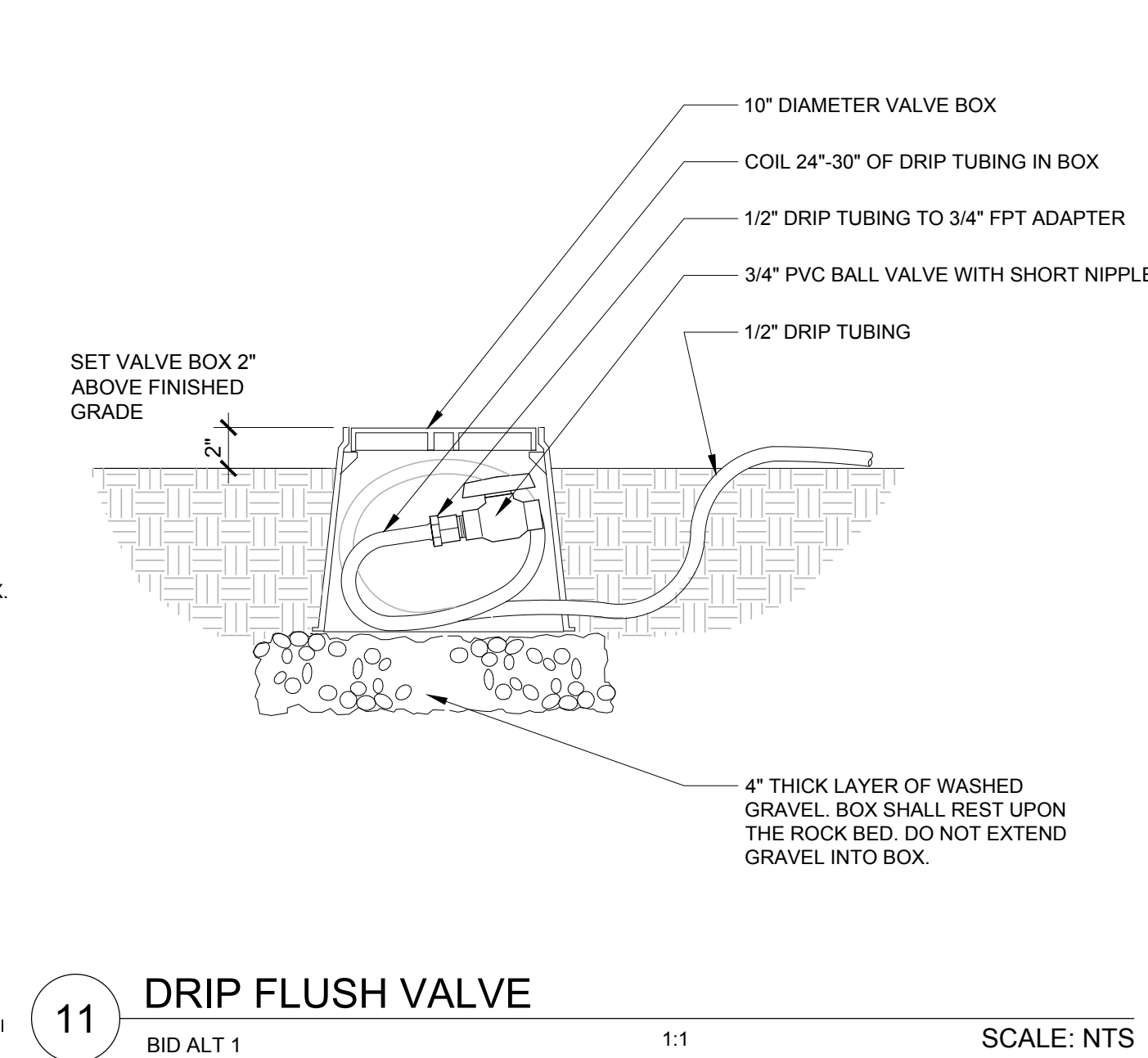
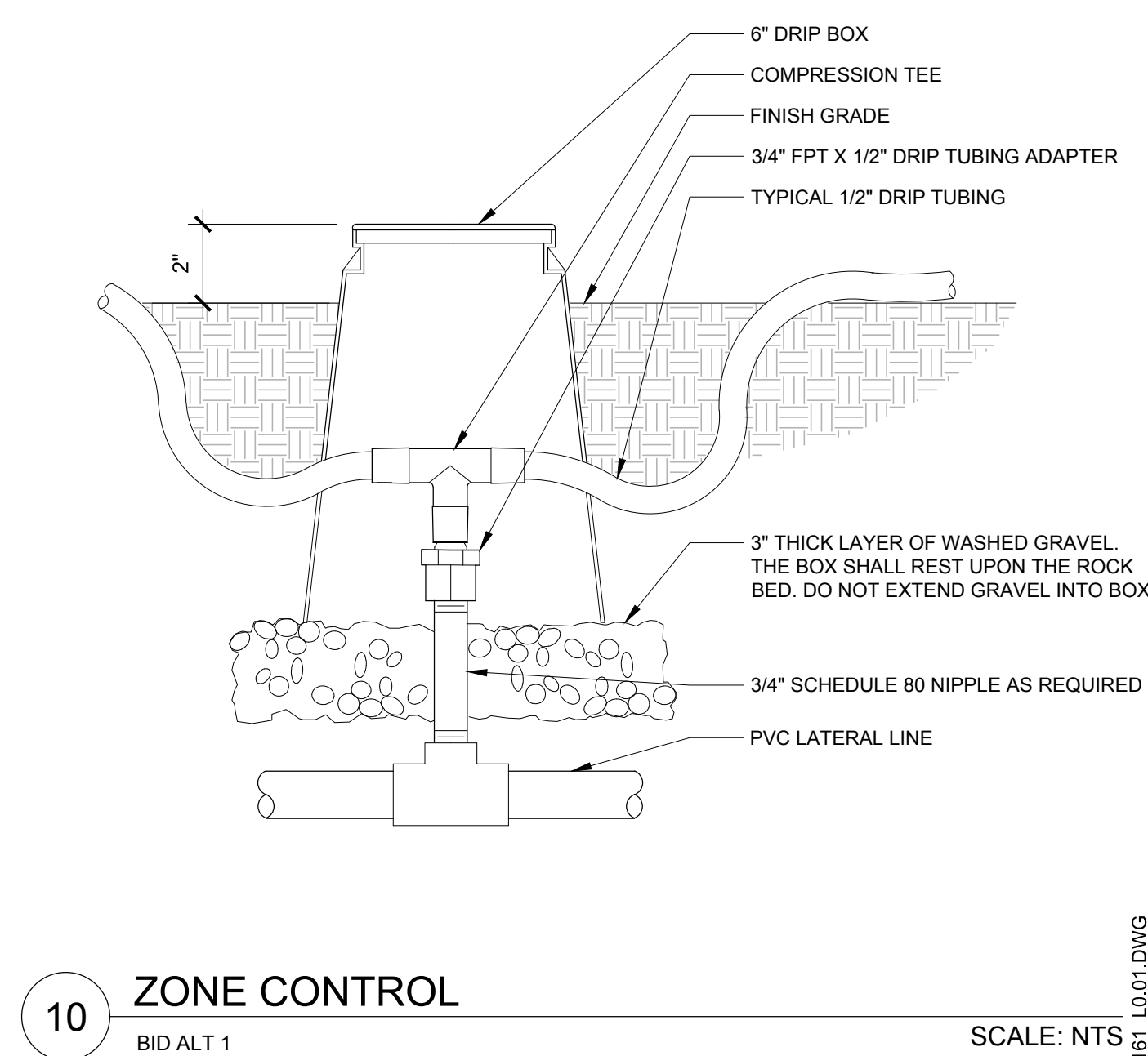
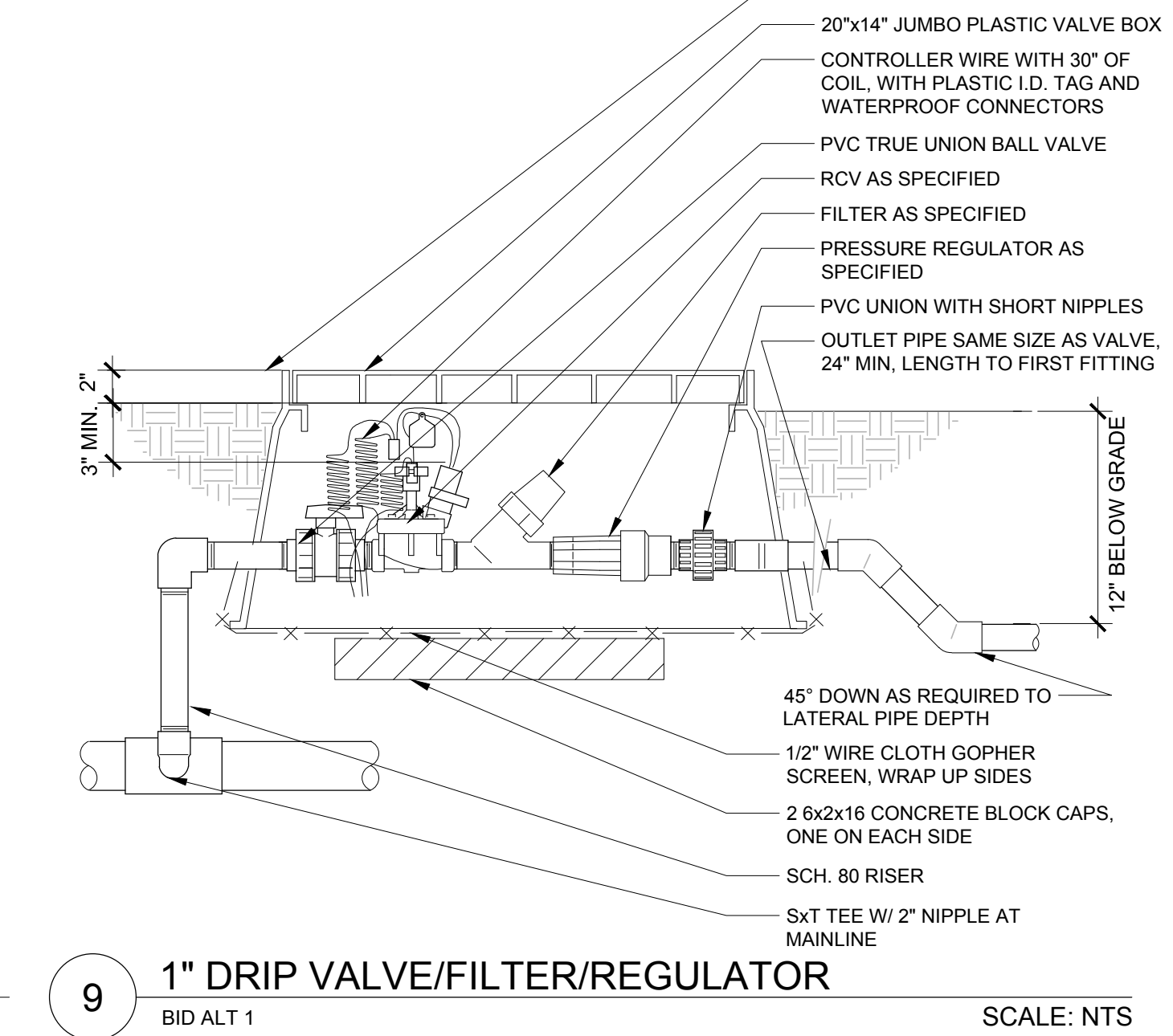
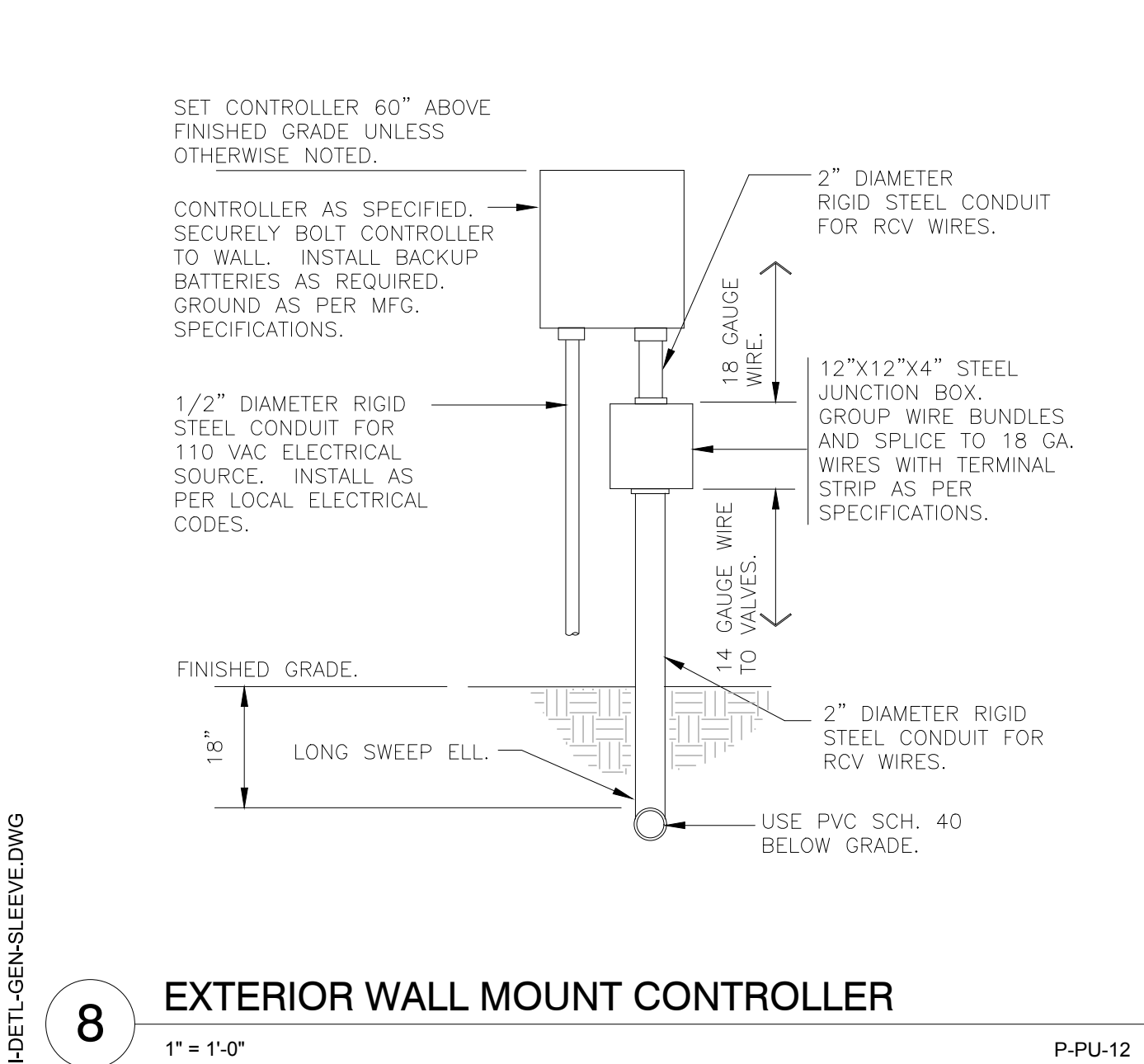
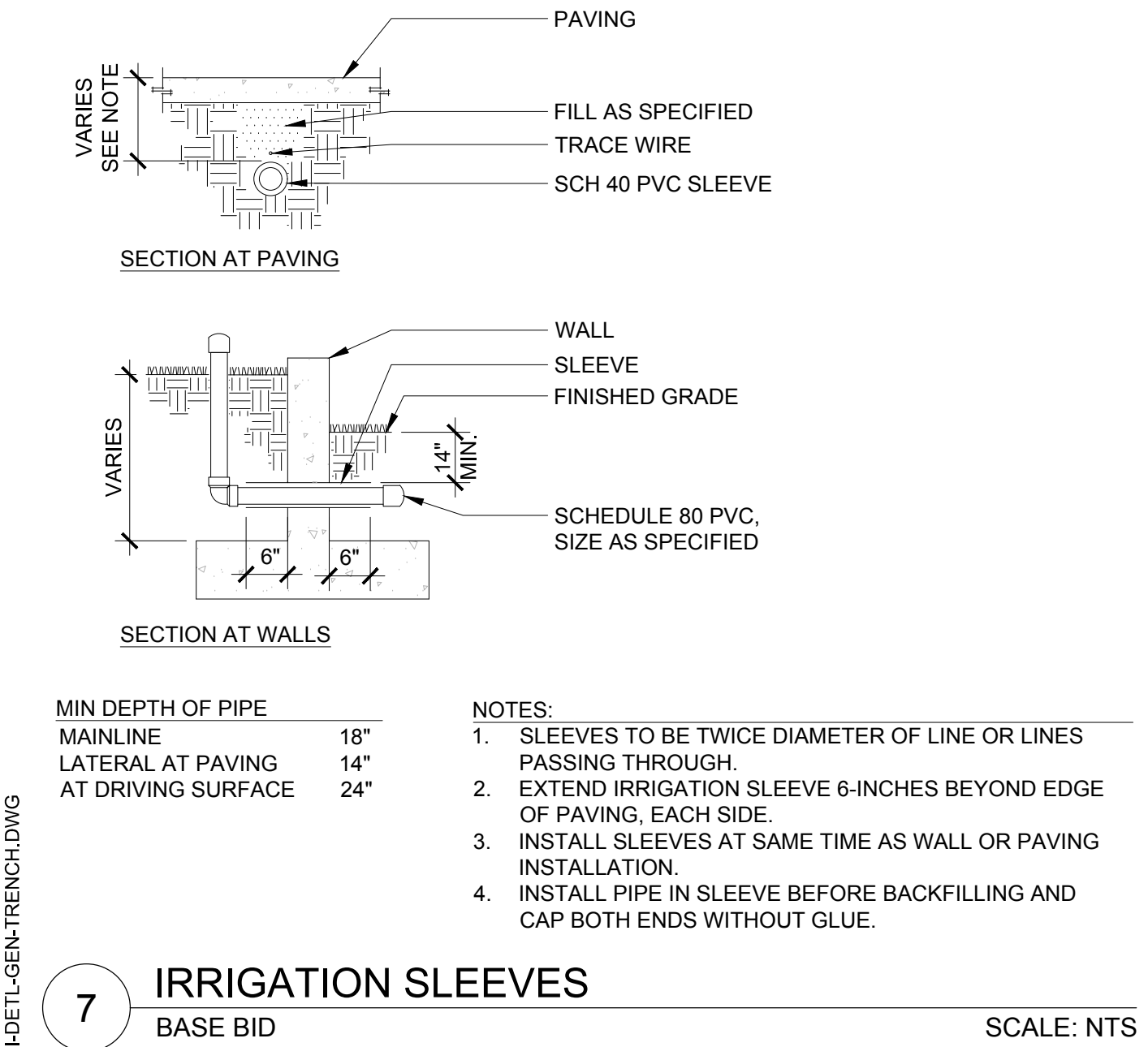
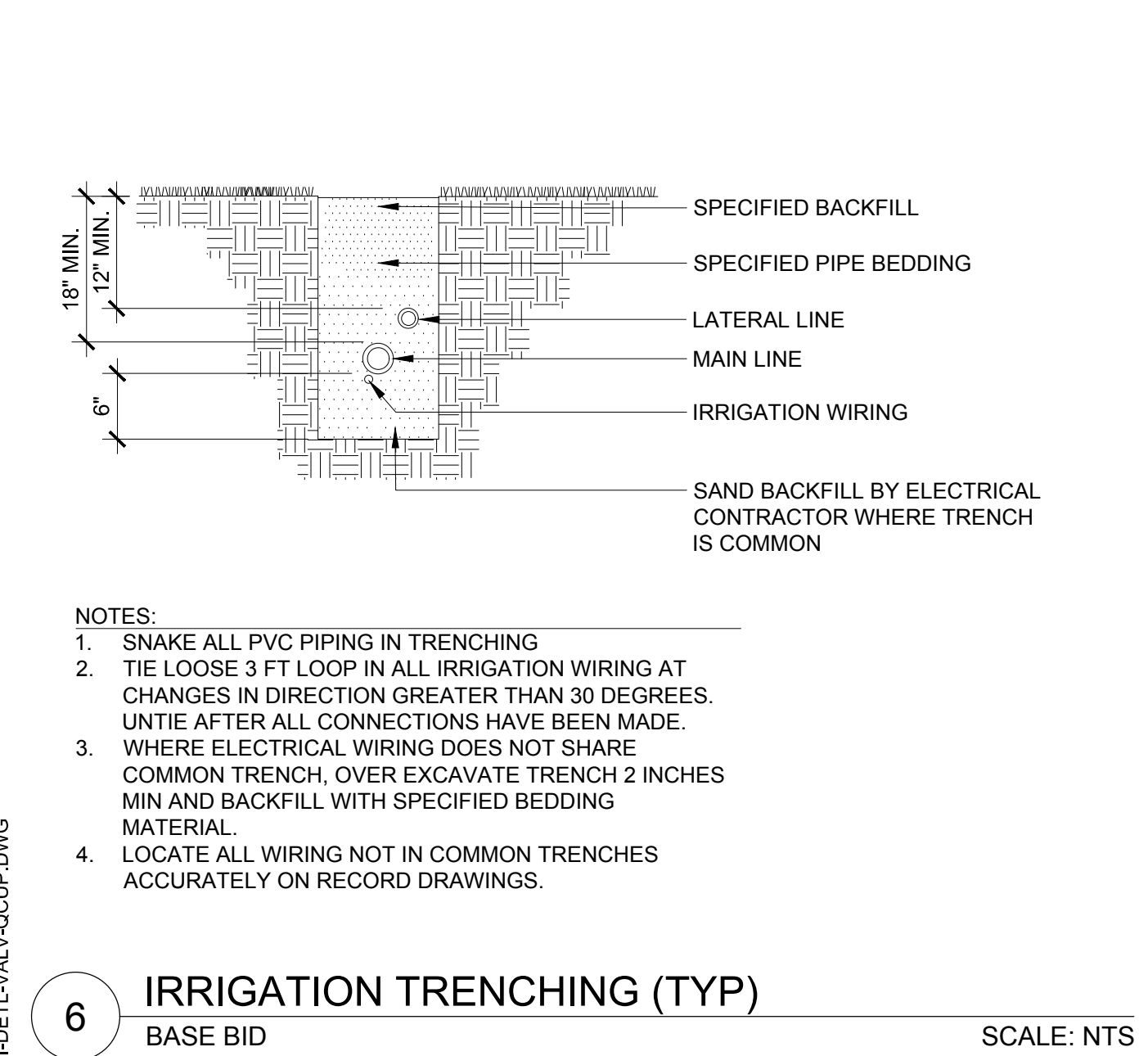
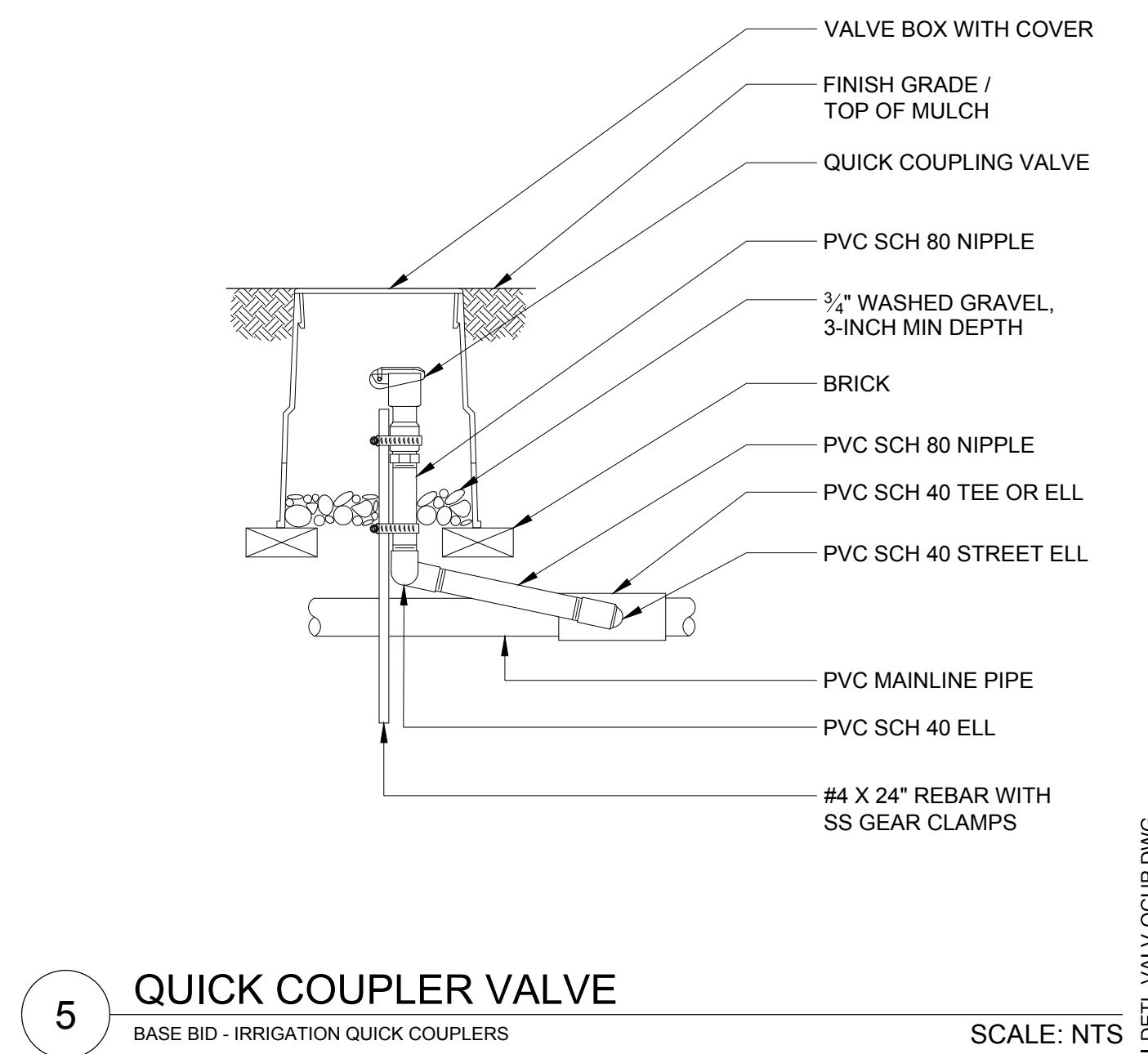
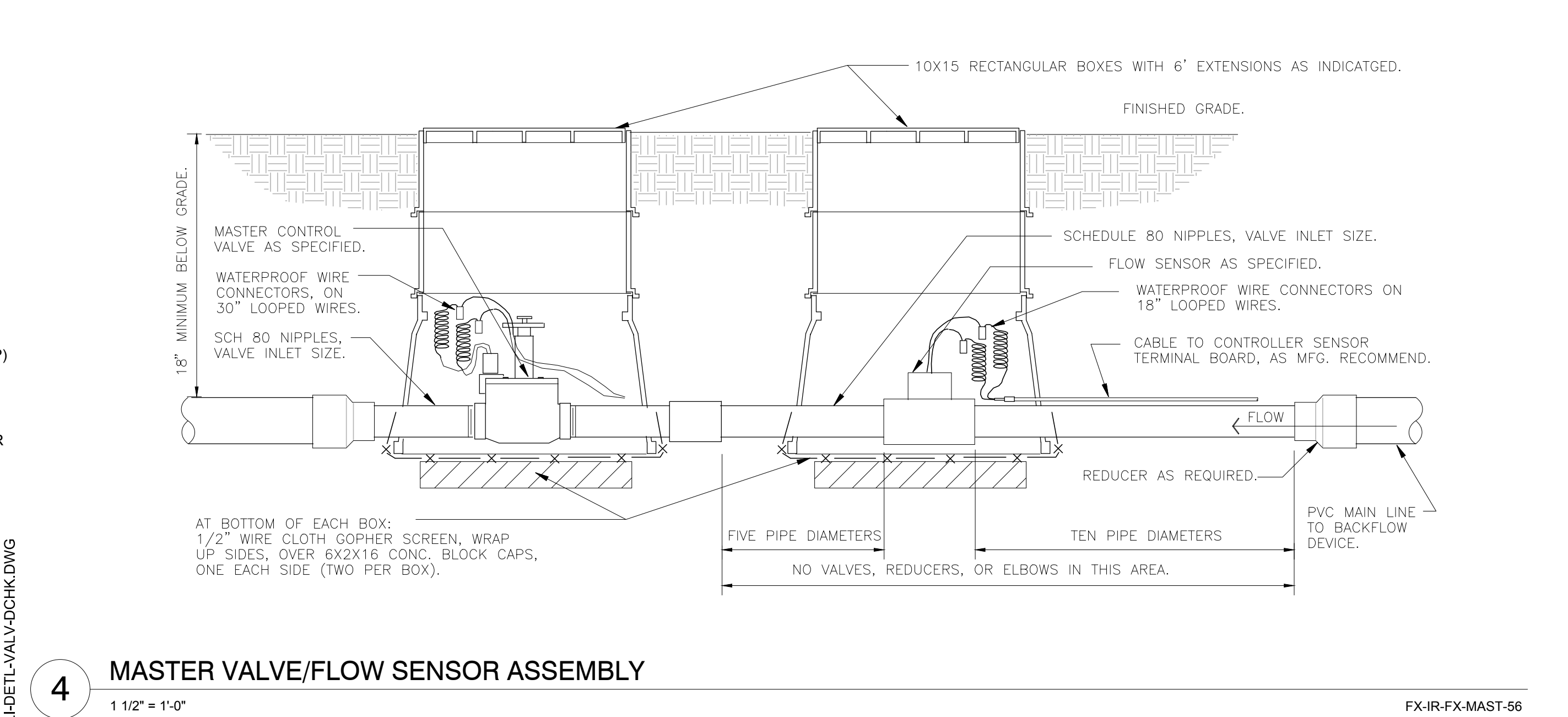
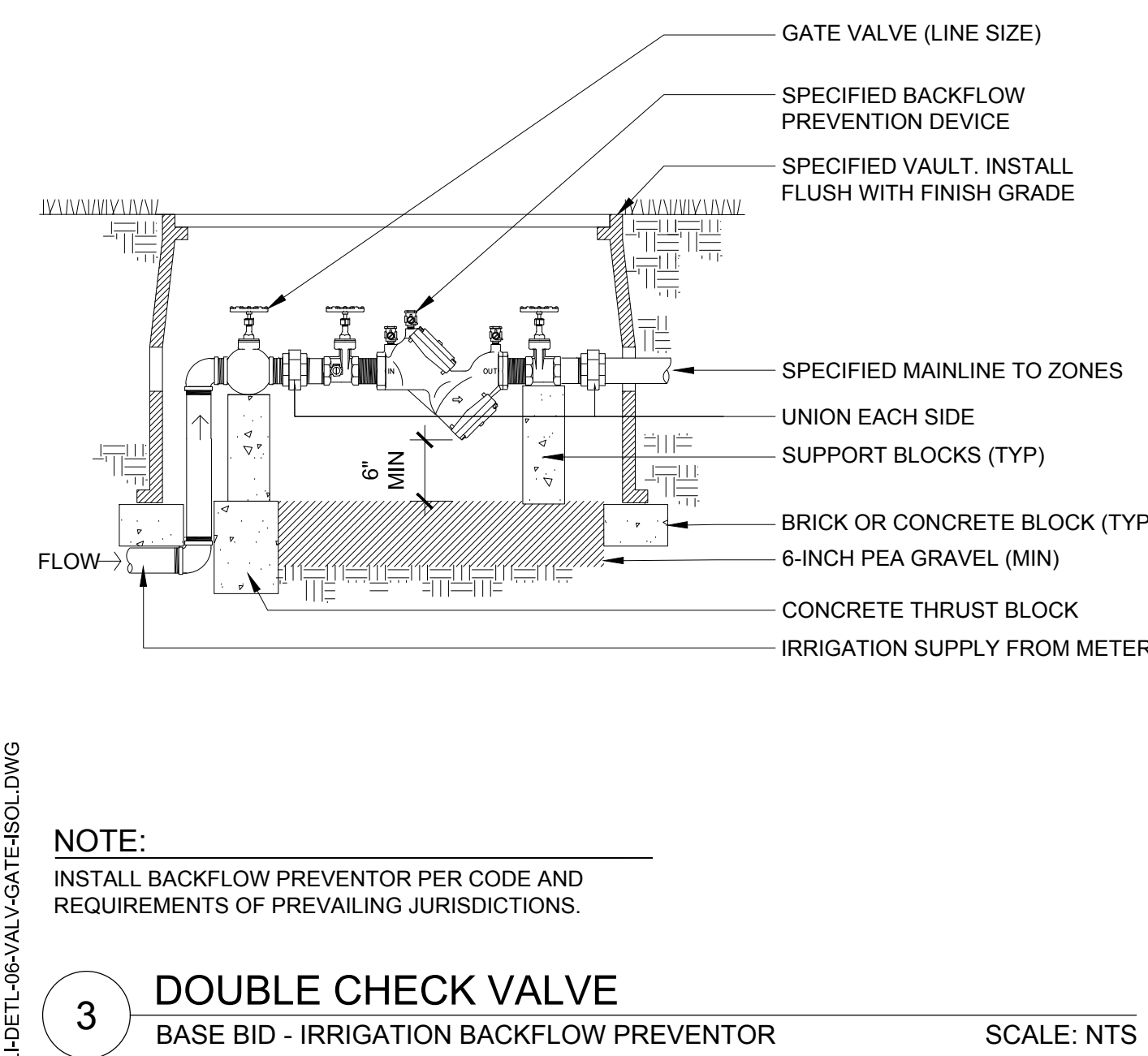
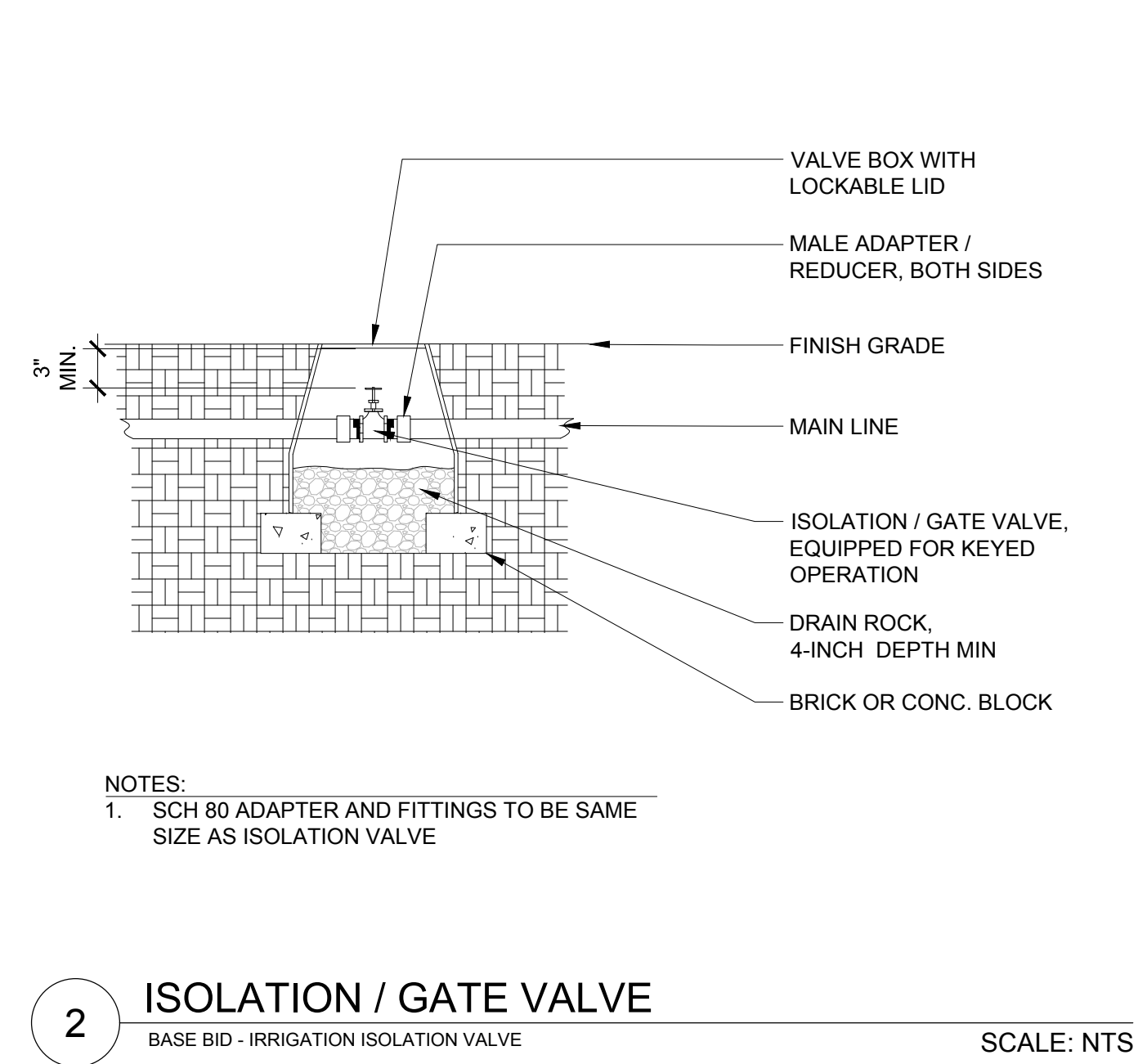
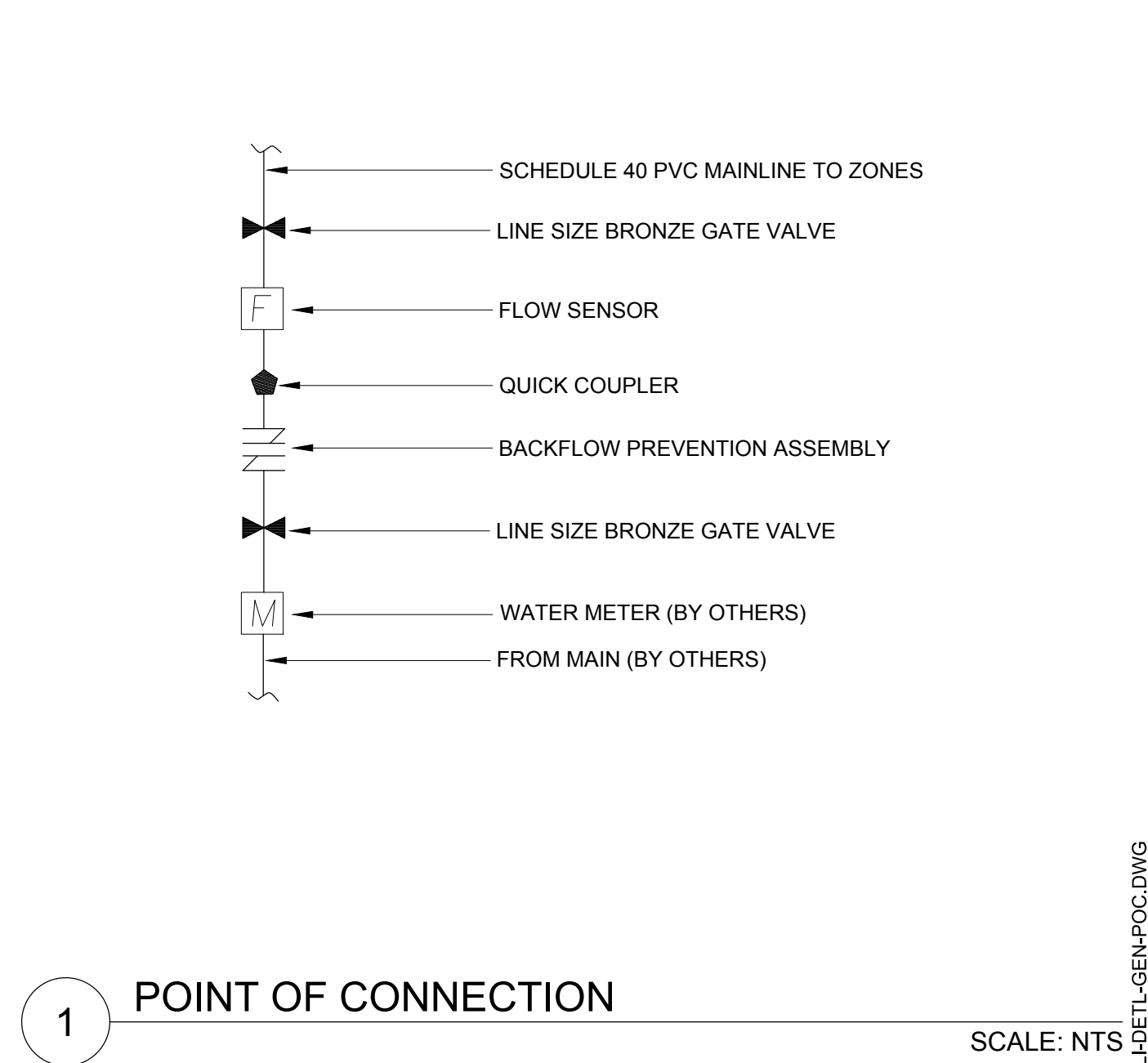


9 SOIL PREPARATION

NOTES

1. REMOVE ALL ROCK, DEBRIS AND OTHER FOREIGN MATTER OVER 2" IN DIAMETER FROM TOPSOIL. TOPSOIL IS AVAILABLE ON-SITE.
2. RIP AND TILL SUBGRADE TO 6" DEEP (MIN.) PRIOR TO INSTALLING TOPSOIL AND TILL INTERFACE OF SUBGRADE AND TOPSOIL.
3. TILL TOPSOIL AND SOIL AMENDMENTS TO A MIN. 12" DEPTH.
4. SUBMIT SAMPLE OF MULCH & TOPSOIL FOR ACCEPTANCE PRIOR TO PLACEMENT.

10 SOIL PREPARATION



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EXHIBIT 5 - STAFF REPORT

DATE: September 20, 2023
TO: Landscape Review Committee Members
FROM: Adam Tate, Associate Planner
SUBJECT: Tree Removal Application (L 36-23) Continuance

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

DOCKET: L 36-23 (Street Tree Removal)
REQUEST: Approval of a tree removal application for the removal of 2 Red Maple trees.
LOCATION: 825 SW Baker St., Tax Lot R4420-DC-03900
ZONING/Overlay: C-3
APPLICANT: Carmen Rodarte
STAFF: Adam Tate, Associate Planner
DATE DEEMED COMPLETE: August 22, 2023
DECISION-MAKING BODY & ACTION: McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.
MEETING DATE & LOCATION: September 20, 2023, McMinnville Community Development Center, 231 NE 5th Street, and via Zoom online meeting
PROCEDURE: Street tree removal applications are required to be reviewed by the Landscape Review Committee as described in Section 17.58.040 of the McMinnville Zoning Ordinance.
CRITERIA: The applicable criteria are specified in Section 17.58.050 Tree Removal/Replacement Review Criteria.
APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.58.040 of the McMinnville Zoning Ordinance.

I. BACKGROUND AND SUMMARY:

Application Summary

This proceeding is a review by the Landscape Review Committee of a street tree removal application (***Attachment 1***) for one (2) deciduous street trees, both red maples, on the West/back side of El Primo Mexican restaurant along SW Blaine St. ***See Figure 1 for Vicinity Maps. See Figure 2 for Site Photos.***

Agency Comments

Agency comments are provided below, and the Public Works Inspection Report is attached as ***Attachment 2***.

Public Comments

The procedure for street tree removal permit applications doesn't require notification to surrounding property owners. No public comments were received.

Criteria and Issues

The trees proposed for removal has been determined to be a tree specified in Section 17.58.020, subject to the street tree removal requirements of Chapter 17.58 of the Zoning Ordinance.

The applicable criteria for a street tree removal are provided in Section 17.58.050 of the Zoning Ordinance. Section 17.58.050 requires a Tree Removal permit 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.
- 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.

At the September 8, 2023 meeting of the Landscape Review Committee the Committee chose to continue this application. They felt confident approving the removal of the Southern tree, but not for the Northern one and they requested more information.

Criteria B and C may be met by this application and additional information submitted as part of the continuance.

Excerpt from the Public Works Report

Recommendations:

1. Given the size and landscape value of these trees, and the options for mitigating the root related damage without removal, staff would recommend denial of this application. We recommend follow up with the applicant to discuss options to address the observe damages without removing the trees:
 - a. Determine if the irrigation lines and the roof drain line could be relocated to accommodate the tree.
 - b. Determine if sidewalk damage could be addressed with grinding.
 - c. Determine if the tree is impacting the water supply to the structure.
 - d. Determine if the trees could be pruned (crown cleaning and dead wooding) to reduce impacts on the structures' roof drainage system.

Attachments:

Attachment 1 – Application

Attachment 2 - Public Works Inspection Report

Attachment 3 – Additional Arborist Report

Summary of Staff Recommendation

Staff has reviewed the application, the applicable criteria and standards, comments received, and new materials submitted by the applicant and arborist. Staff is conflicted, these are large, mature trees that greatly benefit the surrounding area, but it is also staff's opinion that a case can be made for Criterion C. to be met by the application. The restaurant is an approved development in the city and the Northern trees' root structure is directly damaging the concrete wall of the restaurant's storage area. Such a large tree overhanging the building roof is also a potential source of both light and severe damage due to high winds and inclement weather events.

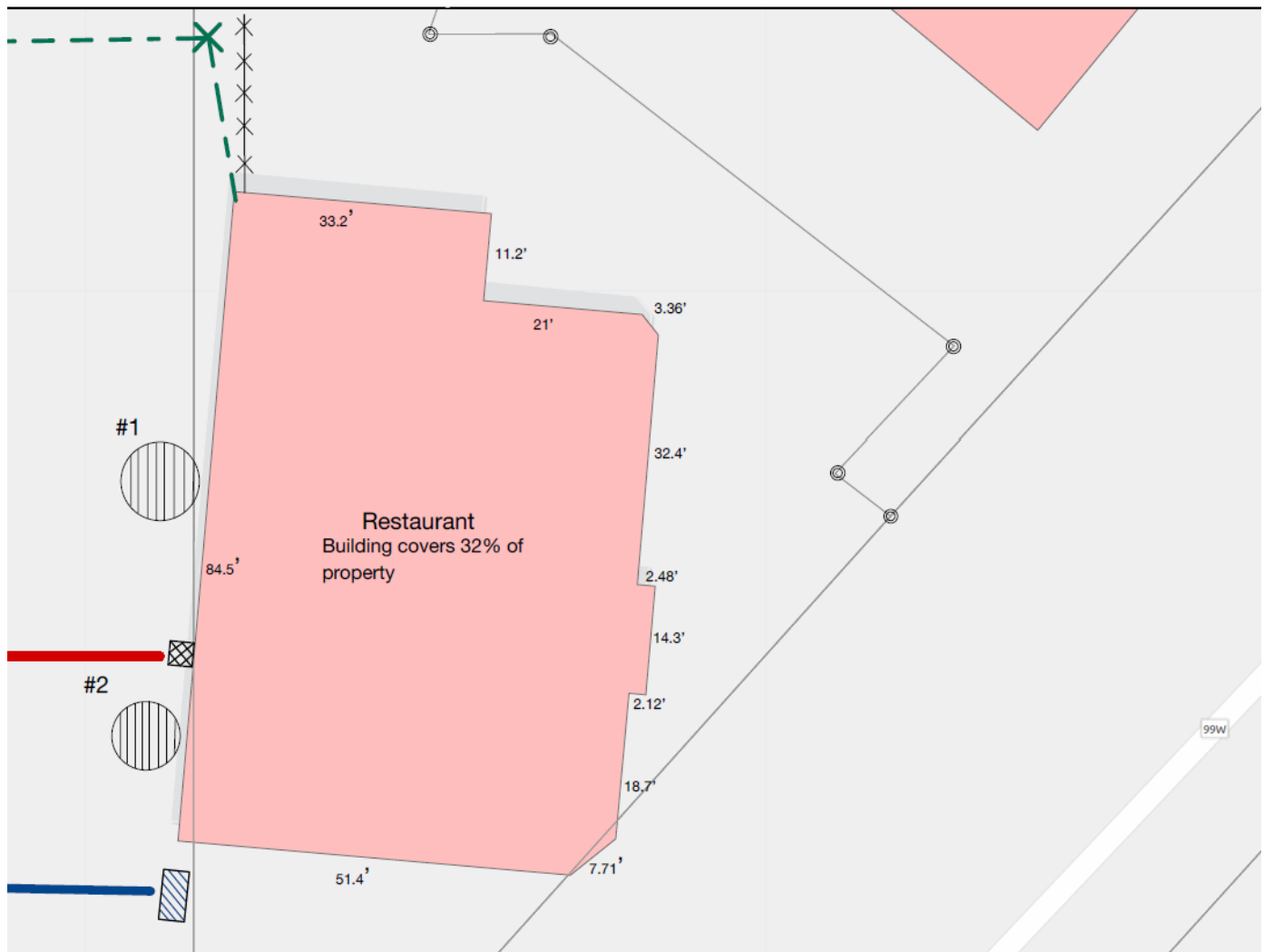
The arborists report in attachment 3 states that the roots are or will in the future negatively interact with public improvements in the form of water and electrical lines in close proximity to the tree. In staff's opinion this is enough to warrant approval of the application with the below conditions.

Figure 1 Vicinity Maps.



St. McMinnville OR

El Primo Restaurant Tree Removal Site Plan



Attachments:

- Attachment 1 – Application
- Attachment 2 - Public Works Inspection Report
- Attachment 3 – Additional Arborist Report

Figure 2. Site Photos.



Attachments:

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Attachments:

Attachment 1 – Application

Attachment 2 - Public Works Inspection Report

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Figure 3. Additional Photos for the Continuance



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II. COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Public Works Department, McMinnville Engineering, and McMinnville Water and Light. Their comments are provided below.

No public notice of the application was required by the Zoning Ordinance. No additional comments were received by the Planning Department.

McMinnville Water & Light:

- Water: Underground water utilities are in the area. Call for locates. Protect water utilities.
- Power: underground three phase power in the area. Please call for locates. Contact McMinnville Water and Light if contact is made with power conduits.

City of McMinnville Public Works Department:

- The Public Work Inspection Report is attached as ***Attachment 2***.

City of McMinnville Engineering Department:

- No comments have been received.

Attachments:

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III. ATTACHMENTS:

1. Application
2. Public Works Inspection Report

IV. STAFF RECOMMENDATION:

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

Staff **RECOMMENDS APPROVAL** of the tree removal application (L 36-23)

V. CONDITIONS OF APPROVAL:

1. All costs and liability associated with tree removal and stump grinding shall be borne by the applicant.
2. 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. The stump and remaining surface roots of the tree 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 replanting and shall be raked smooth. The applicant shall restore any damaged areas that may result from vehicular or mechanical operations.
4. The applicant shall replace the two (2) removed trees with two (2) new street trees listed in the approved street tree list.
5. The 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.
6. The replacement trees shall be planted per the approved City detail, including root barrier, deep watering tubes, and staking (see enclosure). The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with two (2) deep watering tubes to promote deep root growth.
7. The applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;

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- b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm, or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
8. The planter areas shall be restored to original grade immediately following the planting of the replacement trees.
9. The applicant shall contact Public Works Operations (503.434.7316) for planting inspection prior to backfilling the planted tree.
10. The applicant shall be required to repair/replace sidewalk panels as necessary at the applicant's expense. Sidewalk permits can be obtained from Engineering at 503-434-7312.
11. The applicant shall complete the tree removal and replacement process within six (6) months of approval. Please plant the new trees in the fall to ensure best chances for their survival.

LANDSCAPE COMMITTEE OPTIONS:

1. **APPROVE** the application, subject to the recommended conditions of approval.
2. **APPROVE** the application with additional/revised conditions of approval if necessary to satisfy the applicable criteria.
3. **CONTINUE** the application, requesting that applicant submit more information for review if necessary to make findings that the applicable criteria are satisfied.
4. **DENY** the application, providing findings of fact for the denial in the motion if it is found the application meets the applicable criteria.

VI. SUGGESTED MOTION:

BASED ON FINDINGS THAT THE APPLICABLE CRITERIA ARE SATISFIED, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE STREET TREE REMOVAL APPLICATION L 33-23 AS RECOMMENDED BY STAFF IN THE STAFF REPORT.

Attachments:

Attachment 1 – Application
Attachment 2 - Public Works Inspection Report
Attachment 3 – Additional Arborist Report



TUALATIN VALLEY TREE CARE, CORP
ARBORICULTURE & PLANT HEALTH CARE

Office: 971-252-8600 – P.O. Box 219, Tualatin, OR 97062

TualatinValleyPHC.com

CCB # 233652

Certified Arborist Report

Name: Los Primos Restaurant (Enrique Rodriguez) - Address: 825 SW Backer St. McMinnville, OR 97128

Location: Behind the restaurant

Tree: #1 Red Maple tree, #2 Red Maple tree. - Tree DBH: #1 tree 26.5" DBH approx. height 45 Ft. - #2 tree 21.5" DBH approx. height 40 Ft

Visual Observation Tree #1:

1. Maple tree has over grown the area where it was planted
2. The tree is within 4' 8" of the building wall and root flare within 12" of the foundation
3. it's over growing over the sidewalk, lifting, cracking and damaging the sidewalk
4. it's creating damage on the gutter drainage pipe and sprinkler system valves and lines
5. Root system it's next to the main water line which it could starting to create damage to the line
6. Electrical utility box it's close enough that the roots could be damaging the under ground electrical pipes
7. Utility lines runs underneath the root system as marked by a locating company (see picture)
8. Root system it's expose above surface level and are tripped hazard to anyone that might walk through the area

Visual Observation Tree#2:

1. Root system has crack and break a concrete wall and it's causing damage to the property
2. Root system it's expose above surface level and are tripped hazard to anyone that might walk through the area

Recommendation:

1. Removal of both trees to prevent farther damages to the building, Downspouts, utilities and surrounding areas and safety to people that may walk underneath these tree

Eduardo Palomino - Certified Arborist PN-8511A

Cell: 503-878-0731



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 36-23
Date Received 8/4/23
Fee \$160.00
Receipt No. 208555
Received by AW

569-23-000429-PLNG

Street Tree Removal

Applicant Information

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

Applicant Name Carmen Rodarte Phone 971-388-3752

Contact Name _____ Phone _____
(If different than above)

Address 290 G St

City, State, Zip Independence OR 97351

Contact Email altar treesevice@gmail.com

Property Owner Information

Property Owner Name Enrique Rodriguez Phone 503-434-7900
(If different than above)

Contact Name _____ Phone _____

Address 15810 SW Delashmut Ln

City, State, Zip 97128

Contact Email cl-primo@frontier.com

Site Location and Description

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

Property Address 825 SW Backer St. McMinnville OR 97128
(Property nearest to tree(s) for removal)

Assessor Map No. R4 4420-DC-03900 Total Site Area 0.3200 acre

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation _____ Zoning Designation _____

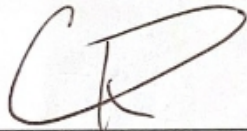
Additional Information

1. How many trees are requested for removal? two (2)
2. What type (species) of tree(s) are they? Red Maple trees
3. What is the diameter of the tree(s), measured four feet above ground level? #1-26.5" #2-21.5 DBH
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.
Requesting to remove both trees due to the following
→ trees roots system is damaging sidewalk and too
close to building. Also damaging sprinkler system.
→ tree's canopy is damaging gutter system on
building
→ Root system is damaging building concrete
wall.


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

7/27/2023
Date


Property Owner's Signature

7/27/2023
Date

7/26/23, 4:02 PM

821 Pacific Hwy W - Google Maps

Google Maps

821 Pacific Hwy W

①

②

McMinnville, Oregon

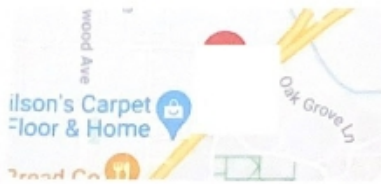
Google Street View

Jun 2018

See more dates



Image capture: Jun 2018 © 2023 Google



1. tree removal
2. tree removed

https://www.google.com/maps/@45.2025559,-123.2015825,3a,28y,298.19h,95.11t/data=!3m6!1e1!3m4!1sCjGRKsd-_SINSBhldMGN5gl2e0!7i13312!8i6656?entry=ttu

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TUALATIN VALLEY TREE CARE, CORP
ARBORICULTURE & PLANT HEALTH CARE

Office: 971-252-8600 – P.O. Box 219, Tualatin, OR 97062

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CCB # 233652

Certified Arborist Report

Address: 825 SW Backer St. McMinnville, OR 97128, USA

Location: Behind the restaurant

Name: Los Primos Restaurant (Enrique Rodriguez)

Tree: #1 Red Maple tree, #2 Red Maple tree

Tree DBH: #1 tree 26.5" DBH approx. height 45 Ft. - #2 tree 21.5" DBH approx. height 40 Ft

Observation:

1. Tree #1 - Maple tree has over grown the area where it was planted, it's too close to the building and foundation, it's over growing on to the sidewalk, it's creating damage on the gutter drainage pipe and sprinkler system and more.
2. Tree #2 - Maple tree (same root system issues them above) root system has crack and break a concrete wall and it's causing damages

Recommendation:

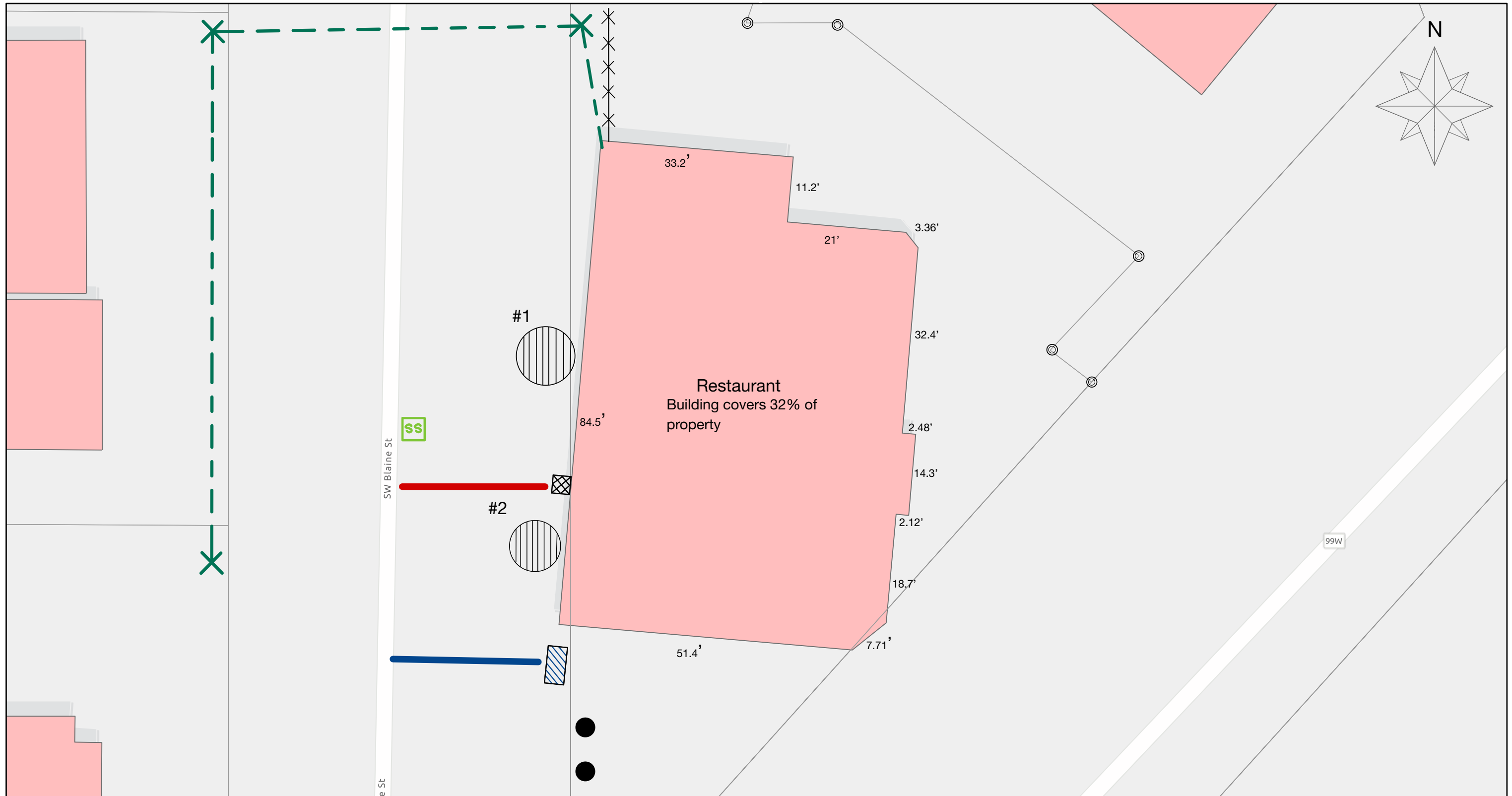
1. Removal of both trees to prevent farther damages to the building and surrounding areas

Eduardo Palomino
Certified Arborist PN-8511A
Cell: 503-878-0731

Applicant: Carmen
Rodarte
Number: 971-388-3752

Site Address: 825 Baker St. McMinnville OR
97128
Taxlot #: R4420DC03900

El Primo Restaurant Tree Removal Site Plan



7/27/2023, 1:59:19 PM

Taxlots_Online

Urban Growth Boundary

Property Corner

Red maple tree

#1: 26.5" DBH approx. height 45'

#2: 21.5" DBH approx. height 40'

City Limits

City

Buildings

Retention wall

Street

Addresses

Water meter

Drainage facilities

Small tree/ shrub

Power meter

Retention wall

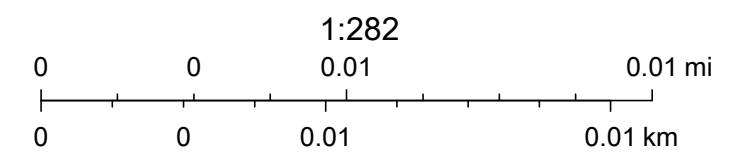
Underground electrical

Underground potable water

Power lines

Underground electrical

Underground potable water



Esri Community Maps Contributors, City of McMinnville, Oregon Metro, Oregon State Parks, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

Engineering Department | GIS Specialist Andrew Castro

The city of McMinnville is not liable for any decisions or actions taken using this data. For specialized data contact the engineering department.

From: Amy M. Gonzales <amg@mc-power.com>
Sent: Monday, August 28, 2023 12:47 PM
To: Adam Tate
Subject: RE: Street Tree Removal Request for Comment: L 36-23

Follow Up Flag: Follow up
Flag Status: Flagged

This message originated outside of the City of McMinnville.

Adam,

MW&L has the following comments:

Water: Underground water utilities are in the area. Call for locates. Protect water utilities.

Power: Underground three phase power in the area. Please call for locates. Contact McMinnville Water and Light if contact is made with power conduits.

Thank you,

Amy M. Gonzales
Engineering & Operations Assistant
Water Division
McMinnville Water & Light
PO Box 638 | 855 NE Marsh Lane | McMinnville, OR 97128
(503) 472-6919 ext 5
amg@mc-power.com

From: Adam Tate <Adam.Tate@mcminnvilleoregon.gov>
Sent: Tuesday, August 22, 2023 5:38 PM
To: David Renshaw <David.Renshaw@mcminnvilleoregon.gov>; Amy M. Gonzales <amg@mc-power.com>; Jen Hawkins <JenH@mc-power.com>; Jeff Gooden <Jeff.Gooden@mcminnvilleoregon.gov>
Subject: Street Tree Removal Request for Comment: L 36-23
Importance: High

Hey everyone,

I have a couple street tree removal requests that have recently come in, here is the first one. This one is for 825 SW Baker St. for the removal of two trees behind El Primo Mexican Restaurant that are lifting the sidewalk. The trees are actually alongside SW Blaine Street behind the restaurant. Please see the attached application and get me any comments by Wednesday the 30th please.

Thank you everyone!



**City of
McMinnville**

Adam Tate

Associate Planner / LEED Green Associate

503-434-7330

231 NE Fifth Street McMinnville, OR

www.mcminnvilleoregon.gov

From: David Renshaw
Sent: Friday, September 1, 2023 12:06 PM
To: Adam Tate; Amy M. Gonzales; Jen Hawkins; Jeff Gooden
Cc: Tom Schauer
Subject: RE: Street Tree Removal Request for Comment: L 36-23

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Adam, and thanks for the opportunity to comment on this proposal:

Site Review:

1. SW Blaine is local roadway in the McMinnville TSP.
2. The southerly tree is about 45' in height with a DBH of 26.5". The northerly tree is about 40' in height with a DBH of 21.5". Both trees are mature maple trees with extensive surface rooting.
3. This section of Blaine has curb tight sidewalks and is a 32' improvement in a 59.7' right of way per GIS data.
4. The trees are planted behind the walk, between the back of walk and the building. There is approximately 8' of ROW behind the back of the sidewalk.
 - a. The northerly tree is about 8' from the structure and abuts a low concrete retaining wall bordering a fenced outdoor storage area. The tree has impacted that private wall.
 - b. The southerly tree is about 5' from structure.
5. The trees show no obvious structural or health issue that would require removal.
6. There is sidewalk damage adjacent to the southerly tree which will require repair.
7. There is no damage to the sidewalk from the northerly tree.
8. Both trees show excess surface rooting. At the southerly tree, the surface rooting has impacted roof drainage and irrigation.
9. There is no curb/gutter damage at either location.
10. There are no overhead conflicts in the form of electrical and communications facilities.

Recommendations:

1. Given the size and landscape value of these trees, and the options for mitigating the root related damage without removal, staff would recommend denial of this application. We recommend follow up with the applicant to discuss options to address the observed damages without removing the trees:
 - a. Determine if the irrigation lines and the roof drain line could be relocated to accommodate the tree.
 - b. Determine if sidewalk damage could be addressed with grinding.
 - c. Determine if the tree is impacting the water supply to the structure.
 - d. Determine if the trees could be pruned (crown cleaning and dead wooding) to reduce impacts on the structures' roof drainage system.

Thanks, and please let us know if you have any questions.

david

From: Adam Tate <Adam.Tate@mcminnvilleoregon.gov>

Sent: Tuesday, August 22, 2023 5:38 PM

To: David Renshaw <David.Renshaw@mcminnvilleoregon.gov>; Amy M. Gonzales <amg@mc-power.com>; Jen Hawkins <JenH@mc-power.com>; Jeff Gooden <Jeff.Gooden@mcminnvilleoregon.gov>

Subject: Street Tree Removal Request for Comment: L 36-23

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Thank you everyone!



**City of
McMinnville**

Adam Tate

Associate Planner / LEED Green Associate

503-434-7330

231 NE Fifth Street McMinnville, OR

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