



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

www.mcminnvilleoregon.gov

Landscape Review Committee
Community Development Center, 231 NE 5th Street
June 21, 2017
12:00 PM

Committee Members	Agenda Items
<p>Rob Stephenson Chair</p> <p>Sharon Gunter Vice-Chair</p> <p>Josh Kearns</p> <p>RoseMarie Caughran</p> <p>Tim McDaniel</p>	<ol style="list-style-type: none"> 1. Call to Order 2. Citizen Comments 3. Approval of Minutes <ol style="list-style-type: none"> A. April 19, 2017 Meeting Minutes (Exhibit 1) 4. Action Items <ol style="list-style-type: none"> A. L 19-17 – Street Tree Removal (Exhibit 2) 1615 SW Emily Court B. L 20-17 – Street Tree Removal (Exhibit 3) 2376 NW Grenfell Loop C. L 21-17 – Landscape Plan (Exhibit 4) 1439 NE Lafayette Avenue D. L 13-17 – Landscape Plan Amendment (Exhibit 5) 2180 – 2350 NE Highway 99W 5. Discussion Items 6. Old/New Business 7. Committee Member Comments 8. Staff Comments 9. Adjournment

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

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



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EXHIBIT 1 - MINUTES

April 19, 2017
Landscape Review Committee
Regular Meeting

12:00 pm
Community Development Center
McMinnville, Oregon

Members Present: Rose Marie Caughran, Sharon Gunter, and Tim McDaniel

Members Absent: Josh Kearns and Rob Stephenson

Staff Present: Chuck Darnell – Associate Planner

Guests Present: Scott Hill – Mayor, Glenn Armstrong, and Bill Riffle

1. Call to Order

The meeting was called to order at 12:07 p.m.

2. Citizen Comments – None.

3. Approval of Minutes

A. February 15, 2017

Committee Member McDaniel moved to approve the minutes of February 15, 2017. The motion was seconded by Committee Member Caughran and passed 3-0.

4. Action/Docket Item (repeat if necessary)

C. L 13-17 – Landscape Plan - 2180-2350 NE Highway 99W

Associate Planner Darnell stated this was a parcel in the McMinnville Plaza shopping center on Highway 99W between Petco and JC Penny. The landscaped area was 9% of the parcel, which exceeded the commercial landscaping area requirement. There were ten existing Maple trees on the site and an arborist had inspected them. The arborist report identified four trees as hazardous. The applicant proposed to remove all of the trees and replace them with ten Japanese Snowball trees. The existing trees were mature and provided good screening of the existing building. The landscaped area was one of the few actual landscaped areas within the larger shopping center parking lot, so staff believed it was important to retain trees in this area. The existing landscaped area was irrigated. The application had proposed to plant the new evenly throughout the landscape area, and two trees would be planted in the islands on the

end. Staff recommended that the Committee either approve only the four hazardous trees to be removed, or if the removal is allowed, require larger trees or more trees to be planted in their place. Staff recommended that the minimum caliper for the trees could be three inches. If the non-hazardous trees were not removed, they should be trimmed or pruned.

Glenn Armstrong, representing the applicant, said some of the motivation for the removal was the declining state of the trees. Instead of only replacing the four and waiting for the others to become hazardous or dealing with the incongruent growth, he had suggested removing all of the trees and starting over.

Committee Member Gunter asked if there would be an issue with the trees' horizontal growth and encroaching on the parking area. Mr. Armstrong said they would be put back eight feet and the ones in the parking strip would not be near the cars. The site was cleaned up once a week. They were pretty trees with blooms in the spring and good leaf color and structure.

Associate Planner Darnell confirmed it was a wide planter strip and if the trees were put in the center, it should not affect the cars.

Committee Member Caughran suggested columnar trees for the parking island.

Committee Member Gunter asked if removing the trees would affect the shrubbery. Mr. Armstrong said no, they would not replant in the same place and the stump grinding should not affect the shrubs. Associate Planner Darnell said there could be a condition that any shrubs damaged would be replaced.

Committee Member Caughran thought the shrubs should also be removed and everything started over.

Mr. Armstrong said they would be fine with removing and replanting everything.

Associate Planner Darnell said they could either approve the application with conditions or they could continue the item to the next meeting and the applicant could submit a revised planting plan. It sounded like there was support for removing the ten trees. Some of the conditions could include: the two trees in the parking island would be columnar trees, the other eight trees would be planted in the center of the landscape area, replace all of the shrubs in the landscape area, and ensure adequate watering to establish the trees.

Committee Member Gunter moved to approve the tree removal subject to the conditions as stated by staff with the addition that the applicant submit a detailed replanting plan for the shrubs that staff would review and approve. The motion was seconded by Committee Member McDaniel and passed 3-0.

E. L 15-17 – Landscape Plan - 288 NE Norton Lane

Associate Planner Darnell explained the landscape plan amendment for Chemeketa Community College. The three trees that were being requested to be removed were located outside of the property lines. Staff had verified that ODOT would have no issue with the tree removal. The trees were in front of a free standing sign and that was the reason for the request. The original landscape plan from 1993 showed the trees as Red Sunset Maple trees, and the existing diameters were 11, 13, and 14 inches. The trees were supposed to be planted on the property behind the sign, as shown on the original landscape plan.

Bill Riffle, representing Chemeketa College, said when the trees had leaves, they obscured the sign that identified where the college was located.

Associate Planner Darnell said staff was proposing six replacement trees. The applicant had identified a location for three of the trees west of the existing sign and staff proposed three additional trees to comply with the original landscape plan where trees were supposed to have been planted on the east frontage.

Mr. Riffle was concerned about putting trees near the water meter near the theater. He also wanted to make sure there was visibility to the buildings. He discussed ODOT's 20 year plan for the site and how the roads and buildings might be changed.

Associate Planner Darnell said if there was concern about utility locations, they could pick a different location for the additional three trees, such as along Norton Lane. He suggested the condition be amended to say the three additional trees would be planted east of the existing sign or along Norton, whichever worked best.

Committee Member Gunter moved to approve L 15-17 with the amended condition. The motion was seconded by Committee Member McDaniel and passed 3-0.

Mr. Riffle said he would notify the LRC when the replacement tree for the large Oak tree was planted. They would also plant more oaks in the understory.

A. L 7-17 – Landscape Plan - 1150 NE Lafayette Avenue

Associate Planner Darnell said this was a landscape plan for the McMinnville School District's maintenance facility. The site was zoned C-3 and was in the Northeast Gateway District. They were proposing to landscape 7.9% of the site and there was a large greenspace area in the back. The existing planter area would be upgraded and as many trees as possible were being kept. Two existing trees along the west property line were going to be removed to make the sidewalk ADA accessible. They would be replaced by two trees in the landscaped area near Lafayette. Four mature maple trees and three pear trees would remain. Four new trees would be added along the frontage and two more on the east. There would also be shrubs planted. Due to the overhead utilities, staff proposed the applicant choose from the small trees list. The landscaping would screen the parking area from the street. A site obscuring fence would be installed around the entire perimeter of the property. A full irrigation plan had been submitted as well.

There was consensus to amend the condition that the applicant plant only Golden Desert Ash trees for all the trees.

Committee Member Gunter moved to approve L 7-17 with the amended condition. The motion was seconded by Committee Member Caughran and passed 3-0.

B. L 12-17 – Street Tree Removal - 151 NW Mt. Mazama Street

Associate Planner Darnell said this was a request for street tree removal on the corner of 2nd and Mt. Mazama. The trees had been put in by the developer, but had been neglected as the lot was vacant. When a house was constructed, sidewalks would need to be put in and the applicant was worried about impacting the roots. Staff recommended replacing the trees with October Glory after the sidewalks were put in. The original street tree plan showed four trees

on the south property line, but only three were planted. A condition was included that four trees be planted to be consistent with the plan. Staff recommended approval.

Committee Member Gunter moved to approve L 12-17. The motion was seconded by Committee Member McDaniel and passed 3-0.

D. L 14-17 – Landscape Plan - 1944 NE Baker Street

Associate Planner Darnell said this was a landscape plan for a social relief facility. It would look like an apartment building, but would be run by Yamhill County to provide residential units for people with mental health issues. It was zoned commercial, but the applicant was proposing landscaping 42% of the site. There would be an open lawn area on the west side between the building and the parking area and street. There would be a cedar tree and Japanese maples as well as some shrubs and smaller plants. Along the southern property line, there would be a fence and a row of shrubs. Greywood Ash would be planted around the whole property. There would be an open lawn area in the back for usable open space for the residents. Along the north property line there would be a row of shrubs and Vine Maple trees. There would be planting islands to break up the parking area and foundation plantings and Italian Cypress along the front of the building. Autumn Flame Red Maple trees, Japanese maples, and shrubs would be in the parking islands. The site was well screened and at full maturity there would be a full tree canopy around the entire property. No street trees were required and the site would be irrigated. Staff recommended approval.

There was discussion regarding how it was a nice, balanced plan.

Committee Member Gunter moved to approve L 14-17. The motion was seconded by Committee Member Caughran and passed 3-0.

F. Amendments to Landscaping and Trees Chapters

Associate Planner Darnell said the LRC's recommended changes to the landscaping and trees chapters were taken to the Planning Commission in March. The hearing was continued to May as some input from the public was received and suggestions for more changes were made. Staff updated the documents and he reviewed the new changes. For the landscaping chapter, the order of the sections, section numbers, and definitions had been rearranged, an addition was made to the purpose and intent statement to include native plants in landscape plans, language had been added regarding identifying existing trees on landscape plans, allowing raised planters to be on landscape plans, the appeal period was changed from 5 to 15 days, and other minor changes. For the trees chapter, a section was added for downtown trees, allowing additional time for the removal/replacement of trees to allow for planting in favorable seasons, an arborist report could be requested for any tree removal request, and some language was moved from street tree standards to the street tree maintenance section. If the LRC was comfortable with the changes, they would be brought back to the Planning Commission in May.

Committee Member Gunter moved to recommend approval of the changes as presented. The motion was seconded by Committee Member Caughran and passed 3-0.

G. Discussion Items – None.

H. Old/New Business – None.

I. Committee/Commissioner Comments

Mayor Hill thanked the members of the LRC for their work.

Committee Member Caughran said Trees for McMinnville and Morning Rotary would be planting trees on May 6.

J. Staff Comments

Associate Planner Darnell said there would be a Tree City USA proclamation at the next City Council meeting for Arbor Day which would be April 28. It was the City's twentieth year in the Tree City program.

K. Adjournment

The meeting was adjourned at 1:22 p.m.



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EXHIBIT 2 - STAFF REPORT

DATE: June 21, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4A: L 19-17

Report in Brief:

An application for a tree removal (L 19-17) to be reviewed by the Landscape Review Committee.

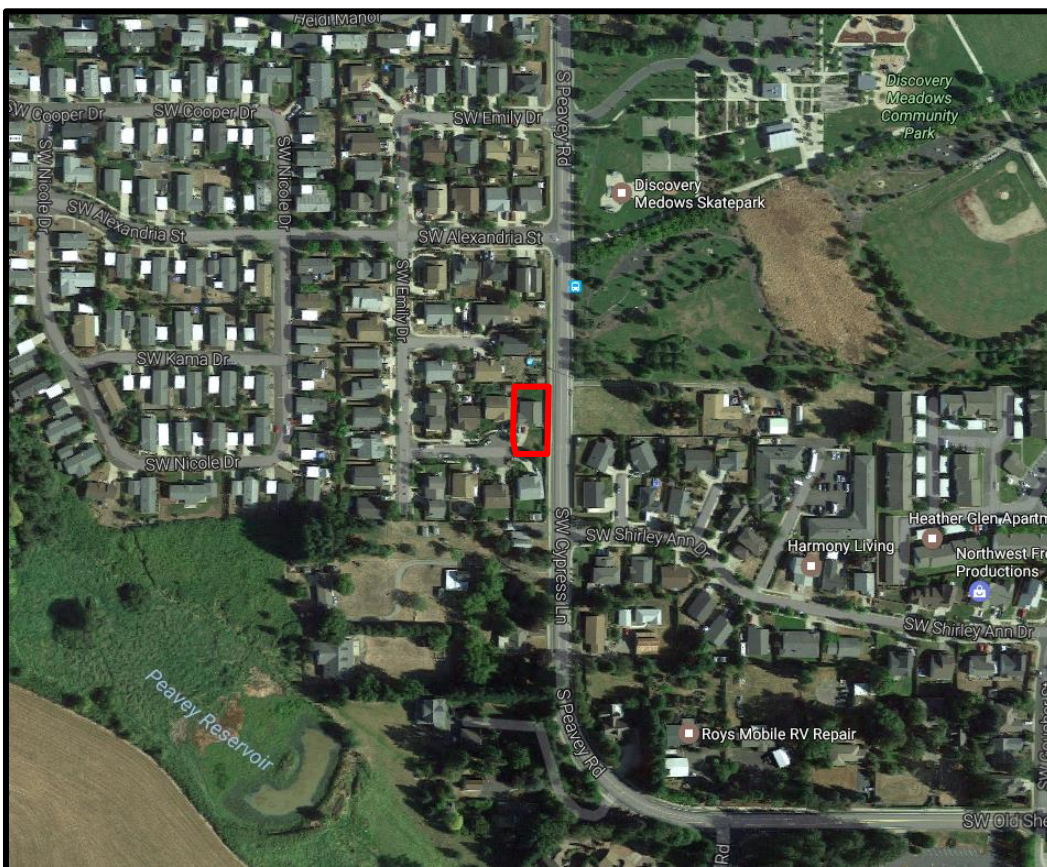
Background:

The applicant, Toni Sheeley, submitted a street tree removal application to remove one (1) street tree from the property located at 1615 SW Emily Court. The subject property is more specifically described as Tax Lot 2909, Section 30AA, T. 4 S., R. 4 W., W.M.

Discussion:

The subject property is a single family site in a more established area in the City of McMinnville. The subject site can be seen below as a red outlined area:

Attachments: Application, Determination of Tree Value, & Decision Document



The applicant is requesting the removal of one (1) street tree due to the tree impacting adjacent public and private infrastructure. The tree in question is a Birch Bark Cherry (*Prunus serrula*) tree that measures approximately 16 inches in diameter at breast height. The applicant has provided photos that show the roots of the trees impacting their water lines and the proximity of the tree to both the driveway and the water meter. The applicant has stated that they have had to repair the water line twice in the past. The applicant has concerns that the tree will continue to negatively impact the water services, as it is located so close to the water meter.

The applicant did not propose any tree replacement in their application.

Review Criteria:

Section 17.58.050 (Review Criteria) of the McMinnville Zoning Ordinance states that street tree removals may be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist. Verification of tree health may be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.

The tree in question is not unsafe, dead, or diseased, so this review criteria is not applicable.

- B. The tree is in conflict with public improvements.

The applicant has provided evidence of the tree's root impacting both the public and private infrastructure adjacent to the tree. The tree does show evidence of shallow rooting, and the tree roots have begun to damage adjacent sidewalks and the adjacent driveway approach. The sidewalk is lifting and there is cracking in the driveway approach.

In addition the tree roots have impacted the water meter and water line providing water services to the property. The applicant has provided photos showing the damage to the water meter and the invoices from past repairs completed by a plumber.

The tree was planted in a location that does not meet current standards for placement of a street tree. The tree is located less than five feet from the driveway approach and is also located directly adjacent to the water meter. This proximity to the water meter has caused the damages described by the applicant. Based on the damage that has occurred and the fact that the tree was planted in an improper location, the request meets this review criteria for removal.

- 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.

This criteria is not applicable, as the tree is not part of an approved development or public improvement project.

- D. A street tree within the downtown tree zone may also be removed if the Planning Director determines that the tree is causing repeated and excessive damage to sidewalks or other public or private improvements or structures.

This criteria is not applicable, as the tree in question is not located within the downtown tree zone.

Tree Replacement:

Section 17.58.040(D) (Tree Removal/Replacement) of the McMinnville Zoning Ordinance states that “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 applicant did not propose to replace the street trees as part of their application. Planning and Public Works staff are recommending that there be no replacement tree be planted at this location. The property is located in a cul-de-sac and does not have a wide frontage. Therefore, the existing property frontage does not have another suitable location for a replacement tree that would meet the City’s current street tree planting standards.

In lieu of planting a replacement tree, the Zoning Ordinance does allow for the Landscape Review Committee to require a payment to the city of an amount sufficient to fund the planting and establishment of a tree of similar value. The Zoning Ordinance states that 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.” Staff has developed an estimated value of the existing tree to be removed based on those methods. The value of the existing tree is \$277.22, and the details on how that value was determined are attached to the staff report.

If the Landscape Review Committee believes that the fee should be required, staff has included a suggested a condition of approval that would require that the fee be provided to the City to plant another tree of similar value.

Fiscal Impact:

None.

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.

Recommendation/Suggested Motion:

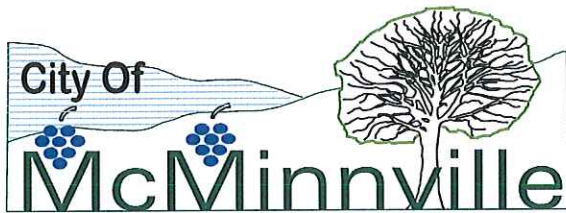
Based on the findings described above, staff is recommending that the street tree removal be approved with the following conditions:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the tree's stump and remaining surface roots shall be removed at least six (6) inches below grade.
3. The applicant shall use extreme caution when removing the tree and the roots. The applicant shall take care to not come into contact with the underground power facilities or the water meters that are located at the base of the tree. If any excavation work will be required during the tree removal, the applicant shall contact McMinnville Water and Light at 503-472-6158 prior to any excavation work being completed.
4. That the applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. Please call the Engineering Department at (503) 434-7312 for sidewalk standards and specifications prior to construction.
5. That all costs and liability associated with the tree's removal shall be borne by the applicant.
6. That the applicant shall pay to the city an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the tree to be removed, and the fee to be provided to the city, has been calculated based on the methods set forth in the Guide for Plant Appraisal published by the International Society of Arboriculture Council of Tree Landscape Appraisers (see enclosed details). The fee to be provided to the city shall be \$277.22.
7. That the applicant shall complete the removal within six (6) months of this approval notification, or December 21, 2017.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 19-17 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs



Planning Department

231 NE Fifth Street • McMinnville, OR 97128
(503) 434-7311 Office • (503) 474-4955 Fax
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Office Use Only:

File No. L19-17

Date Received 5-17-17

Fee 0

Receipt No. _____

Received by SWP

Street Tree Removal

Applicant Information

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

Applicant Name Toni Sheeley Phone 9712412179

Contact Name _____ Phone _____
(If different than above)

Address 1615 SW Emily Ct

City, State, Zip McMinnville Ore 97128

Contact Email _____

Property Owner Information

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

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

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

Property Address 1615 SW Emily Ct McMinn. OR. 97128
(Property nearest to tree(s) for removal)

Assessor Map No. R4-30-AA-2909 Total Site Area 8504

Subdivision Cypress Meadows 1st Add Block _____ Lot 36

Comprehensive Plan Designation Res Zoning Designation R-3PD

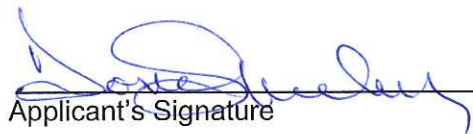
Additional Information

1. How many trees are requested for removal? 1
2. What type (species) of tree(s) are they? blooming cherry?
3. What is the diameter of the tree(s), measured four feet above ground level? _____
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. _____
I've had to repair two leaks at my water meter which is right next to the tree. The sidewalk is starting to lift raise. As close as the roots and how big the roots are next to the water meter's the plumber said they would be back for the same issues.

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

5/17/16
Date

Property Owner's Signature

Date

GORMLEY

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1715 NE Lafayette Ave.
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OFFICE (503) 472-4101
FAX (503) 472-4359
Newberg (503) 538-7200
Salem (503) 375-7620

Job Invoice No.

66219 S

NAME	Tony Sheeley.	NAME	Same.
ADDRESS	1615 SW. Forest Emily Ct.	ADDRESS	
CITY	McMinnville	CITY	
STATE	OR	STATE	
ZIP	97128	ZIP	
PHONE #	931.241.2139	PHONE #	
CC #		Authorized By:	USA
Expiration Date:	12.19	Security Code:	610
Name on Card:			

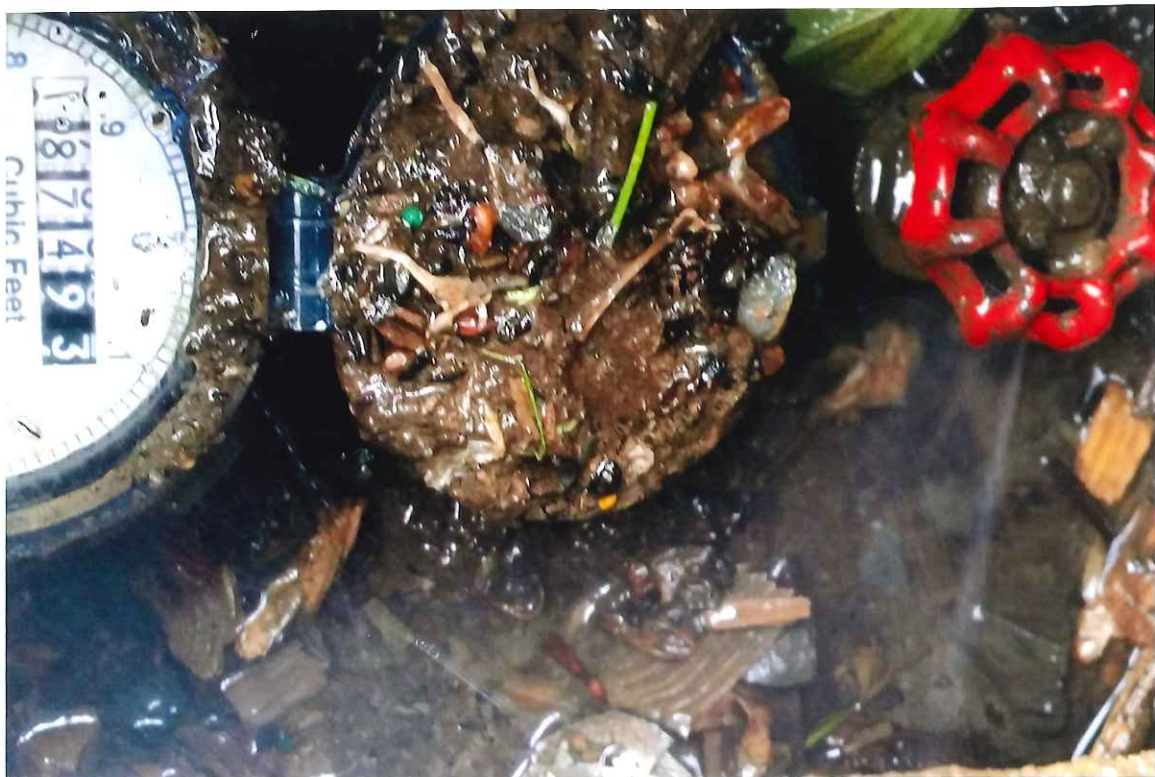
Qty.	Materials	Price Ea.	Total	Description
1	3/4" x 6" Sch. 80. Pump	7-	7-	Cut out Sch. 240 Nip and
1	3/4" Ball valve	19-	19-	replaced with sch. 80 nipple.
*	Mis. Lens.	5-	5-	to P.R.O. Hooked up water
				nipple to new 3/4" Ball valve
				on customer Side @ meter.
				found water on.
				meter not moving. no suspect
				leaks from meter to home.
				note *
				Cherry tree left of driveway
				NEEDS CUT DOWN. (ROOT Intrusions)
				Other Charges
Hrs.	Labor Charges	Rate	Total	
1.25	David Jones.	115.-	143.75	no warranty that roots will not
				break other piping. * Additional
				leak under house. Replaced.

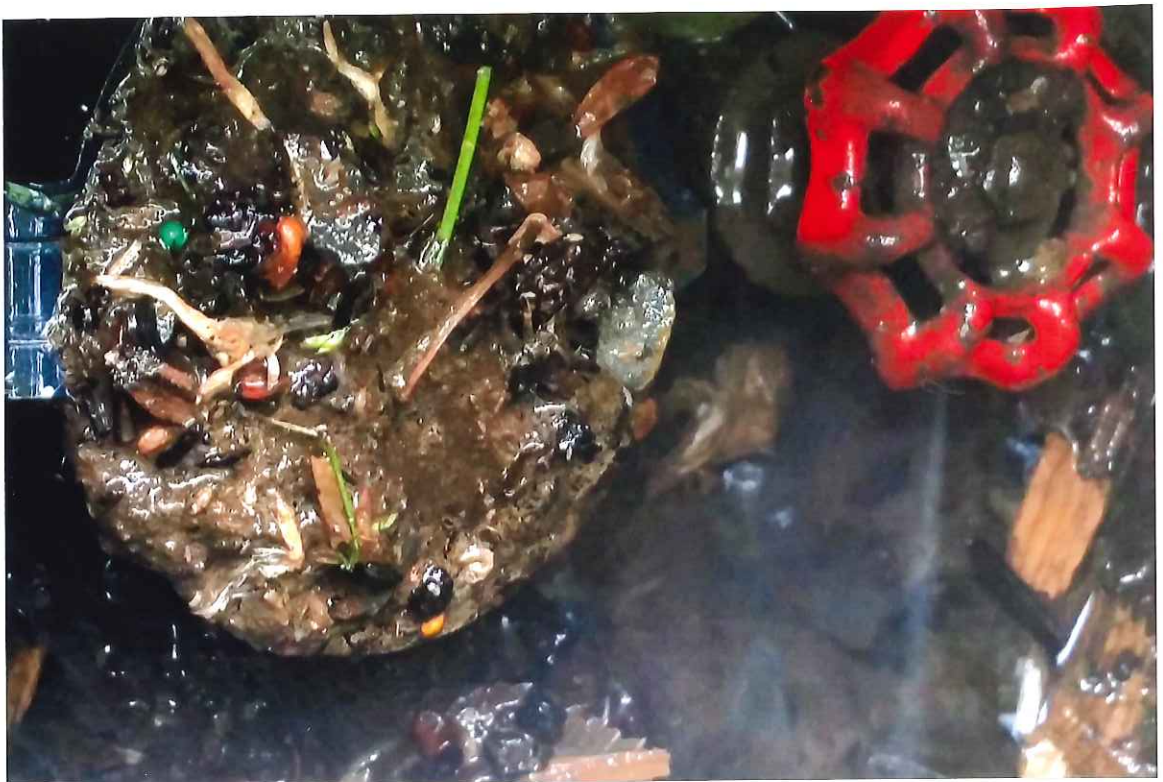
I acknowledge satisfactory completion of the above described work and that the premises have been left in a satisfactory condition.
If for any reason I am not satisfied with the service received from Gormley Plumbing + Mechanical I understand that I am to contact Gormley Plumbing + Mechanical directly before posting any negative reviews or feedback on any social media.

Signature of responsible party *David Jones*

Please make checks payable to
Gormley Plumbing + Mechanical.

By signing, I understand that if my check does not clear, I will be held liable for handling fees in accordance with ORS 30.701.













CITY OF MCMINNVILLE
PLANNING DEPARTMENT
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DECISION DOCUMENT – 1615 SW EMILY COURT

DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF TREE REMOVAL REQUEST AT 1615 SW EMILY COURT

DOCKET: L 19-17 (Street Tree Removal)

REQUEST: The applicant requested the removal of a street tree. The removal of a tree within the public right-of-way requires City approval.

LOCATION: The subject site is located at 1615 SW Emily Court. The subject property is more specifically described as Tax Lot 2909, Section 30AA, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is designated as Residential on the McMinnville Comprehensive Plan Map, and is zoned R-3 PD (Two-Family Residential Planned Development).

APPLICANT: Toni Sheeley

STAFF: Chuck Darnell, Associate Planner

DECISION-MAKING BODY: McMinnville Landscape Review Committee

DATE & TIME: June 21, 2017.

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

ATTACHMENTS:

1. Application for Tree Removal

DECISION

Based on the findings and conclusions, the Planning Director recommends **APPROVAL WITH CONDITIONS** of the street tree removal request (L 19-17).

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

Planning Staff: _____
Chuck Darnell, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

Application Summary:

The applicant requested the removal of a street tree. The removal of a tree within the public right-of-way requires City approval.

CONDITIONS OF APPROVAL

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the tree's stump and remaining surface roots shall be removed at least six (6) inches below grade.
3. The applicant shall use extreme caution when removing the tree and the roots. The applicant shall take care to not come into contact with the underground power facilities or the water meters that are located at the base of the tree. If any excavation work will be required during the tree removal, the applicant shall contact McMinnville Water and Light at 503-472-6158 prior to any excavation work being completed.
4. That the applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. Please call the Engineering Department at (503) 434-7312 for sidewalk standards and specifications prior to construction.
5. That all costs and liability associated with the tree's removal shall be borne by the applicant.
6. That the applicant shall pay to the city an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the tree to be removed, and the fee to be provided to the city, has been calculated based on the methods set forth in the Guide for Plant Appraisal published by the International Society of Arboriculture Council of Tree Landscape Appraisers (see enclosed details). The fee to be provided to the city shall be \$277.22.
7. That the applicant shall complete the removal within six (6) months of this approval notification, or December 21, 2017.

ATTACHMENTS

1. Application for Tree Removal
2. Calculation of Value of Removed Tree

COMMENTS

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

FINDINGS OF FACT

1. Toni Sheeley submitted a tree removal application requesting the removal of a street tree. The removal of a tree within the public right-of-way requires City approval.
2. The subject site is located at 1615 SW Emily Court. The subject property is more specifically described as Tax Lot 2909, Section 30AA, T. 4 S., R. 4 W., W.M.
3. The site is currently zoned R-3 PD (Two-Family Residential Planned Development), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.

4. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided, and the comments provided by the Public Works Department and McMinnville Water and Light have been incorporated into the conditions of approval.
5. A public meeting was held by the Landscape Review Committee on June 21, 2017 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

Policy 132.24.00: The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way. [...]

Finding: Goal VI 1 and Policy 132.24.00 are satisfied in that the tree removal will not cause the sidewalk to become further damaged, which will result in a safety improvement for pedestrians. The tree was planted in a location that would not meet any current standards for setbacks and clearances from surrounding infrastructure and utilities. Therefore, a replacement tree in this location is not feasible or appropriate. A condition of approval has been included to require a fee to be paid to the city to fund the planting and establishment by the city of a tree of similar value to the tree being removed.

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

Finding: Policy 132.38.00 is satisfied in that a replacement tree is not being required in this location. The tree was planted in a location that would not meet any current standards for setbacks and clearances from surrounding infrastructure and utilities. Therefore, a replacement tree in this location is not feasible or appropriate. A condition of approval has been included to require a fee to be paid to the city to fund the planting and establishment by the city of a tree of similar value to the tree being removed.

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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that 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 Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

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

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

Finding: The approval of the removal request will allow for the removal of a safety hazard and a tree that is causing damage to private and public property. The tree was planted in a location that would not meet any current standards for setbacks and clearances from surrounding infrastructure and utilities. Therefore, a replacement tree in this location is not feasible or appropriate.

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 planted in or upon any public area or right-of-way;
- C. All trees planted in or upon 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 or undergoing development review such as site plan review, tentative subdivision review, or partition review.

Finding: The tree being removed is located within the public right-of-way. Therefore, provisions of the Trees chapter of the McMinnville Zoning Ordinance apply and the removal of any tree within the public right-of-way requires City approval.

17.58.040 Tree Removal/Replacement

- A. The removal or major pruning of a tree within the public right-of-way shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file 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. 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 fifteen days of submittal. Requests for tree removal within the downtown tree one 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 his designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or Planning Direct, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or Director may be appealed to the Planning Commission if notice of intent to appeal is filed with the Planning Department within five 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.
 - 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. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.

Finding: The provisions above are satisfied in that the applicant has requested a street tree removal to be reviewed by the Landscape Review Committee. The provisions related to standards to be followed in removing the tree are included as conditions of approval. A condition of approval has also been included to require a fee to be paid to the city to fund the planting and establishment by the city of a tree of similar value to the tree being removed.

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

- B. The tree is in conflict with public improvements.

Finding: The applicant has provided evidence of the tree's root impacting both the public and private infrastructure adjacent to the tree. The tree does show evidence of shallow rooting, and the tree roots have begun to damage adjacent sidewalks and the adjacent driveway approach. The sidewalk is lifting and there is cracking in the driveway approach.

In addition the tree roots have impacted the water meter and water line providing water services to the property. The applicant has provided photos showing the damage to the water meter and the invoices from past repairs completed by a plumber.

The tree was planted in a location that does not meet current standards for placement of a street tree. The tree is located less than five feet from the driveway approach and is also located directly adjacent to the water meter. This proximity to the water meter has caused the damages described by the applicant. Based on the damage that has occurred and the fact that the tree was planted in an improper location, the request meets this review criteria for removal.

CD:sjs

Tree Value Calculation: Trunk Formula Method *

Tree Species: Birchbark Cherry (*Prunus serrula*)

Steps	Input	Notes
1. Determine Base Price		
Cost to purchase similar tree	\$141.00	Cost for 2.5" caliper <i>Prunus serrulata</i> 'Royal Burgundy' from Meyer Nursery & Orchards in Salem, OR
Caliper	2.5	Measured in inches
Cross section area of tree	4.91	Measured in square inches
Base price / cross section square inch	\$28.72	Price per cross section square inch
2. Size of Tree Removed		
Removed tree diameter	16	Measured in inches; Provided by Public Works Superintendent
Cross section area of removed tree	201.06	Measured in square inches
3. Adjust Value For:		
Species class	40%	Table 1, Purdue University Cooperative Extension Service (<i>Prunus serrulata</i>)
Condition class	60%	Table 2, Purdue University Cooperative Extension Service (Fair)
Location class	20%	Table 3, Purdue University Cooperative Extension Service (Poor)
Calculated Tree Value	\$277.22	

* The formula for this method is: $\text{Tree value} = \text{Basic Tree Cost} \times \text{Species Class} \times \text{Condition Class} \times \text{Location Class}$

** $\text{Basic Tree Cost} = \text{Replacement Cost} + (\text{Base Price per Square Inch} \times (\text{Area of Removed Tree} - \text{Area of Replacement Tree}))$



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

www.mcminnvilleoregon.gov

EXHIBIT 3 - STAFF REPORT

DATE: June 21, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4B: L 20-17

Report in Brief:

An application for a tree removal (L 20-17) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Manuel Abt, submitted a street tree removal application to remove one (1) street tree from the property located at 2376 NW Grenfell Loop. The subject property is more specifically described as Tax Lot 700, Section 18AD, T. 4 S., R. 4 W., W.M.

Discussion:

The subject property is a single family site in the Shadden Claim subdivision, south of Baker Creek Road and east of Hill Road. The subject site can be seen below as a red outlined area:



The applicant is requesting the removal of one (1) street tree due to the tree impacting adjacent public infrastructure. The tree in question is a Sugar Maple (*Acer saccharum*) tree that measures approximately 10 inches in diameter at breast height. The applicant has provided photos that show the sidewalk lifting slightly as evidence of the tree impacting adjacent public infrastructure.

The applicant did not propose any tree replacement in their application.

Review Criteria:

Section 17.58.050 (Review Criteria) of the McMinnville Zoning Ordinance states that street tree removals may be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist. Verification of tree health may be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.

The tree in question is not unsafe, dead, or diseased, so this review criteria is not applicable. The tree itself does not show any obvious signs of structural or health issues that would require its removal.

- B. The tree is in conflict with public improvements.

The applicant has argued that the tree is impacting the adjacent public sidewalk. The tree roots have begun to cause the adjacent sidewalk to lift, and the applicant has provided photos of the sidewalk beginning to lift. While not obvious in the photos provided, upon staff's inspection of the site it is clear that the sidewalks adjacent to the tree are lifting. There is not a large lip between sidewalk panels,

measured at only about ¼ inches in height at this point in time, but the two sidewalk panels immediately adjacent to the tree are raised and create a larger bump in the sidewalk at this location. The applicant is concerned that future tree and root growth will continue to lift the sidewalk and create an unsafe condition for pedestrians.

The tree's root buttress is well above grade, indicating that the tree was likely planted too shallow. There is also evidence of shallow rooting in the park strip, which could continue to lead to infrastructure issues.

- 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.

This criteria is not applicable, as the tree is not part of an approved development or public improvement project.

- D. A street tree within the downtown tree zone may also be removed if the Planning Director determines that the tree is causing repeated and excessive damage to sidewalks or other public or private improvements or structures.

This criteria is not applicable, as the tree in question is not located within the downtown tree zone.

Tree Replacement:

Section 17.58.040(D) (Tree Removal/Replacement) of the McMinnville Zoning Ordinance states that "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 applicant did not propose to replace the street tree as part of their application. However, there is also one (1) additional tree in the planting strip on the subject site's frontage, for a total of two (2) trees adjacent to the site. That additional tree is much younger than the tree requested for removal, and appears to be dead. The tree has no leaves and may have been planted and subsequently not properly cared for. The tree meets the criteria for street tree removal, based on its current health and condition. Therefore, Planning and Public Works staff are recommending that, if the Landscape Review Committee believes that the applicable review criteria are satisfied, both trees should be removed and two (2) street trees be planted in place of the two (2) trees being removed. Also, the original street tree plan that was approved for the Shadden Claim subdivision (L 21-96) included two (2) street trees along this property's frontage.

There is adequate space along the property's street frontage for two (2) street trees, and the replacement of both trees would result in a more aesthetic and full tree canopy soon after replanting. The planting strip along the property's frontage is about 41 feet. The property's water meter is located on the north end of the planting strip, and the replacement tree must be located 10 feet from the water meter. The other replacement tree must be located at least five (5) feet from the driveway approach. This leaves an area of about 20 feet to locate the two (2) replacement trees, which would allow the trees to be located away from infrastructure and meet our street tree planting standards.

The original street tree plan indicated that the street trees at this location would be a Sugar Maple variety (*Acer saccharum* 'Legacy'). However, the street tree plan included a variety of different species throughout the subdivision. Other species from the original street tree plan in the immediate area along Grenfell Loop that are still permitted on the McMinnville Street Tree List include a Red Maple variety (*Acer rubrum* 'Autumn Flame'), a Norway Maple variety (*Acer platanoides* 'Crimson King'), and a

Linden variety (*Tilia cordata* 'Glenleven'). Sugar Maples are not listed as a permitted or conditionally permitted species on the McMinnville Street Tree List, and Lindens are actually listed as a conditionally permitted species based on their susceptibility to aphids.

Based on the available planting area and the species evident in the surrounding area, staff is suggesting that the applicant be able to choose replacement trees that are either Norway Maple (*Acer platanoides*), Red Maple (*Acer rubrum*), or Sugar Maple (*Acer saccharum*) varieties. Those types of trees, beside Sugar Maple, are listed in the Medium Trees section of the McMinnville Street Tree List and are required to be planted no greater than 30 feet apart, which would be suitable for the available planting area. The Landscape Review Committee may allow trees to be planted that are not on the McMinnville Street Tree List (Section 17.58.090(A)), so the Sugar Maple can be included as an option for the applicant if the Landscape Review Committee approves.

Fiscal Impact:

None.

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.

Recommendation/Suggested Motion:

Based on the findings described above, staff is recommending that the street tree removal be approved with the following conditions:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the applicant remove both trees located in the planting strip adjacent to the property.
3. That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade.
4. The applicant shall use caution when removing the trees and the roots. The applicant shall take care to not come into contact with the underground power facilities, and the applicant shall contact McMinnville Water and Light at 503-472-6158 if there are any conflicts with underground power facilities during the tree removal or replanting.
5. That the applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. It is recommended that the applicant contact the Engineering Department at (503) 434-7312 for a sidewalk inspection to assess the need for repairs.

6. That the applicant shall plant two (2) street trees in place of the trees being removed. The trees shall be either Norway Maple (*Acer platanoides*), Red Maple (*Acer rubrum*), or Sugar Maple (*Acer saccharum*) varieties, and shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.
7. That the replacement trees shall be provided with 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 trees. The root barrier protection shall be placed in 10-foot lengths, centered on the trees, and to a depth of eighteen (18) inches. In addition, the trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
8. That the applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
9. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
10. That the planter areas shall be restored to original grade immediately following the planting of the replacement tree.
11. That all costs and liability associated with the trees' removal shall be borne by the applicant.
12. That the applicant shall complete the removal within six (6) months of this approval notification, or December 21, 2017.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 20-17 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs



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. L20-17
Date Received 5/18/17
Fee \$
Receipt No. _____
Received by JPD

Street Tree Removal

Applicant Information

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

Applicant Name Manuel Abt Phone 503.474.0984

Contact Name _____ Phone _____
(If different than above)

Address 1757 NW Grenfell Loop

City, State, Zip McMinnville OR 97128

Contact Email mabt@frontier.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 2376 NW Grenfell Loop

(Property nearest to tree(s) for removal)

Assessor Map No. R4418 - AD - 00700 Total Site Area _____

Subdivision Shadden Claim Block _____ Lot _____

Comprehensive Plan Designation _____ Zoning Designation _____

Additional Information

1. How many trees are requested for removal? one
2. What type (species) of tree(s) are they? 2
3. What is the diameter of the tree(s), measured four feet above ground level? about 10"
4. Why are you requesting the removal of the noted tree(s)? (See "Removal Criteria" on attached Information Sheet.) Explain which of the criteria is addressed through this application.
The roots are lifting the side walk. Any future growth will make the sidewalk a source for accidents

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

5.17.17
Date

Property Owner's Signature

Date



Leaf for identification

2376 NW Greenfell
Drive Way

Sidewalk

Grass

Tree

Grass

Greenfell Loop



Drive Way

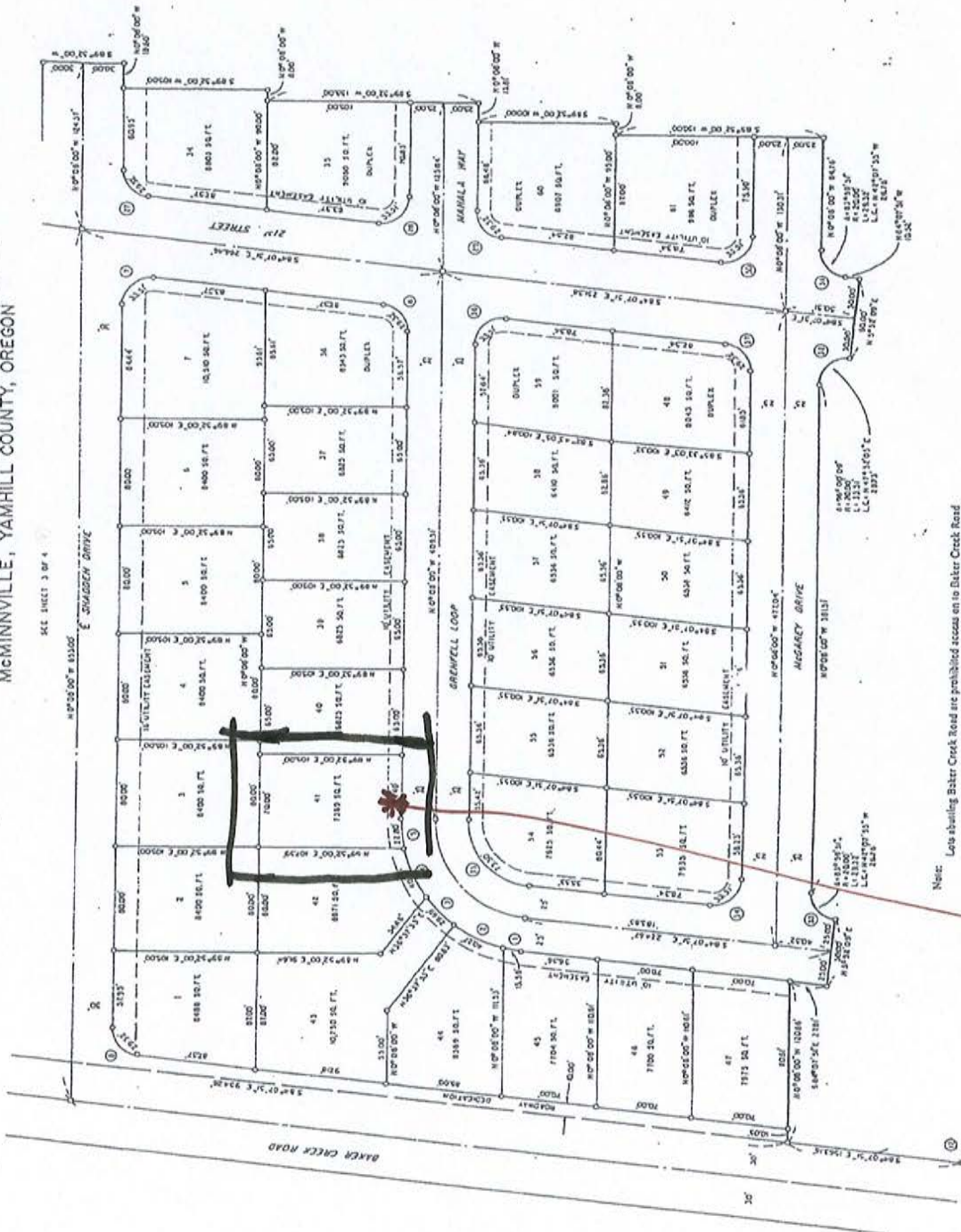
Grass

Driveway

BK 4 PG 333

SHADDEN CLAIM

AN R-1 PD. SUBDIVISION, CITY OF MCMINNVILLE ORDINANCE NO. 4593
IN THE N.W. 1/4 OF SECTION 17 AND THE N.E. 1/4 OF SECTION 18,
TOWNSHIP 4 SOUTH, RANGE 4 WEST, W.M., IN THE CITY OF
MCMINNVILLE, YAMHILL COUNTY, OREGON



Note: Lots abutting Baker Creek Road are prohibited access on to Baker Creek Road

Location of tree

SHEET 3 OF 4



SCALE: 1" = 50'
DATE: AUGUST 20, 1988

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Clarence C. Barker
CLARENCE C. BARKER
1000 N. 10TH STREET S.E.
PORTLAND, OREGON 97202
PHONE: 548-4800
OFFICE: 12-31-87

BARKER SURVEYING CO.
2000 20TH STREET S.E.
PORTLAND, OREGON 97202
PHONE: 548-4800



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

503-434-7311
www.mcminnvilleoregon.gov

DECISION DOCUMENT – 2376 NW GRENFELL LOOP

DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF TREE REMOVAL REQUEST AT 2376 NW GRENFELL LOOP

DOCKET: L 20-17 (Street Tree Removal)

REQUEST: The applicant requested the removal of a street tree. The removal of a tree within the public right-of-way requires City approval.

LOCATION: The subject site is located at 2376 NW Grenfell Loop. The subject property is more specifically described as Tax Lot 700, Section 18AD, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is designated as Residential on the McMinnville Comprehensive Plan Map, and is zoned R-1 PD (Single-Family Residential Planned Development).

APPLICANT: Manuel Abt

STAFF: Chuck Darnell, Associate Planner

DECISION-MAKING BODY: McMinnville Landscape Review Committee

DATE & TIME: June 21, 2017.

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

ATTACHMENTS:

1. Application for Tree Removal

DECISION

Based on the findings and conclusions, the Planning Director recommends **APPROVAL WITH CONDITIONS** of the street tree removal request (L 20-17).

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

Planning Staff: _____
Chuck Darnell, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

Application Summary:

The applicant requested the removal of a street tree. The removal of a tree within the public right-of-way requires City approval.

CONDITIONS OF APPROVAL

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the applicant remove both trees located in the planting strip adjacent to the property.
3. That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade.
4. The applicant shall use caution when removing the trees and the roots. The applicant shall take care to not come into contact with the underground power facilities, and the applicant shall contact McMinnville Water and Light at 503-472-6158 if there are any conflicts with underground power facilities during the tree removal or replanting.
5. That the applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. It is recommended that the applicant contact the Engineering Department at (503) 434-7312 for a sidewalk inspection to assess the need for repairs.
6. That the applicant shall plant two (2) street trees in place of the trees being removed. The trees shall be either Norway Maple (*Acer platanoides*), Red Maple (*Acer rubrum*), or Sugar Maple (*Acer saccharum*) varieties, and shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.
7. That the replacement trees shall be provided with 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 trees. The root barrier protection shall be placed in 10-foot lengths, centered on the trees, and to a depth of eighteen (18) inches. In addition, the trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
8. That the applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
9. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
10. That the planter areas shall be restored to original grade immediately following the planting of the replacement tree.
11. That all costs and liability associated with the trees' removal shall be borne by the applicant.
12. That the applicant shall complete the removal within six (6) months of this approval notification, or December 21, 2017.

ATTACHMENTS

1. Application for Tree Removal

COMMENTS

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

FINDINGS OF FACT

1. Manuel Abt submitted a tree removal application requesting the removal of a street tree. The removal of a tree within the public right-of-way requires City approval.
2. The subject site is located at 2376 NW Grenfell Loop. The subject property is more specifically described as Tax Lot 700, Section 18AD, T. 4 S., R. 4 W., W.M.
3. The site is currently zoned R-1 PD (Single-Family Residential Planned Development), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
4. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided, and the comments provided by the Public Works Department and McMinnville Water and Light have been incorporated into the conditions of approval.
5. A public meeting was held by the Landscape Review Committee on June 21, 2017 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

Policy 132.24.00: The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way. [...]

Finding: GOAL VI 1 and Policy 132.24.00 are satisfied in that the tree removal will not cause the sidewalk to become further damaged, which will result in a safety improvement for pedestrians. A condition of approval has been included to require two replacement trees to be planted in place of the trees being removed. Conditions of approval are included to ensure that the replacement trees are planted to the City's current standards, which will minimize impacts to surrounding infrastructure in the future.

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

Finding: Policy 132.38.00 is satisfied in that two replacement trees are being required to be replanted in this location. Conditions of approval are included to ensure that the replacement trees are planted to the City's current standards, which will minimize impacts to surrounding infrastructure in the future. The planting of the replacement trees will enhance the streetscape and livability in the surrounding area.

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

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

Finding: Goal X 1 and Policy 188.00 are satisfied in that 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 Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

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

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

Finding: The approval of the removal request will allow for the removal of a safety hazard and a tree that is causing damage to private and public property. The tree was planted in a location that would not meet any current standards for setbacks and clearances from surrounding infrastructure and utilities. Therefore, a replacement tree in this location is not feasible or appropriate.

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 planted in or upon any public area or right-of-way;
- C. All trees planted in or upon 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 or undergoing development review such as site plan review, tentative subdivision review, or partition review.

Finding: The tree being removed is located within the public right-of-way. Therefore, provisions of the Trees chapter of the McMinnville Zoning Ordinance apply and the removal of any tree within the public right-of-way requires City approval.

17.58.040 Tree Removal/Replacement

- A. The removal or major pruning of a tree within the public right-of-way shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file 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. 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 fifteen days of submittal. Requests for tree removal within the downtown tree one 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 his designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or Planning Direct, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or Director may be appealed to the Planning Commission if notice of intent to appeal is filed with the Planning Department within five 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.
- 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. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.

Finding: The provisions above are satisfied in that the applicant has requested a street tree removal to be reviewed by the Landscape Review Committee. The provisions related to standards to be followed in removing the tree are included as conditions of approval. A condition of approval has also been included to require two replacement trees to be planted in place of the trees being removed.

The original street tree plan that was approved for the Shadden Claim subdivision (L 21-96) included two (2) street trees along this property's frontage. There is adequate space along the property's street frontage for two (2) street trees, and the replacement of both trees would result in a more aesthetic and full tree canopy soon after replanting. The planting strip along the property's frontage is about 41 feet.

The property's water meter is located on the north end of the planting strip, and the replacement tree must be located 10 feet from the water meter. The other replacement tree must be located at least five (5) feet from the driveway approach. This leaves an area of about 20 feet to locate the two (2) replacement trees, which would allow the trees to be located away from infrastructure and meet our street tree planting standards. Based on the available planting area and the species evident in the surrounding area, the applicant will be able to choose replacement trees that are either Norway Maple (*Acer platanoides*), Red Maple (*Acer rubrum*), or Sugar Maple (*Acer saccharum*) varieties. Those types of trees, beside Sugar Maple, are listed in the Medium Trees section of the McMinnville Street Tree List and are required to be planted no greater than 30 feet apart, which would be suitable for the available planting area. The Landscape Review Committee may allow trees to be planted that are not on the McMinnville Street Tree List (Section 17.58.090(A)), so the Sugar Maple can be included as an option for the applicant if the Landscape Review Committee approves.

Conditions of approval are included to ensure that the replacement trees are planted to the City's current standards, which will minimize impacts to surrounding infrastructure in the future.

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

B. The tree is in conflict with public improvements.

Finding: The applicant has argued that the tree is impacting the adjacent public sidewalk. The tree roots have begun to cause the adjacent sidewalk to lift, and the applicant has provided photos of the sidewalk beginning to lift. While not obvious in the photos provided, upon staff's inspection of the site it is clear that the sidewalks adjacent to the tree are lifting. There is not a large lip between sidewalk panels, measured at only about ¼ inches in height at this point in time, but the two sidewalk panels immediately adjacent to the tree are raised and create a larger bump in the sidewalk at this location. The applicant is concerned that future tree and root growth will continue to lift the sidewalk and create an unsafe condition for pedestrians.

The tree's root buttress is well above grade, indicating that the tree was likely planted too shallow. There is also evidence of shallow rooting in the park strip, which could continue to lead to infrastructure issues.

CD:sjs



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

www.mcminnvilleoregon.gov

EXHIBIT 4 - STAFF REPORT

DATE: June 21, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4C: L 21-17

Report in Brief:

An application for a landscape plan for a redeveloped portion of an existing industrial site and facility (L 21-17) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Darcey Wenzel on behalf of 2WR & Partners, submitted a landscape plan review application to install landscaping on the site of a redeveloped portion of an existing industrial site and facility located at 1439 NE Lafayette Avenue. The subject property is more specifically described as Tax Lot 3300, Section 16DC, T. 4 S., R. 4 W., W.M.

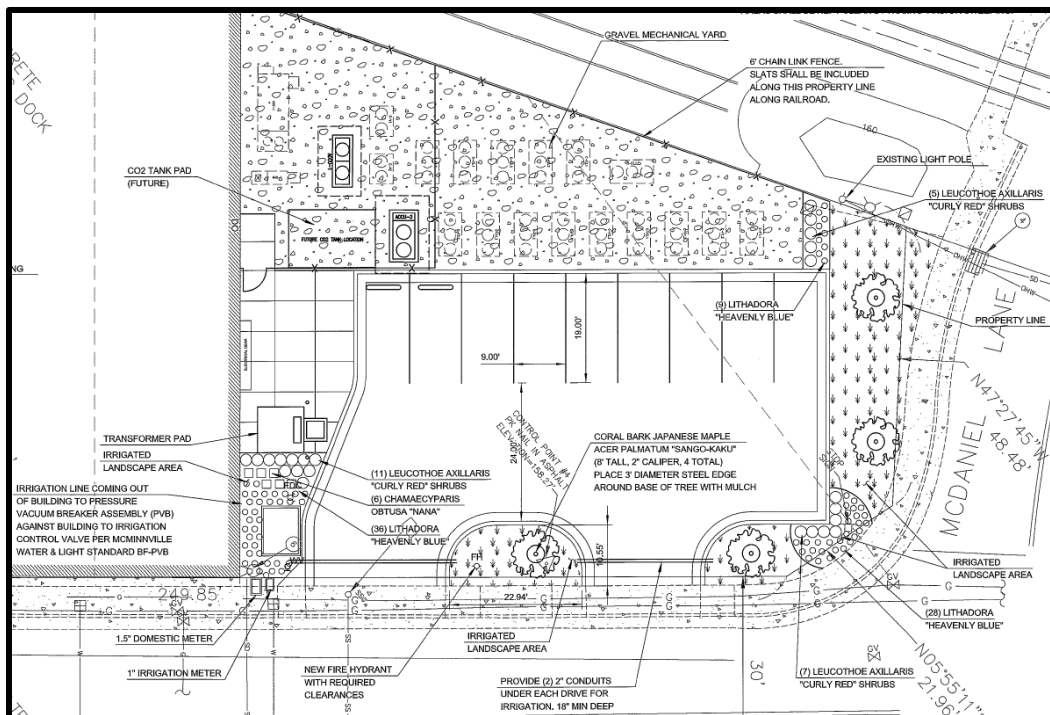
Discussion:

The subject property is zoned M-1 (Light Industrial). The site is currently developed, and the applicant is proposing to demolish the smaller existing building on the eastern portion of the site and use that space for parking and mechanical equipment. The larger building on the site will remain and will not be altered, and that portion of the site will not substantially change in any way. The portion of the site that is being redeveloped, the eastern portion of the site, is the area that is being required to provide landscaping. The subject site can be seen below as a red outlined area:



The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of a site being developed be landscaped (Section 17.57.050(A) (Area Determination – Planning Factors)). The landscape plan as proposed exceeds those requirements, as 16 percent of the area of the site being redeveloped is proposed to be landscaped.

The landscaping being proposed on the eastern portion of the site can be seen below:



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

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

The surrounding area consists primarily of other industrially and commercially zoned property along NE Lafayette Avenue. There is some residentially zoned and residentially used property to the north of the subject site, across the railroad tracks. The applicant is proposing to install landscaping primarily in the areas of the site that are adjacent to NE Lafayette Avenue and NE McDaniel Lane. There is a proposed mechanical yard along the northern portion of the site, adjacent to the railroad tracks, which will be screened from view from properties to the north by a sight-obscuring fence. The proposed landscaped areas will allow for the proposed project to be compatible with the surrounding uses and abutting properties.

The applicant is proposing to install a lawn area along the site's frontage, with the addition of trees and shrubs between the parking areas and the streets. Four (4) Coral Bark Japanese Maple (*Acer palmatum* 'Sango Kaku') are proposed to be installed along the site's frontage, with two (2) on the NE Lafayette Avenue frontage and two (2) on the McDaniel Lane frontage. These trees can grow to be 20-25 feet in height, and are more of an upright variety of Japanese Maple tree. The canopy of these trees can reach 15 to 20 feet in width. Some photo examples of these trees can be seen below, with an example of a younger tree and a more mature tree:



On the corner of the property near the intersection of NE Lafayette Avenue and NE McDaniel Lane, the applicant is proposing to install a landscaped planter area with smaller evergreen shrubs (*Leucothoe axillaris* 'Curly Red') and smaller low-growing plants for groundcover (*Lithodora diffusa* 'Heavenly Bamboo'). Additional landscaped areas with identical plant materials will be installed on the east side of the mechanical yard, and on the west side of the parking lot around other utilities and transformers near the building. These two landscaped planter areas will provide for screening of mechanical equipment from the adjacent public right-of-way and properties.

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

The proposed use will be screened on the sides most visible from the public right-of-way by a combination of trees and landscaped planter areas in more strategic locations that allow for screening of mechanical equipment and utilities. However, there is additional screening that could be achieved on the site.

On the site frontage adjacent to NE McDaniel Lane, the applicant is proposing two (2) Coral Bark Japanese Maple (*Acer palmatum* 'Sango Kaku') trees and is showing them to be planted 25 feet apart on center. This leaves a considerable gap between the two trees and does not adequately screen the parking lot from view from the public right-of-way. Therefore, staff is suggesting a condition of approval that one (1) additional Coral Bark Japanese Maple be planted on the NE McDaniel Lane frontage. This would result in three (3) trees on that frontage, and the suggested condition of approval would require that the trees be evenly spaced along that frontage.

In addition, the applicant is proposing a large gravel mechanical yard on the northern portion of the site adjacent to the railroad tracks. The applicant has shown that a six (6) foot chain link fence will be installed around a portion of the mechanical area, and also all along the property's frontage adjacent to the railroad tracks. The applicant is also proposing to install slats to make the fence sight-obscuring. Staff is suggesting a condition of approval to require that the chain link fence with slats be continued around the entire perimeter of the proposed gravel mechanical yard to ensure that this area is also screened from the public right-of-way and adjacent properties.

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

The existing site is currently fully developed, and there is no existing vegetation to preserve.

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

The applicant is proposing to create a parking lot with 9 spaces. There is no proposed planting islands in the proposed landscape plan. However, there is screening around the parking areas, and because the size of the parking lot is not very large, parking islands may not be necessary in this development.

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.

The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way.

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

The applicant has included a note on the landscape plan that all areas will be irrigated with an automatic, underground irrigation system to meet this requirement.

In addition to the standard landscaping requirements, the property in question is subject to additional buffer yard requirements because it is located in the M-1 (Light Industrial) zone. Specifically, the M-1 (Light Industrial) zone, in Section 17.39.040(C)(3) of the McMinnville Zoning Ordinance, requires the following:

"A buffer yard shall be provided along all perimeters which abut a residential or commercial zone, existing residential or commercial use, or public roadway. The purpose of the buffer yard is to reduce the building scale, provide transition between contrasting uses and architectural design, and to soften, rather than block, the view of incompatible or undesirable views. At a minimum buffer yards adjacent to... a public roadway shall be a minimum of eight (8) feet in width with landscaping to include street trees a minimum of eight (8) feet in height and two (2)

inches in caliper and spaced appropriate to their species; shrubs; and groundcover. Buffer yards of less than one-hundred (100) lineal feet shall provide landscaping at a density equal to or greater than that required herein, or as may be required by the Landscape Review Committee. Maintenance of the buffer yard shall be the continuing obligation of the property owner.”

This property has about 105 feet of frontage along NE Lafayette Avenue, and about 60 feet of frontage along NE McDaniel Lane. The buffer yards being provided range from about nine (9) feet to 12 (twelve) feet in width. Trees, shrubs, and groundcover are being provided, as the areas outside of the landscaped planter areas will be covered with sod. These proposed landscaped treatments, along with the additional tree that will be required as a condition of approval, meet the minimum requirements for a buffer yard in the M-1 Light Industrial zone. A condition of approval has been included to require that the Coral Bark Japanese Maple (*Acer palmatum* ‘Sango Kaku’) trees be a minimum of eight (8) feet in height when installed, or if that height of tree is not able to be sourced, that the trees be a minimum of three (3) inches in caliper measured at six (6) inches above grade.

Fiscal Impact:

None.

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.

Recommendation/Suggested Motion:

Based on the findings described in the staff report and decision document, staff is recommending that the landscape plan be approved with the following conditions:

1. That the applicant shall install landscaping as shown on the submitted landscape plan dated May 15, 2017.
2. That the applicant shall plant a total of five (5) Coral Bark Japanese Maple (*Acer palmatum* ‘Sango Kaku’) trees along the site’s right-of-way frontages. Three (3) Coral Bark Japanese Maple (*Acer palmatum* ‘Sango Kaku’) trees shall be planted, evenly spaced, along the NE McDaniel Lane frontage, and the two (2) Coral Bark Japanese Maple (*Acer palmatum* ‘Sango Kaku’) trees along the NE Lafayette Avenue frontage shall be planted in the locations shown on the submitted landscape plan.
3. That the five (5) Coral Bark Japanese Maple (*Acer palmatum* ‘Sango Kaku’) trees shall be a minimum of eight (8) feet in height when planted, or if that height of tree is not available, the trees shall be a minimum of three (3) inches in caliper measured at six (6) inches above grade.
4. That the applicant is reminded that trees are not to be planted within:
 - a. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or

- b. The required clear vision triangle at the intersection of NE Lafayette Avenue and NE McDaniel Lane. An enclosed drawing depicts the clear vision area that trees cannot be planted within.
5. That the applicant shall maintain proper clearances around the existing and future water services and fire hydrant that will be located near the northwest corner of the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, or within one (1) foot of water meters that may be located near NE Lafayette Avenue. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
6. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 21-17 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs



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. 21-17

Date Received 5/22/17

Fee 1400

Receipt No. 1750308

Received by [Signature]

Landscape Plan Review Application

Applicant Information

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

Applicant Name 2WR + Partners Phone (720) 258-4780

Contact Name Darcey Wenzel Phone _____
(If different than above)

Address 7430 E. Caley Avenue, Suite 280E

City, State, Zip Centennial, Colorado 80111

Contact Email darcey@2wrarch.com

Property Owner Information

Property Owner Name Brindley Property Holdings LLC Phone (763) 234-5788
(If different than above)

Contact Name Kevin Brindley Phone _____

Address 1594 SW Fellows Street

City, State, Zip McMinnville, Oregon 97128

Contact Email kfbrindley@comcast.net

Site Location and Description

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

Property Address 1439 NE Lafayette Avenue

Assessor Map No. R4 416DC03300 Total Site Area 28,032 SF

Subdivision 416DC Block _____ Lot _____

Comprehensive Plan Designation Industrial Zoning Designation M-1

Landscaping Information

1. Total Landscaped Area: 1,486 SF (north parking lot)
2. Percent Landscaped: 16%
3. Building Floor Area:
New Structure: _____ Existing Structure: 17,400 SF Addition: 2,373 SF (mezzanine)
4. Architect Name Wallace Engineering Phone (303) 350-1690
(Landscape Architect, Engineer, or Other Designer)
Contact Name Danny Baldwin Phone _____
Address 900 West Castleton Road, Suite 140
City, State, Zip Castle Rock, CO 80109
Contact Email dbaldwin@wallacesc.com


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

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

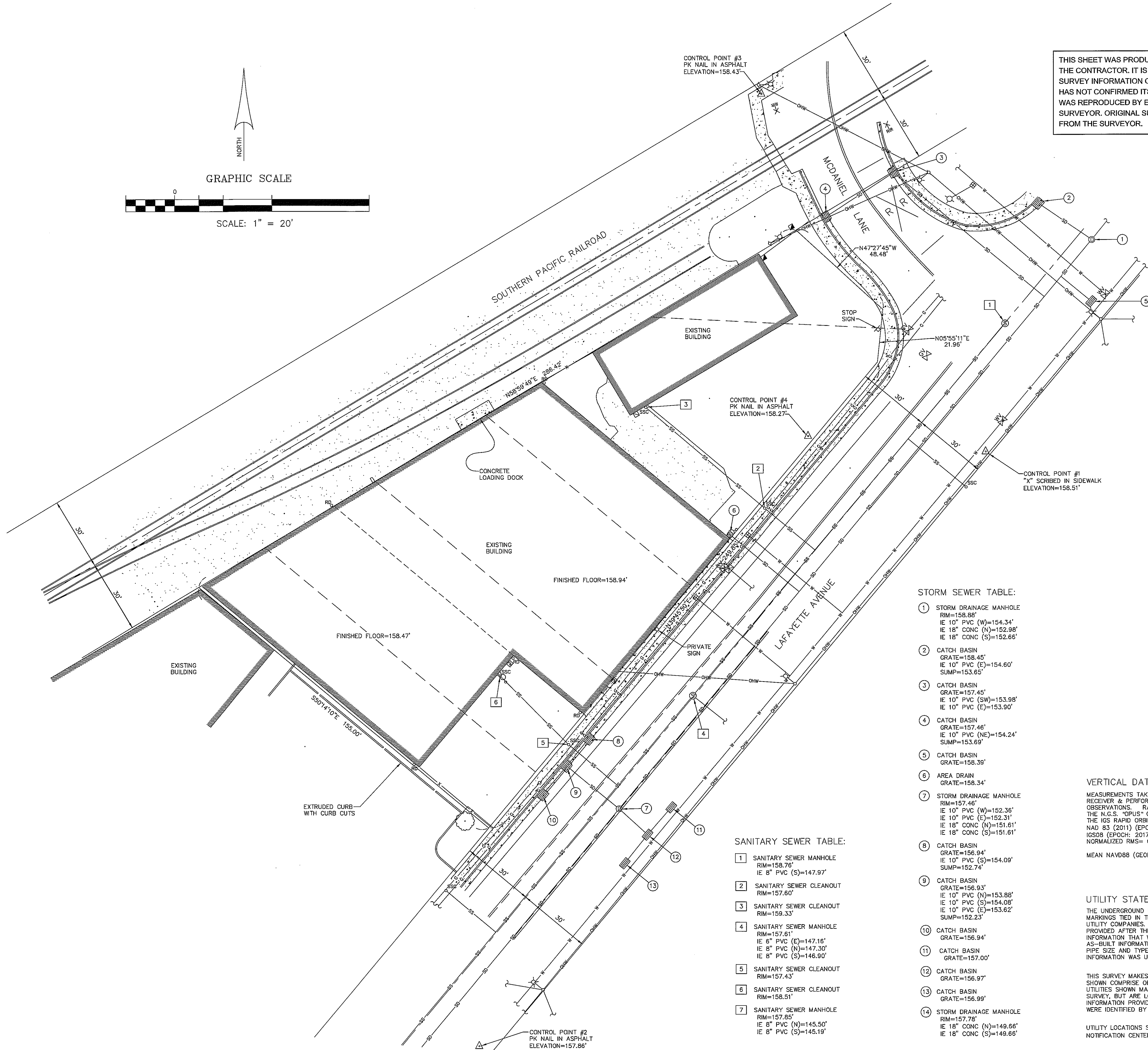
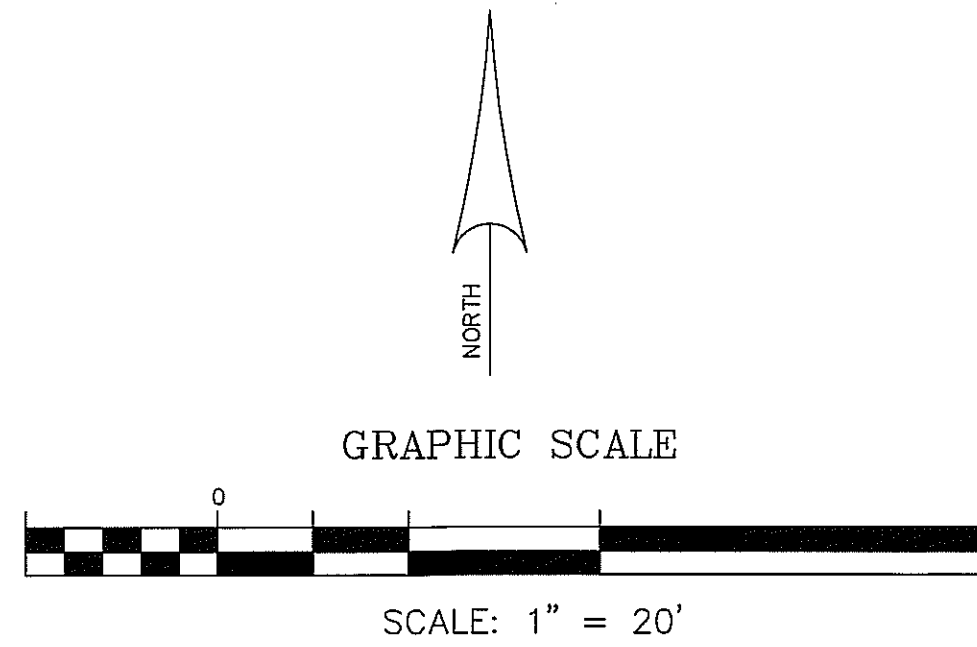
I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.


Applicant's Signature

5-16-17
Date


Property Owner's Signature

19 May 2017
Date



THIS SHEET WAS PRODUCED FOR THE CONVENIENCE OF THE CONTRACTOR. IT IS INTENDED FOR GENERAL SURVEY INFORMATION ONLY. WALLACE ENGINEERING HAS NOT CONFIRMED ITS ACCURACY. SURVEY INFORMATION WAS REPRODUCED BY ELECTRONIC TRANSFER FROM THE SURVEYOR. ORIGINAL SURVEY DRAWINGS AVAILABLE FROM THE SURVEYOR.



Land Surveying
1615 NE Miller St.
McMinnville, OR 97128
(503) 857-0935
www.Terra-calc.com

REGISTERED
PROFESSIONAL
LAND SURVEYOR

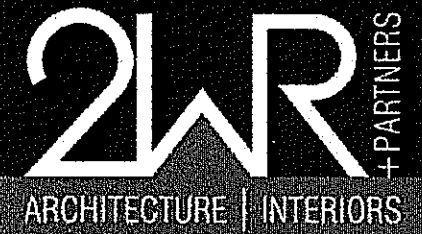
OREGON
JANUARY 11, 2005
DARREN S. HARR
56,161

RENEWAL DATE: 6-30-17

WILLAMETTE HAZE
TOPOGRAPHIC SURVEY
LOCATED IN THE SE 1/4 OF SECTION 16, T. 4 S., R. 4 W., W.M.
MCMINNVILLE, OREGON

FOR: WALLACE ENGINEERING 900 WEST CASTLETON ROAD, SUITE 140, CASTLE ROCK, CO 80109

REVISIONS	DESCRIPTION	DATE
REV:		1/13/17
DRAWN	DSH	
SURVEYOR	DSH	
CHECKED	DSH	
JOB NO.	WHP001	
DRAWING NAME	TOPO	
SHEET NO.	1 OF 1	



7430 E. Caley Ave
Suite 280E
Centennial, CO 80111
P. (720) 258-4780
F. (720) 258-4762



Wallace Engineering
Structural Consultants, Inc.
Structural and Civil Consultants
902 West Centerton Road, Suite 140
Castle Rock, Colorado 80109
303.350.1690, Fax 303.350.1694

WILLAMETTE
HAZE

1439 NE LAFAYETTE AVENUE
MCMINNVILLE, OREGON 97128

CONSTRUCTION
DOCUMENTS

Project Number: D16-074
Date: 15 MAY 2017
Drawn By: MDE
Checked By: DWB
Revisions:

No.	Date	Description
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Sheet Description

SURVEY

Sheet Number

C2.0



CAUTION
NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES

PLANT QUANTITIES AND SIZES

QUANTITY	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	PLANTING SPACING	MATURE HEIGHT	MATURE WIDTH
4	ACER PALMATUM "SANGO-KAKU"	"SANGO-KAKU" CORAL BARK JAPANESE MAPLE	8 FOOT 2" CALIPER	AS SHOWN	15-25 FEET	10-12 FEET
23	LEUCOTHOE AXILLARIS "CURLY RED"	CURLY RED LEUCOTHOE	3 TO 5 GALLON	24 INCHES	15-18 INCHES	24 INCHES
73	LITHODORA	BLUE LITHOSPERMUM "HEAVENLY BLUE"	4 TO 6 INCH	18 INCHES	4-6 INCHES	24 INCHES
6	CHAMAECYPARIS OBTUSA "NANA" (NOT "NANA GRACILLIS")	DWARF HINOKI	2 GALLON	2 FEET	2 FEET	3 FEET

PARKING SUMMARY

VAN ACCESSIBLE	1
STANDARD PARKING	11
TOTAL PARKING	12
REQUIRED PARKING	9

REQUIRED PARKING BASED ON
1 SPACE PER 2000 SF (WAREHOUSING)

LANDSCAPE REQUIREMENTS

TOTAL SITE AREA OF PROPERTY: APPROX 29,027 SF (0.64 ACRES)
TOTAL NORTH PARKING AREA: APPROX 9,220 SF
7% = 646 SF
5% = 461 SF
TOTAL LANDSCAPE AREA PROVIDED = 1,486 SF = 16%

IRRIGATION REQUIREMENTS

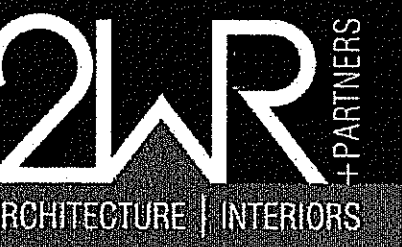
ALL AREAS WILL BE IRRIGATED WITH AN AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM MEETING AND EXCEEDING THE REQUIREMENTS OF THE CITY OF MC MINNVILLE. CONTRACTOR SHALL PROVIDE DESIGNED IRRIGATION SYSTEM AND LAYOUT.

PLANTING NOTES

- STAKE ALL TREE LOCATIONS FOR APPROVAL BY THE OWNER PRIOR TO DIGGING TREE PITS.
- ON ALL TREES THE TOP SIX INCHES (6") OF BACKFILL SHALL CONSIST OF A 1:1 MIXTURE OF COMPOST TO SOIL.
- AROUND ALL TREES FORM A CIRCULAR RING FREE OF VEGETATION. CIRCLE SHALL BE TRUE IN FORM AND CENTERED ON TREE.
- ALL TREES SHALL BE STAKED WITH TWO (2) GREEN METAL SPLIT TEE FENCE POSTS AND TIED WITH WIRE THROUGH THE HOSE AS PER DETAIL.
- ALL PLANTING AREAS WITH SHRUBS AND GROUND COVER SHALL NOT HAVE SOD AND CONSIST OF 6" OF TOP SOIL UNDER 4" LANDSCAPE MULCH WITH SEPARATOR FABRIC UNDER MULCH. PLACE STEEL EDGING AROUND MULCH AREAS.

GRASSING NOTES

- FINE GRADE LAWN AREAS TO SMOOTH, EVEN SURFACE WITH A LOOSE, UNIFORMLY FINE TEXTURE. FLOAT SMOOTH TO REMOVE RIDGES AND FILL DEPRESSIONS AS REQUIRED TO REMOVE RIDGES AND FILL DEPRESSIONS AS REQUIRED TO DRAIN. APPLY APPROVED FERTILIZER ON FINISH GRADE PRIOR TO SOD INSTALLATION PER SPECIFICATIONS.
- LAY SOD TO FORM A SOLID MASS TIGHTLY-FITTED JOINTS. DO NOT OVERLAY EDGES. STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT COURSES.
- WATER SOD LIGHTLY AND THEN ROLL WITH A WATER FILLED LAWN ROLLER TO ENSURE CONTACT WITH SUBGRADE AND TO INSURE A SMOOTH SURFACE FREE OF CLUMPS AND DEPRESSIONS.
- ALL AREAS SHOWN ARE TO BE SOLID SODDED WITH LOCAL SOD.
- THE SITE IS TO BE KEPT CLEAN AND ORDERLY. ALL TRASH, INCLUDING DEBRIS FROM REMOVING WEEDS OR ROCKS FROM SODDED AREAS, SHALL BE REMOVED FROM THE SITE AS WORK PROGRESSES. ALL PAVED AREAS SHALL BE KEPT CLEAN BY HOSEING AND/OR SWEEPING.



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F. (720) 258-4762

wallace

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Structural Consultants, Inc.
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900 West Charleston Road, Suite 140
Castle Rock, Colorado 80109
303.350.1690, Fax 303.350.1694

WILLAMETTE
HAZE

1439 NE LAFAYETTE AVENUE
MC MINNVILLE, OREGON 97128

CONSTRUCTION
DOCUMENTS

Project Number: D16-074
Date: 15 MAY 2017
Drawn By: MDE
Checked By: DWB
Revisions:

No.	Date	Description
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Sheet Description

PLANTING
PLAN

Sheet Number

L1.0



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

503-434-7311
www.mcminnvilleoregon.gov

DECISION DOCUMENT – 1439 NE LAFAYETTE AVENUE

DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR A PORTION OF A REDEVELOPED INDUSTRIAL SITE AT 1439 NE LAFAYETTE AVENUE

DOCKET: L 21-17 (Landscape Plan)

REQUEST: The applicant requested the approval of a landscape plan for a portion of a redeveloped industrial site. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.030 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

LOCATION: The property in question is located at 1439 NE Lafayette Avenue. The subject property is more specifically described as Tax Lot 3300, Section 16DC, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is designated as Industrial on the McMinnville Comprehensive Plan Map, and is zoned M-1 (Light Industrial).

APPLICANT: Darcey Wenzel, on behalf of 2WR & Partners

STAFF: Chuck Darnell, Associate Planner

**DECISION-
MAKING BODY:** McMinnville Landscape Review Committee

DATE & TIME: June 21, 2017. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128

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

ATTACHMENTS:

1. Application for Landscape Plan Review

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL WITH CONDITIONS** of the landscape plan (L 21-17).

DECISION: APPROVAL WITH CONDITIONS

Date: _____

Date: _____

Application Summary:

The applicant requested the approval of a landscape plan a portion of a redeveloped industrial site. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.030 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

CONDITIONS OF APPROVAL

1. That the applicant shall install landscaping as shown on the submitted landscape plan dated May 15, 2017.
2. That the applicant shall plant a total of five (5) Coral Bark Japanese Maple (*Acer palmatum* 'Sango Kaku') trees along the site's right-of-way frontages. Three (3) Coral Bark Japanese Maple (*Acer palmatum* 'Sango Kaku') trees shall be planted, evenly spaced, along the NE McDaniel Lane frontage, and the two (2) Coral Bark Japanese Maple (*Acer palmatum* 'Sango Kaku') trees along the NE Lafayette Avenue frontage shall be planted in the locations shown on the submitted landscape plan.
3. That the five (5) Coral Bark Japanese Maple (*Acer palmatum* 'Sango Kaku') trees shall be a minimum of eight (8) feet in height when planted, or if that height of tree is not available, the trees shall be a minimum of three (3) inches in caliper measured at six (6) inches above grade.
4. That the applicant is reminded that trees are not to be planted within:
 - a. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - b. The required clear vision triangle at the intersection of NE Lafayette Avenue and NE McDaniel Lane. An enclosed drawing depicts the clear vision area that trees cannot be planted within.
5. That the applicant shall maintain proper clearances around the existing and future water services and fire hydrant that will be located near the northwest corner of the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, or within one (1) foot of water meters that may be located near NE Lafayette Avenue. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
6. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

ATTACHMENTS

1. Application for Landscape Plan Review

COMMENTS

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

FINDINGS OF FACT

1. Darcey Wenzel, on behalf of 2WR & Partners, submitted a landscape plan review application to install landscaping on the site of a redeveloped portion of an existing industrial site and facility located at 1439 NE Lafayette Avenue. The subject property is more specifically described as Tax Lot 3300, Section 16DC, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned M-1 (Light Industrial), and is designated as Industrial on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided. Comments and suggested conditions of approval were provided, and have been incorporated into the conditions of approval in this document.
4. A public meeting was held by the Landscape Review Committee on June 21, 2017 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.
5. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

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

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

Finding: Goal VI 1 and Policy 122.00 are satisfied in that trees will be installed along the public right-of-way along NE Lafayette Avenue and along NE McDaniel Lane. The trees are not located in the public right-of-way, but are being placed along the property lines so that they are visible from the public right-of-way and provide screening of the use from the public right-of-way.

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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that 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 Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

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

17.39.040 Design Standards. [...]

C. Perimeter Treatment. The purpose of perimeter treatment, or buffering, is to provide visual barriers which block the glare of lights, signs, and structures; provide privacy and protection; and reduce or eliminate potential adverse impacts of visual or noise pollution between M-1 zoned properties and adjacent residential development. Perimeter treatment or buffering typically consists of dense landscaping, fencing, or block walls or combination of these elements. Utilities, sidewalks, and bikeways may be located within required perimeter treatment areas. [...]

3. A buffer yard shall be provided along all perimeters which abut a residential or commercial zone, existing residential or commercial use, or public roadway. The purpose of the buffer yard is to reduce the building scale, provide transition between contrasting uses and architectural design, and to soften, rather than block, the view of incompatible or undesirable views. At a minimum buffer yards adjacent to residential zones or uses shall be fifteen (15) feet in width, have a six (6) foot tall wood or masonry fence located along the inside edge of the yard, and landscaping to include two (2) canopy trees, four (4) evergreen trees, three (3) understory trees, twelve (12) shrubs, and groundcover for each one-hundred (100) lineal feet of perimeter. Buffer yards adjacent to commercial zones or uses shall be a minimum of ten (10) feet in width with landscaping to include one (1) canopy tree, three (3) evergreen trees, two (2) understory trees, eight (8) shrubs, and groundcover for each one-hundred (100) lineal feet of perimeter. Buffer yards adjacent to a public roadway shall be a minimum of eight (8) feet in width with landscaping to include street trees a minimum of eight (8) feet in height and two (2) inches in caliper and spaced appropriate to their species; shrubs; and groundcover. Buffer yards of less than one-hundred (100) lineal feet shall provide landscaping at a density equal to or greater than that required herein, or as may be required by the Landscape Review Committee. Maintenance of the buffer yard shall be the continuing obligation of the property owner.

Finding: The property in question has about 105 feet of frontage along NE Lafayette Avenue, and about 60 feet of frontage along NE McDaniel Lane. The buffer yards being provided range from about nine (9) feet to 12 (twelve) feet in width. Trees, shrubs, and groundcover are being provided, as the areas outside of the landscaped planter areas will be covered with sod. These proposed landscaped treatments, along with the additional tree that will be required as a condition of approval, meet the minimum requirements for a buffer yard in the M-1 Light Industrial zone adjacent to a public roadway. A condition of approval has been included to require that the Coral Bark Japanese Maple (*Acer palmatum* 'Sango Kaku') trees be a minimum of eight (8) feet in height when installed, or if that height of tree is not able to be sourced, that the trees be a minimum of three (3) inches in caliper measured at six (6) inches above grade.

17.57.010 Purpose and intent. The purpose and intent of this chapter is to enhance the appearance of the city by encouraging quality landscaping which will benefit and protect the health, safety, and welfare of the general public. By relating all the requirements of the zoning ordinance to the project in one review procedure, the review will assist the developer in integrating the uses of the property with the landscaping, will relate the project to surrounding property uses in existence or projected, and will attempt to minimize project costs. The landscaping provisions in Section 17.57.050 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.

Finding: The landscape plan as proposed would enhance the appearance of the city and will benefit the health, safety, and welfare of the general public. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

17.57.030 Plans—Submittal and review—Approval—Time limit for completion.

- 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;

Finding: The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.050 Area Determination—Planning factors.

- 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.)

Finding: The landscape plan as proposed shows 16 percent of the portion of the subject site being developed to be landscaped, which exceeds the minimum requirement.

- 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.

Finding: The surrounding area consists primarily of other industrially and commercially zoned property along NE Lafayette Avenue. There is some residentially zoned and residentially used property to the north of the subject site, across the railroad tracks. The applicant is proposing to install landscaping primarily in the areas of the site that are adjacent to NE Lafayette Avenue and NE McDaniel Lane. There is a proposed mechanical yard along the northern portion of the site, adjacent to the railroad tracks, which will be screened from view from properties to the north by a sight-obscuring fence. The proposed landscaped areas will allow for the proposed project to be compatible with the surrounding uses and abutting properties.

The applicant is proposing to install a lawn area along the site's frontage, with the addition of trees and shrubs between the parking areas and the streets. Four (4) Coral Bark Japanese Maple (*Acer palmatum* 'Sango Kaku') are proposed to be installed along the site's frontage, with two (2) on the NE Lafayette Avenue frontage and two (2) on the McDaniel Lane frontage. These trees can grow to be 20-25 feet in height, and are more of an upright variety of Japanese Maple tree. The canopy of these trees can reach 15 to 20 feet in width.

On the corner of the property near the intersection of NE Lafayette Avenue and NE McDaniel Lane, the applicant is proposing to install a landscaped planter area with smaller evergreen shrubs

(*Leucothoe axillaris* 'Curly Red') and smaller low-growing plants for groundcover (*Lithodora diffusa* 'Heavenly Bamboo'). Additional landscaped areas with identical plant materials will be installed on the east side of the mechanical yard, and on the west side of the parking lot around other utilities and transformers near the building. These two landscaped planter areas will provide for screening of mechanical equipment from the adjacent public right-of-way and properties.

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

Finding: The proposed use will be screened on the sides most visible from the public right-of-way by a combination of trees and landscaped planter areas in more strategic locations that allow for screening of mechanical equipment and utilities. However, there is additional screening that could be achieved on the site.

On the site frontage adjacent to NE McDaniel Lane, the applicant is proposing two (2) Coral Bark Japanese Maple (*Acer palmatum* 'Sango Kaku') trees and is showing them to be planted 25 feet apart on center. This leaves a considerable gap between the two trees and does not adequately screen the parking lot from view from the public right-of-way. Therefore, a condition of approval has been included that would require that one (1) additional Coral Bark Japanese Maple be planted on the NE McDaniel Lane frontage. This would result in three (3) trees on that frontage, and the suggested condition of approval would require that the trees be evenly spaced along that frontage.

In addition, the applicant is proposing a large gravel mechanical yard on the northern portion of the site adjacent to the railroad tracks. The applicant has shown that a six (6) foot chain link fence will be installed around a portion of the mechanical area, and also all along the property's frontage adjacent to the railroad tracks. The applicant is also proposing to install slats to make the fence sight-obscuring. A condition of approval has been included to require that the chain link fence with slats be continued around the entire perimeter of the proposed gravel mechanical yard to ensure that this area is also screened from the public right-of-way and adjacent properties.

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.

Finding: The existing site is currently fully developed, and there is no existing vegetation to preserve.

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

Finding: The applicant is proposing to create a parking lot with 9 spaces. There is no proposed planting islands in the proposed landscape plan. However, there is screening around the parking areas, and because the size of the parking lot is not very large, parking islands may not be necessary in this development.

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.

Finding: The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way.

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

Finding: The applicant has included a note on the landscape plan that all areas will be irrigated with an automatic, underground irrigation system to meet this requirement.

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

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

17.57.060 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

- G. M-1 (Light Industrial zone).

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

CD:sjs



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

www.mcminnvilleoregon.gov

EXHIBIT 5 - STAFF REPORT

DATE: June 21, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4D: L 13-17

Report in Brief:

An application for an amendment to a recently approved landscape plan for a planting area in a commercial shopping center (L 13-17) to be reviewed by the Landscape Review Committee.

Background:

The applicant, David Grover, submitted a landscape plan review application to update an existing landscaped area in a commercial shopping center on the property located at 2180-2350 NE Highway 99W. The subject property is in the western portion of the McMinnville Plaza commercial shopping area, and is more specifically described as Tax Lot 1003, Section 15BB, T. 4 S., R. 4 W., W.M.

The landscape plan was already approved by the Landscape Review Committee in April. The applicant had been approved to remove ten (10) mature Bowhall Red Maple (*Acer rubrum* 'Bowhall') trees and replace them with eight (8) Japanese Snowbell (*Styrax japonicus*) trees and two (2) more columnar trees in the parking islands. Since the approval in April, the applicant found a columnar tree species to install in the planting islands, and the property owner has decided that they would prefer to use that tree species throughout the entire planting area.

The requested amendment to the landscape plan is to allow for the use of a species other than Japanese Snowbell (*Styrax japonicus*) in the planting area.

Discussion:

The subject property is zoned C-3 (General Commercial). The subject site can be seen below as a red outlined area:

*Attachments: Tree Species Comparison Sheet (Provided by Applicant);
Decision Document*



The applicant is proposing to install Red Obelisk Beech (*Fagus sylvatica* 'Red Obelisk') trees in place of the previously approved Japanese Snowbell (*Styrax japonicus*) trees. The applicant has submitted a comparison sheet showing the differences between the two species. The applicant has provided characteristics of the two tree species, showing that the mature height of the Red Obelisk Beech trees would be 20 – 25 feet and the mature width would be 10 feet. For comparison, the approved Japanese Snowbell trees would be 20 – 25 feet in height and 15 – 20 feet in width at maturity. The Red Obelisk Beech is a much more columnar tree, while the Japanese Snowbell trees have a broader canopy at maturity. However, in researching the Red Obelisk Beech species, staff found that the trees have been known to reach heights of up to 40 feet.

The applicant is still proposing to source three (3) inch caliper trees to serve as the replacement trees, as was required in the original landscape plan approval from April.

Some additional examples of Red Obelisk Beech trees can be seen below:



In reviewing this amendment to the landscape plan, Section 17.57.050(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to consider the following factors:

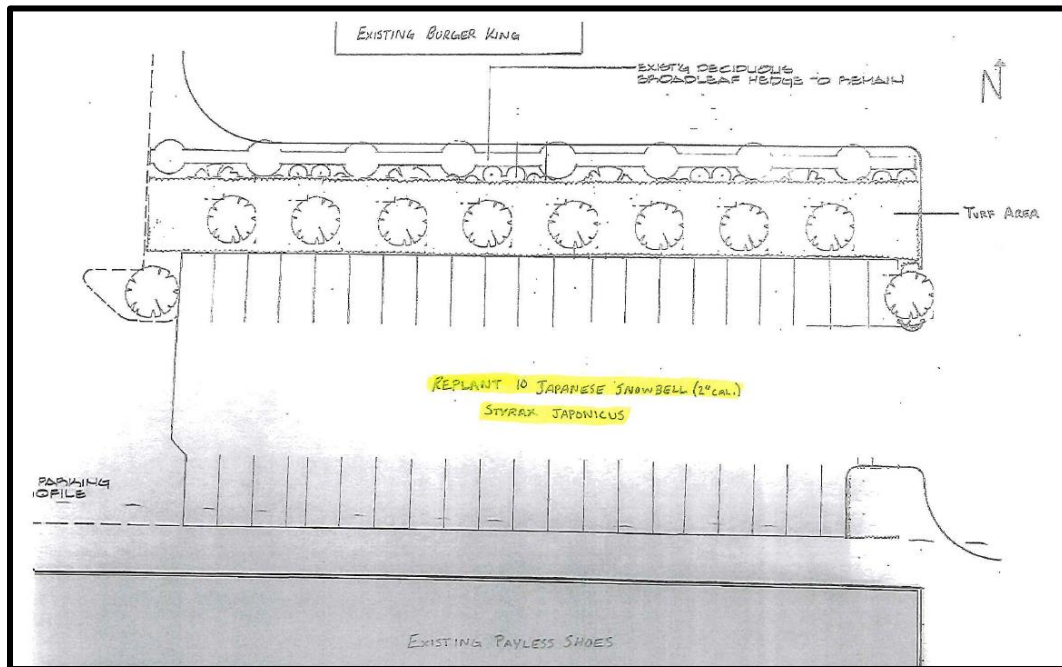
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The subject site is part of a larger commercial shopping center, the McMinnville Plaza. The subject site is one of the few properties in the shopping center area that has a significant amount of landscaping within the parking area. The existing trees and lawn within the planting island provide for screening between uses, and also serve to break up the vast amounts of parking within the shopping center. Therefore, the retention of trees and landscaping in these areas is extremely important.

The applicant believes that the use of a more columnar tree within the entire planting area will be a better fit for the site. The landscape area is surrounded by parking and driving aisles, and the more columnar form of the proposed Red Obelisk Beech (*Fagus sylvatica* 'Red Obelisk') would generally have less impacts on adjacent vehicular uses. This was a topic of discussion at the original approval of the landscape plan, as the Landscape Review Committee had some concerns with the potential impacts of the horizontal canopy of the Japanese Snowbell (*Styrax japonicus*) trees.

Also, the planting pattern through the rest of the larger commercial shopping center includes trees that have foliage with red color. The applicant believes that the Red Obelisk Beech trees, with their dark red foliage, would better complement the existing vegetation in the overall shopping center.

The Red Obelisk Beech trees would still be planted in the previously approved locations, as shown below:



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

To ensure that an adequate level of screening is provided soon after replanting, the Landscape Review Committee included a condition of approval on the original landscape plan to require that the replacement Japanese Snowbell trees installed on the site be a minimum of three (3) inches in caliper measured six (6) inches above grade.

The applicant is proposing to source three (3) inch caliper Red Obelisk Beech trees to serve as the replacement trees, as was required in the original landscape plan approval from April.

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

The existing trees on the site will be removed as part of this project, as was previously approved by the Landscape Review Committee.

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

The applicant was previously approved to add two (2) of the new trees in landscape islands on the ends of an existing row of parking spaces. This will provide for more visual interest in the parking lot, and better break up parking areas on the site.

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.

The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way.

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

An in-ground irrigation system exists within the landscaped area, and the applicant is not proposing to remove or change that system.

Fiscal Impact:

None.

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.

Recommendation/Suggested Motion:

Based on the findings described in the staff report and decision document, staff is recommending that the landscape plan be approved with the following conditions, all of which are the exact same as the original approval in April except for the conditions related to the tree species:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process. The applicant shall contact Trena McManus at McMinnville Water and Light at 503-472-6919 (extension 5) if the underground utilities become exposed.
2. That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. That the applicant shall plant eight (8) Red Obelisk Beech (*Fagus sylvatica* 'Red Obelisk') trees in the center of the landscape area in question in place of the previously approved Japanese Snowbell (*Styrax japonicus*) trees. The Red Obelisk Beech trees shall be a minimum of three (3) inches in caliper measured at six (6) inches above grade.
4. That the applicant shall plant two (2) Red Obelisk Beech (*Fagus sylvatica* 'Red Obelisk') trees in the parking islands as shown on the submitted landscape plan. The Red Obelisk Beech trees shall be a minimum of three (3) inches in caliper measured at six (6) inches above grade.

5. That the existing shrubs will be removed and the applicant shall submit a plan with additional details on shrubs to be used to replace the existing plant material, which will be approved by the Planning Department.
6. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
7. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE THE AMENDMENT TO L 13-17 WITH THE CONDITIONS PROVIDED BY STAFF.

CD:sjs

We would like to replant with this specimen



Fagus sylvatica 'Red Obelisk' (Red Obelisk Beech)

Mature height: 20-25'

Mature width: 10'

Previously approved to replant 8 Japanese Snowbells



Styrax japonica (Japanese Snowbell)

Mature height: 20'-25'

Mature width: 15-20'



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

503-434-7311
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DECISION DOCUMENT – 2180-2350 NE HIGHWAY 99W

DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF AN AMENDMENT TO A LANDSCAPE PLAN FOR THE BUILDING AT 2180-2350 NE HIGHAY 99W

DOCKET: L 13-17

REQUEST: The applicant requested the approval of an amendment to a previously approved landscape plan for a planting area within a commercial shopping center. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.030 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance. The applicant is proposing to install Red Obelisk Beech (*Fagus sylvatica* 'Red Obelisk') trees in place of the previously approved Japanese Snowbell (*Styrax japonicus*) trees.

LOCATION: The property in question is located at 2180-2350 NE Highway 99W. The subject property is in the western portion of the McMinnville Plaza commercial shopping area, and is more specifically described as Tax Lots 900, 1002 and 1003, Section 15BB, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is designated as Commercial on the McMinnville Comprehensive Plan Map, and is zoned C-3 (General Commercial).

APPLICANT: David Grover

STAFF: Chuck Darnell, Associate Planner

**DECISION-
MAKING BODY:** McMinnville Landscape Review Committee

DATE & TIME: June 21, 2017. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128

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

ATTACHMENTS:

1. Application for Landscape Plan Review

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL WITH CONDITIONS** of the landscape plan (L 13-17).

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

Planning Department: _____ Date: _____
Heather Richards, Planning Director

Application Summary:

The applicant requested the approval of an amendment to a previously approved landscape plan for a planting area within a commercial shopping center. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.030 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance. The applicant is proposing to install Red Obelisk Beech (*Fagus sylvatica* 'Red Obelisk') trees in place of the previously approved Japanese Snowbell (*Styrax japonicus*) trees.

CONDITIONS OF APPROVAL

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process. The applicant shall contact Trena McManus at McMinnville Water and Light at 503-472-6919 (extension 5) if the underground utilities become exposed.
2. That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. That the applicant shall plant eight (8) Red Obelisk Beech (*Fagus sylvatica* 'Red Obelisk') trees in the center of the landscape area in question in place of the previously approved Japanese Snowbell (*Styrax japonicus*) trees. The Red Obelisk Beech trees shall be a minimum of three (3) inches in caliper measured at six (6) inches above grade.
4. That the applicant shall plant two (2) Red Obelisk Beech (*Fagus sylvatica* 'Red Obelisk') trees in the parking islands as shown on the submitted landscape plan. The Red Obelisk Beech trees shall be a minimum of three (3) inches in caliper measured at six (6) inches above grade.
5. That the existing shrubs will be removed and the applicant shall submit a plan with additional details on shrubs to be used to replace the existing plant material, which will be approved by the Planning Department.
6. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
7. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

ATTACHMENTS

1. Application for Landscape Plan Review

COMMENTS

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

FINDINGS OF FACT

1. David Grover submitted a request to amend a previously approved landscape plan for a landscape area in a commercial shopping center on the property located at 2180-2350 NE Highway 99W. The subject property is in the western portion of the McMinnville Plaza commercial shopping area, and is more specifically described as Tax Lots 900, 1002 and 1003, Section 15BB, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned C-3 (General Commercial), and is designated as Commercial on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided. Comments and suggested conditions of approval were provided, and have been incorporated into the conditions of approval in this document.
4. A public meeting was held by the Landscape Review Committee on June 21, 2017 to review the request and proposed landscape plan amendment. No comments in opposition were provided by the public prior to the public meeting.
5. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

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

Finding: Goal IV 3 and Policy 32.00 are satisfied in that the proposed landscape plan includes trees and other landscaped areas that will provided screening of the proposed use from the public right-of-way.

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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that 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 Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

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

17.57.010 Purpose and intent. The purpose and intent of this chapter is to enhance the appearance of the city by encouraging quality landscaping which will benefit and protect the health, safety, and welfare of the general public. By relating all the requirements of the zoning ordinance to the project in one review procedure, the review will assist the developer in integrating the uses of the property with the landscaping, will relate the project to surrounding property uses in existence or projected, and will attempt to minimize project costs. The landscaping provisions in Section 17.57.050 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.

Finding: The landscape plan as proposed would enhance the appearance of the city and will benefit the health, safety, and welfare of the general public. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

17.57.030 Plans—Submittal and review—Approval—Time limit for completion.

- 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;

Finding: The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.050 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.)

Finding: The landscape plan as proposed shows nine (9) percent of the subject site being landscaped, which exceeds the minimum requirement.

- 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.

Finding: The subject site is part of a larger commercial shopping center, the McMinnville Plaza. The subject site is one of the few properties in the shopping center area that has a significant amount of landscaping within the parking area. The existing trees and lawn within the planting island provide for screening between uses, and also serve to break up the vast amounts of parking within the shopping center. Therefore, the retention of trees and landscaping in these areas is extremely important.

The applicant believes that the use of a more columnar tree within the entire planting area will be a better fit for the site. The landscape area is surrounded by parking and driving aisles, and the more columnar form of the proposed Red Obelisk Beech (*Fagus sylvatica* 'Red Obelisk') would generally have less impacts on adjacent vehicular uses. This was a topic of discussion at the original approval of the landscape plan, as the Landscape Review Committee had some concerns with the potential impacts of the horizontal canopy of the Japanese Snowbell (*Styrax japonicus*) trees.

Also, the planting pattern through the rest of the larger commercial shopping center includes trees that have foliage with red color. The applicant believes that the Red Obelisk Beech trees, with their dark red foliage, would better complement the existing vegetation in the overall shopping center.

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

Finding: To ensure that an adequate level of screening is provided soon after replanting, the Landscape Review Committee included a condition of approval on the original landscape plan to require that the replacement Japanese Snowbell trees installed on the site be a minimum of three (3) inches in caliper measured six (6) inches above grade.

The applicant is proposing to source three (3) inch caliper Red Obelisk Beech trees to serve as the replacement trees, as was required in the original landscape plan approval from April.

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.

Finding: The existing trees on the site will be removed as part of this project, as was previously approved by the Landscape Review Committee.

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

Finding: The applicant was previously approved to add two (2) of the new trees in landscape islands on the ends of an existing row of parking spaces. This will provide for more visual interest in the parking lot, and better break up parking areas on the site.

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.

Finding: The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way.

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

Finding: An in-ground irrigation system exists within the landscaped area, and the applicant is not proposing to remove or change that system.

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

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

17.57.060 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

C. C-3 (General Commercial zone).

Finding: The subject site is zoned C-3 (General Commercial), and landscaping is being provided as required.

CD:sjs