



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

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

**Landscape Review Committee**  
**Community Development Center, 231 NE 5<sup>th</sup> Street**  
**August 16, 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"> <li><b>1. Call to Order</b></li> <li><b>2. Citizen Comments</b></li> <li><b>3. Approval of Minutes</b> <ol style="list-style-type: none"> <li>A. May 17, 2017 Meeting Minutes (Exhibit 1)</li> <li>B. June 21, 2017 Meeting Minutes (Exhibit 2)</li> </ol> </li> <li><b>4. Action Items</b> <ol style="list-style-type: none"> <li>A. L 27-17 – Landscape Plan (Exhibit 3) 2760 NE Rivergate Street</li> <li>B. L 28-17 – Landscape Plan (Exhibit 4) 1384 NE Highway 99W</li> <li>C. L 29-17 – Street Tree Removal (Exhibit 5) 2212 SW Alexandria Street</li> </ol> </li> <li><b>5. Discussion Items</b></li> <li><b>6. Old/New Business</b></li> <li><b>7. Committee Member Comments</b></li> <li><b>8. Staff Comments</b></li> <li><b>9. Adjournment</b></li> </ol>

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

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



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# EXHIBIT 1 - MINUTES

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**May 17, 2017**  
**Landscape Review Committee**  
**Regular Meeting**

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

**Members Present:** Rose Marie Caughran, Josh Kearns, and Tim McDaniel

**Members Absent:** Rob Stephenson and Sharon Gunter

**Staff Present:** Chuck Darnell – Associate Planner

**Guests Present:** Scott Hill – Mayor

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## **1. Call to Order**

Committee Member Caughran called the meeting to order at 12:00 pm.

## **2. Citizen Comments – None.**

## **3. Approval of Minutes**

A. March 15, 2017

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

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

A. L 4-17 – Landscape Plan

Associate Planner Chuck Darnell presented the Landscape Plan for the Atticus Hotel. It was located on 4<sup>th</sup> and Ford. No landscaping was required in this area, but as part of the downtown design standards and guidelines, there were some screening requirements for the parking lot from the public right-of-way. The applicant included a continuous row of plantings along the south and east side of the parking lot. Italian Cypress would be spread throughout with some ornamental grasses and larger shrubs on the east side. There would be a wrought iron fence around the south side, and a stucco wall on the east side that would match the building. There would also be a sliding gate that would be closed when not in use that would provide screening. They also added a plaza landscaped space that included trees and a mixture of shrubs and groundcover. They proposed removing the

street trees on Ford due to utility improvements and replacing them with two October Glory Red Maple trees. The trees on 4<sup>th</sup> would not be touched. Staff recommended approval. The conditions of approval were related to utility requirements and allowing for necessary setbacks. The placement of the furniture in the plan needed to allow for ADA access.

Committee Member Kearns moved to approve L 4-17. The motion was seconded by Committee Member McDaniel and passed 3-0.

#### B. L 34-16 – Revised Landscape Plan

Associate Planner Darnell discussed the revised Landscape Plan for a new maintenance facility on NW Hillside Parkway. The original master plan for the area had shown a new community barn building for this site, but the owners had been approved to construct a pole building to function as the property's maintenance facility instead. This plan had been reviewed and approved by the LRC in December 2016 under the assumption that the property owners would install a large amount of landscaping along the eastern property line. The property owners proposed not to install all of the landscaping along the eastern property line at this point as their plans might change for the open area depending on the demand for residential units. Instead they proposed to install more robust landscaping around the new maintenance building. They would use the same species and type as the other landscaping on the site. There would be Cypress and Vine Maple trees as well as smaller shrubs and grasses. These would provide good screening of the building and the mixture of plants was suitable for the location. The existing irrigation system would tie into this area. Staff recommended approval. There was a condition that stated in the event that something was done in the open field area, the rest of the landscaping would be installed or a new plan would be submitted.

Committee Member Caughran was concerned about screening the pole barn from the nearby houses as it would be unsightly. Associate Planner Darnell explained how some design features would be incorporated into the building such as colors to match the large building, trim, and windows and there would be landscaping as well.

Committee Member Kearns moved to approve L 34-16. The motion was seconded by Committee Member Caughran and passed 3-0.

#### C. L 16-17 – Street Tree Removal

Associate Planner Darnell reviewed the street tree removal request for property located on the corner of 4<sup>th</sup> and Logan. The applicant had already removed the trees as they were not aware that they needed City approval to do so. The Planning Department sent a letter to the property owners requiring them to replace the five trees. The trees were causing damage to the sidewalk and the applicant was replacing the sidewalk as well. The applicant was proposing to plant three Flowering Cherry trees, a species from the small tree list, due to the overhead utility lines where the trees would be planted. Staff recommended approval with the standard tree replacement conditions.

There was discussion regarding requiring the applicant to plant five trees instead of three based on the past practice of requiring trees be replaced one for one.

Committee Member Kearns moved to approve L16-17 with the amendment to require planting five replacement trees. The motion was seconded by Committee Member McDaniel and passed 3-0.

#### D. L 17-17 – Street Tree Removal

Associate Planner Darnell explained the street tree removal request for the corner of 13<sup>th</sup> and Galloway Street. Two existing large Birch trees were being requested to be removed due to the fact they were dead and unsafe. The applicant did not provide an arborist report as there were dead limbs and issues with the trees. Public Works staff did an inspection of the trees and found both trees showed evidence of decline in the form of dieback and deadwood in the canopy and both had numerous wounds from prior pruning or storm damage that had not healed properly. A third tree had come down in a storm. The applicant got a quote for the removal, but not replacement of the trees. Staff recommended if the removal was approved, they should replace the two trees with a species from the large tree list.

There was discussion regarding the applicant installing three replacement trees to account for the one lost in the storm and whether or not to require an arborist report.

Associate Planner Darnell confirmed there was adequate space on the site for three trees. If approved, the standard tree replacement conditions applied as well. In the past when large trees were removed, applicants were often required to replace more than a one for one ratio to get back to a more consistent planting pattern.

Committee Member Caughran did not think an arborist report was necessary, but thought they should require three replacement trees.

Committee Member Kearns moved to approve L 17-17 with the amendment to require planting three replacement trees. The motion was seconded by Committee Member Caughran and passed 3-0.

## **5. Discussion Items**

There was discussion regarding the fact that not all landscaping plans came to the LRC, especially for larger transportation and engineering projects such as Alpine Avenue. The LRC thought their expertise was needed for those projects. There was further discussion regarding the current rash of tree topping and landscaping for current and upcoming projects including the one on Baker Creek.

## **6. Old/New Business – None.**

## **7. Committee/Commissioner Comments**

Committee Member Kearns announced there would be a 40<sup>th</sup> anniversary event for C&D Landscape on June 15.

## **8. Staff Comments – None.**

## **9. Adjournment**

Committee Member Caughran adjourned the meeting at 12:56 pm.



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## EXHIBIT 2 - MINUTES

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**June 21, 2017**  
**Landscape Review Committee**  
**Regular Meeting**

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

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

**Members Absent:** Josh Kearns

**Staff Present:** Ron Pomeroy – Principal Planner

**Guests Present:** Scott Hill – Mayor

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### 1. Call to Order

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

### 2. Citizen Comments – None.

### 3. Approval of Minutes

A. April 19, 2017

Committee Member McDaniel moved to approve the April 19, 2017 minutes. The motion was seconded by Committee Member Gunter and passed 4-0.

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

A. L 19-17 – Street Tree Removal

Principal Planner Ron Pomeroy reviewed the street tree removal request for a property on SW Emily Court. It is a cul-de-sac with little street frontage and the planting area was small and not well suited to street tree placement. The tree that was placed there was starting to buckle the sidewalk and there was a problem with the water meter that was underground. Staff recommended the tree be removed and not replaced.

There was discussion regarding planting a tree on the private property instead. Principal Planner Pomeroy said staff recommended the applicant pay a fee in lieu of replacing it, which would be \$277.22. The City would use the funds to plant a tree in a different location.

Committee Member Gunter did not think it was right to charge a fee for the tree as the applicant had already had to pay for plumbing repairs and would have to pay to remove the tree. The other committee members agreed. Principal Planner Pomeroy said the LRC was not obligated to charge the fee.

Chair Stephenson moved to approve L 19-17 and not require replacement of the tree by striking Condition #6. The motion was seconded by Committee Member Caughran and passed 4-0.

#### B. L 20-17 – Street Tree Removal

Principal Planner Pomeroy explained the request for tree removal on NW Grenfell Loop. This was another compromised location and the tree was damaging the sidewalk. There was also another tree next to it that was dead.

Chair Stephenson moved to direct the applicant to remove both trees and replace them with only one Rubrum Maple tree with a minimum two inch caliper six inches above grade in the center of the planter. The motion was seconded by Committee Member Gunter and passed 4-0.

#### C. L 21-17 – Landscape Plan

Principal Planner Pomeroy presented the Landscape Plan for a redeveloped portion of an existing industrial site on NE Lafayette Avenue which was near the NE Gateway District. The business proposed for the site is an indoor marijuana grow operation.

There was discussion regarding what the Landscape Plan included. Principal Planner Pomeroy said there would be a gravel surface in the equipment yard. The applicant was planning to put in fencing around a portion of the equipment yard. Staff recommended adding a condition stating there would be full perimeter site-obscuring fencing around the utility yard areas to screen the area from all sides.

The Committee questioned some of the proposed species as they would not do well in the Willamette Valley and also questioned the proposed two feet spacing between the plants.

There was discussion regarding having the applicant come back with a revised plan with trees chosen from the City's approved street tree list, and replacing the Lithodora with a different ground cover such as dwarf Vinca Minor, and reviewing the spacing of the plants to allow for growth.

Committee Member McDaniel noted there was no ADA parking and questioned the size of the parking stalls. Principal Planner Pomeroy said parking was not a purview of the LRC, but would be addressed by the Planning and Building Departments through the building permit process.

Chair Stephenson moved to continue L 21-17 and direct the applicant to bring back a modified plan to address the LRC's concerns. The motion was seconded by Committee Member Gunter and passed 4-0.

There was consensus to add the condition regarding the fencing as proposed by staff.

#### D. L 13-17 – Landscape Plan Amendment

Principal Planner Pomeroy provided information on the Landscape Plan amendment for a recently approved Landscape Plan for a commercial shopping center on NE Highway 99W. The approved plan included ten mature trees to be removed and replaced with eight Japanese Snowbell and two columnar trees in the parking island in question. Since the approval in April, the applicant found a

columnar tree species to install in the large planting island, and the property owner preferred to use that tree species throughout the entire planting area. The requested amendment to the Landscape Plan was to allow for the use of a species other than Japanese Snowbell. The applicant was proposing to plant Red Obelisk Beech trees.

The consensus was that it was a much better choice to plant Beech trees in this location.

Principal Planner Pomeroy reviewed the seven conditions of approval.

Committee Member Caughran moved to approve the amendment to L 13-17 and the seven conditions of approval. The motion was seconded by Committee Member Gunter and passed 4-0.

5. **Discussion Items** – None.
6. **Old/New Business** – None.
7. **Committee/Commissioner Comments** – None.
8. **Staff Comments** – None.
9. **Adjournment**

Chair Stephenson adjourned the meeting at 12:41 pm.



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## EXHIBIT 3 - STAFF REPORT

**DATE:** August 16, 2017  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 4A: L 27-17

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### **Report in Brief:**

An application for a landscape plan for a new industrial site and facility (L 27-17) to be reviewed by the Landscape Review Committee.

### **Background:**

The applicant, Deven Paolo on behalf of Solid Form Fabrication, submitted a landscape plan review application to install landscaping on the site of a new industrial facility located at 2760 NE Rivergate Street. The subject property is more specifically described as Tax Lot 1300, Section 15C, T. 4 S., R. 4 W., W.M.

### **Discussion:**

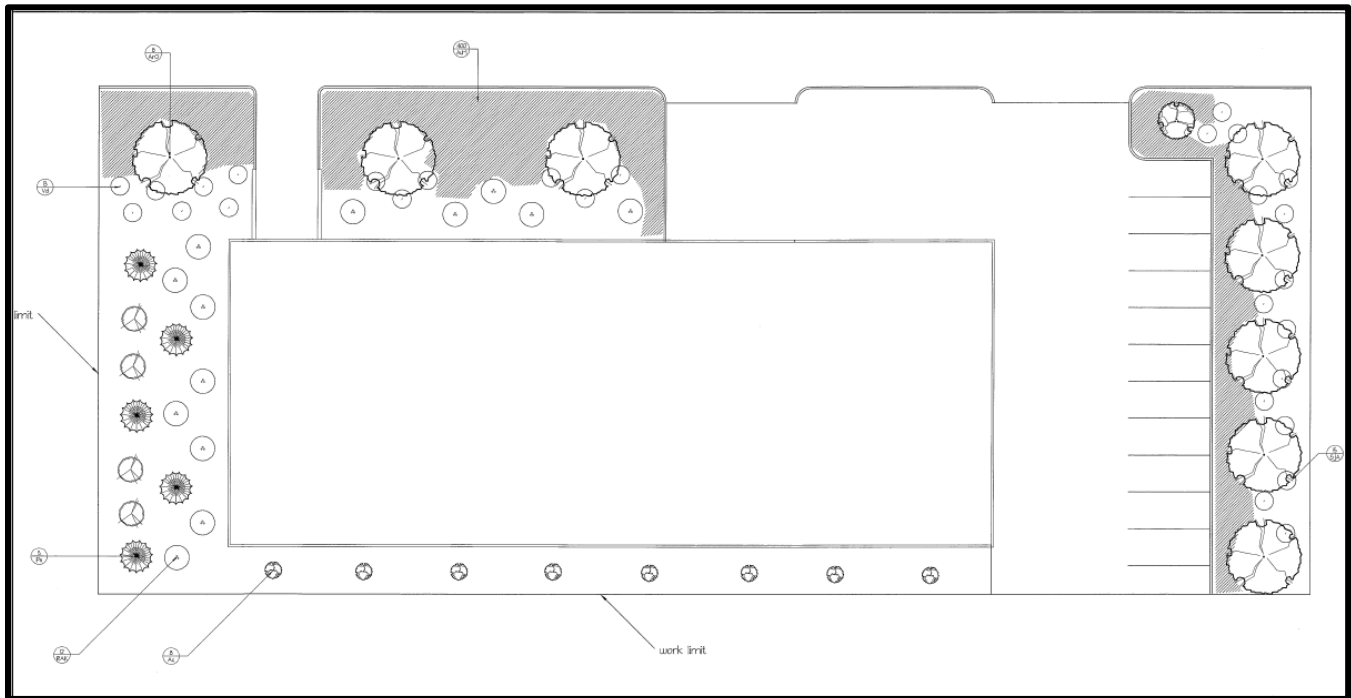
The subject property is zoned M-2 PD (General Industrial Planned Development). The site is currently vacant, and the applicant is proposing to construct a new industrial facility on the site. The site will share access with the existing industrial site (Solid Form Fabricating) to the west. The subject 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 about 30 (thirty) percent of the area of the site being developed is proposed to be landscaped.

The landscaping being proposed on the site 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 of other industrially zoned property along NE Rivergate Street. The site is within the Northeast Industrial Planned Development Overlay area, and landscaping is a component of site development that is encouraged in this overlay area. The applicant is proposing to install landscaping within the area of the site that is being developed. The existing parcel is very deep, but the proposed building, parking areas, and landscaped space only take up the northern most area of the site.

The applicant is proposing to install a lawn with trees and shrubs on the north side of the site and within the public right-of-way adjacent to the site. The applicant is proposing to install October Glory Red Maple (*Acer rubrum* 'October Glory') trees within the right-of-way with Anthony Waterer Spirea (*Spiraea japonica* "Anthony Waterer") dispersed under the understory. However, there are overhead utility and power lines along the site's frontage in the Rivergate Street right-of-way. The October Glory Red Maple trees reach a mature height of up to 50 feet and a mature width of up to 35 feet. Based on the proposed location of the trees, the October Glory Red Maple trees would be in conflict with the overhead power lines at maturity. Therefore, staff is suggesting a condition of approval be included that these trees be changed to a species from the Small Trees section of the McMinnville Street Tree List.

In addition to the landscaped area adjacent to Rivergate Street, the applicant is proposing to install lawn and landscaped area around the entire building, besides the areas required for vehicular circulation. Along the east side of the building will be a row of evenly spaced Vine Maple (*Acer circinatum*) trees. On the west side of the building, a landscaped area will be installed between the main access and a secondary access to a loading area on the southwest corner of the building. Two October Glory Red Maple trees are proposed in this landscaped area, with rhododendron (*Rhododendron* 'Annah Krutskie') and David Viburnum (*Viburnum davidii*) installed around and beneath

the trees. On the south side of the building, five (5) Scotch Pine (*Pinus sylvestris*) trees will be planted in a staggered pattern with rhododendron (*Rhododendron* 'Annah Krutske') planted in groupings behind the pine trees.

Overall, the landscaping plan is very robust and will provide visual interest and be compatible with the surrounding properties and uses.

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 along Rivergate Street. The actual area being developed is setback quite far from both the right-of-way and from adjacent properties. Landscaping is being provided on all sides of the new building, which will provide screening from all adjacent properties as well. A combination of shade trees, evergreen trees, and shrubs, as described above, will be used to provide the screening.

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 vacant, 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 12 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 include the installation of trees that will be within the public right-of-way. A condition of approval is recommended to require that these trees be of a species from the Small Trees section of the McMinnville Street Tree List, which will provide for suitable street trees in this area that will be adjacent to a parking area.

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 drip irrigation system to meet this requirement.

#### **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 June 29, 2017.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
3. That all costs and liability associated with the installation of trees and other landscaping in the right-of-way shall be borne by the applicant.
4. The landscape plan did not identify the species of five (5) plants. The unidentified tree on the north side of the site shall be a Bloodgood Japanese Maple (*Acer palmatum* 'Bloodgood'). The four (4) unidentified shrubs on the south side of the site shall be Dwarf Strawberry Trees (*Arbutus unedo* 'Compacta').
5. That the applicant shall not install October Glory Red Maple (*Acer rubrum* 'October Glory') trees on the north side of the site as shown on the landscape plan due to conflicts with the overhead utility lines in that location. In place of the October Glory Red Maple trees, the applicant shall install five (5) trees of a species from the "Small Trees" section of the McMinnville Street Tree list.
6. That each tree to be planted along the property line adjacent to Rivergate Street 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 each tree and the curb side of each tree. The root barrier protection shall be placed in 10-foot lengths, centered on each tree, and to a depth of eighteen (18) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
7. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to schedule a planting inspection prior to backfilling.
8. That the applicant is reminded that trees are not to be planted within:
  - a. Five (5) feet of a private driveway or alley;
  - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or

- c. Twenty (20) feet of street light standards or street intersections.
- 9. That the applicant shall maintain proper clearances around the future water and electric services that may be located on the north side 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 Rivergate Street. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
- 10. 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 27-17 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.ci.mcminnville.or.us](http://www.ci.mcminnville.or.us)

**Office Use Only:**

File No. L27-17  
Date Received 7/7/17  
Fee 145<sup>00</sup>  
Receipt No. 17B0131  
Received by [Signature]

## Landscape Plan Review Application

### Applicant Information

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

Applicant Name Solid Form Fabrications Phone 503-435-1400

Contact Name Deven Paolo Phone Same  
(If different than above)

Address 2515 NE River Gate

City, State, Zip McMinnville OR 97128

Contact Email deven.p@solidformfabrication.com

### 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 2515 NE Rivergate St

Assessor Map No. R4 4 15 - - 2515 Total Site Area \_\_\_\_\_

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

Comprehensive Plan Designation Ind Zoning Designation M-2 PD

### Landscaping Information

1. Total Landscaped Area: 12,643
2. Percent Landscaped: \_\_\_\_\_
3. Building Floor Area:  
New Structure: 15,500 Existing Structure: \_\_\_\_\_ Addition: \_\_\_\_\_
4. Architect Name: C & D Landscape Phone 503-864-3551  
(Landscape Architect; Engineer; or Other Designer)  
Contact Name \_\_\_\_\_ Phone 503-864-3551  
Address 16800 NE McDougall Rd.  
City, State, Zip Dayton OR 97114  
Contact Email \_\_\_\_\_

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

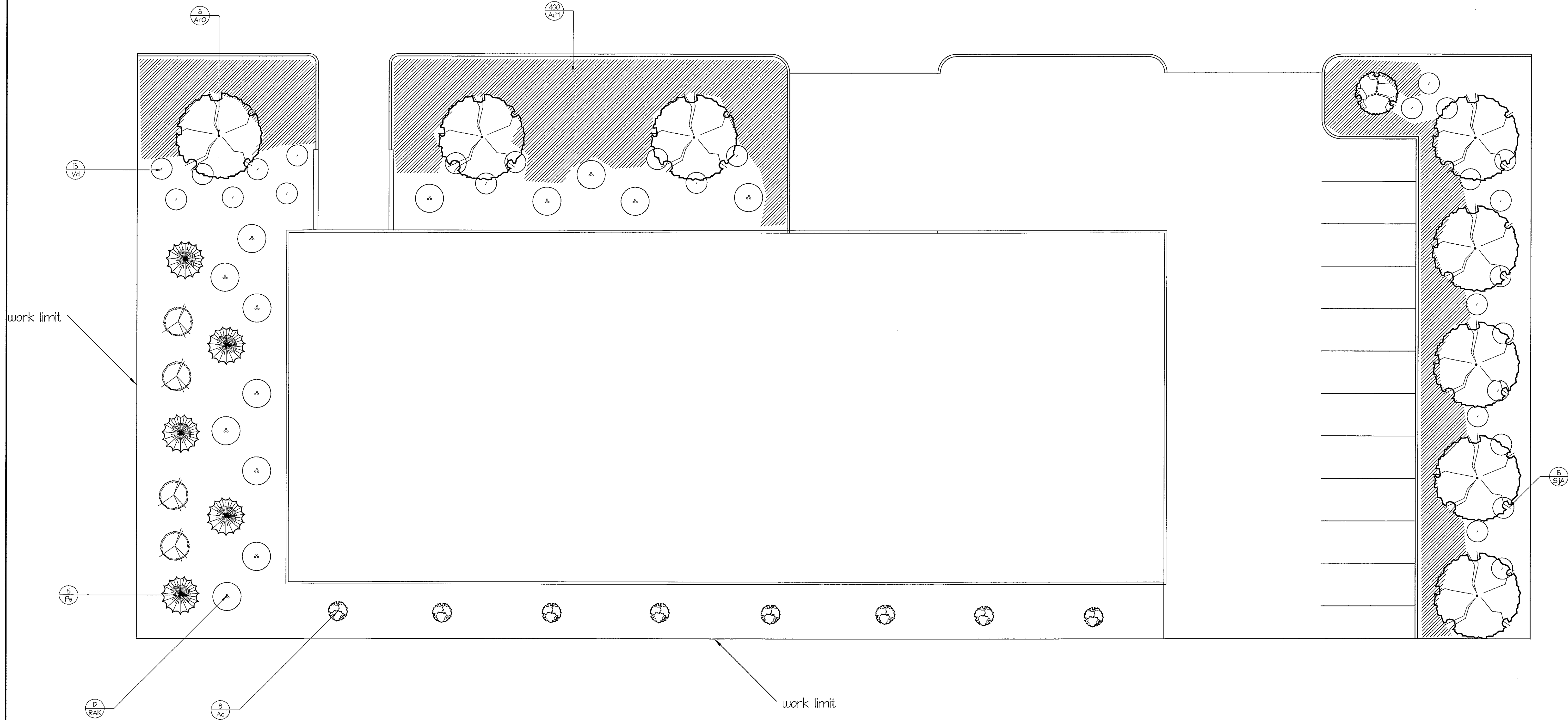
I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

[Signature]  
Applicant's Signature

7-7-17  
Date

[Signature]  
Property Owner's Signature

7-7-17  
Date



Key	Qty	Botanical Name	Common Name	Size/Condition
Trees				
Ac	8	Acer dasycarpum	VINE MAPLE	5'-6'
ArO	8	Acer rubrum 'October Glory'	OCTOBER GLORY®, RED MAPLE	2" cal.
Ps	5	Pinus sylvestris	SCOTCH PINE	5'-6'
Shrubs				
RAK	12	Rhododendron 'Annab Krutsk'	2	5 gal.
SJA	15	Spiraea japonica 'Anthony Waterer'	ANTHONY WATERER SPIREA	5 gal.
Vd	15	Viburnum davidii	DAVID VIBURNUM	3 gal.
Groundcovers				
AuT	400	Arctostaphylos uva-ursi 'Massachusetts'	MASSACHUSETTS BEARS GRAPE	1 gal.

- \* All shrub beds to receive automatic drip irrigation system
- \* all shrub beds to receive 2" of hemlock bark mulch
- \* all shrub beds to have 3" of compost worked into the top 6" of soil

RECEIVED  
JUL 07 2017  
COMMUNITY DEVELOPMENT  
CENTER

\* 12,643 square feet of Landscape Area

Solid Form Fabrication  
McMinnville, or  
DATE 06/29/17  
SCALE 1"=10'

DRAWING # 2007/066

# Landscape Plan

NORTH

C&D Landscape Co.  
16800 NE McDowell Rd.  
Tigard, OR 97118  
503.664.3351







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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## **DECISION DOCUMENT – 2760 NE RIVERGATE STREET**

### **DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR AN EXPANSION OF AN EXISTING INDUSTRIAL SITE AT 1615 NE RIVERSIDE DRIVE**

**DOCKET:** L 27-17 (Landscape Plan)

**REQUEST:** The applicant, Deven Paolo on behalf of Solid Form Fabrication, submitted a landscape plan review application to install landscaping on the site of a new industrial facility. 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 2760 NE Rivergate Street. The subject property is more specifically described as Tax Lot 1300, Section 15C, 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-2 PD (General Industrial Planned Development).

**APPLICANT:** Deven Paolo on behalf of Solid Form Fabrication

**STAFF:** Chuck Darnell, Associate Planner

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

**DATE & TIME:** August 16, 2017. Meetings was held at the Community Development Center, 231 NE 5<sup>th</sup> 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 27-17).

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

Planning Staff: \_\_\_\_\_  
Chuck Darnell, Associate Planner

Date: \_\_\_\_\_

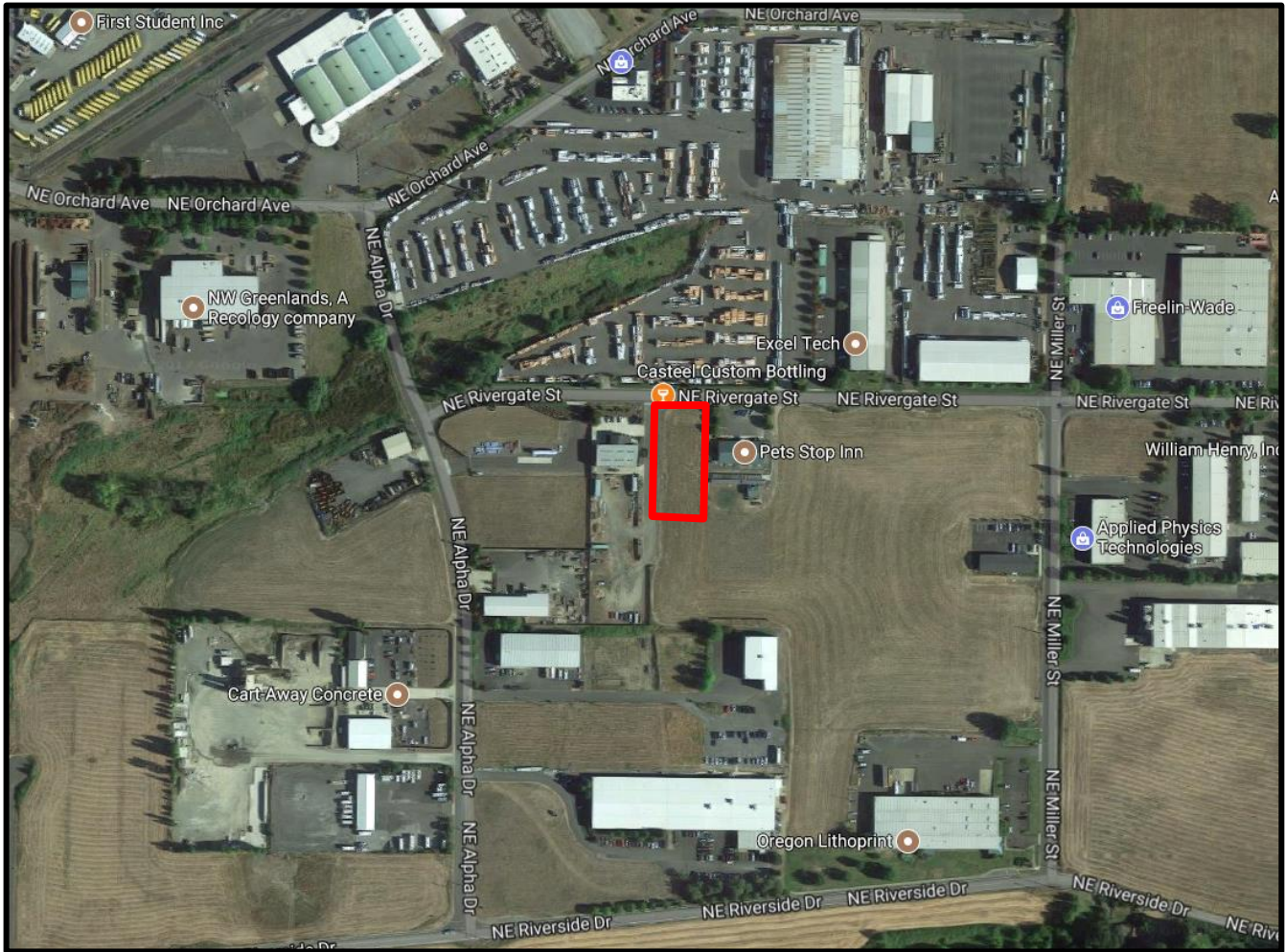
Planning Department: \_\_\_\_\_  
Heather Richards, Planning Director

Date: \_\_\_\_\_

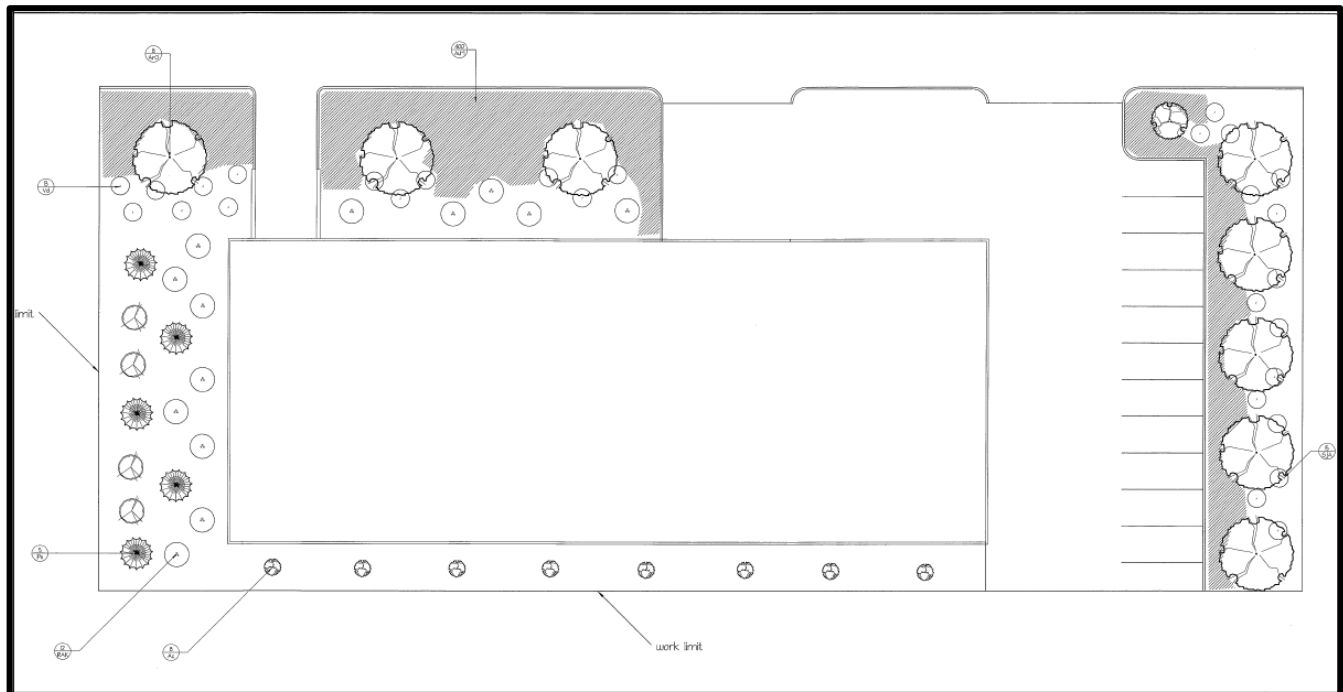
**Application Summary:**

The applicant, Deven Paolo on behalf of Solid Form Fabrication, submitted a landscape plan review application to install landscaping on the site of a new industrial facility. 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 subject site is shown below:



The landscape plan as proposed is shown below:



### **CONDITIONS OF APPROVAL**

1. That the applicant shall install landscaping as shown on the submitted landscape plan dated June 29, 2017.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
3. That all costs and liability associated with the installation of trees and other landscaping in the right-of-way shall be borne by the applicant.
4. The landscape plan did not identify the species of five (5) plants. The unidentified tree on the north side of the site shall be a Bloodgood Japanese Maple (*Acer palmatum* 'Bloodgood'). The four (4) unidentified shrubs on the south side of the site shall be Dwarf Strawberry Trees (*Arbutus unedo* 'Compacta').
5. That the applicant shall not install October Glory Red Maple (*Acer rubrum* 'October Glory') trees on the north side of the site as shown on the landscape plan due to conflicts with the overhead utility lines in that location. In place of the October Glory Red Maple trees, the applicant shall install five (5) trees of a species from the "Small Trees" section of the McMinnville Street Tree list.
6. That each tree to be planted along the property line adjacent to Rivergate Street 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 each tree and the curb side of each tree. The root barrier protection shall be placed in 10-foot lengths, centered on each tree, and to a depth of eighteen (18) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).

7. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to schedule a planting inspection prior to backfilling.
8. That the applicant is reminded that trees are not to be planted within:
  - a. Five (5) feet of a private driveway or alley;
  - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
  - c. Twenty (20) feet of street light standards or street intersections.
9. That the applicant shall maintain proper clearances around the future water and electric services that may be located on the north side 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 Rivergate Street. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
10. 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. Deven Paolo, on behalf of Solid Form Fabrication, submitted a landscape plan review application to install landscaping on the site of a new industrial facility located at 2760 NE Rivergate Street. The subject property is more specifically described as Tax Lot 1300, Section 15C, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned M-2 PD (General Industrial Planned Development), 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 August 16, 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 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 Rivergate Street. The trees will be 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.

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:
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 about 30 (thirty) percent of the area of the site being landscaped, which greatly 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 of other industrially zoned property along NE Rivergate Street. The site is within the Northeast Industrial Planned Development Overlay area, and landscaping is a component of site development that is encouraged in this overlay area. The applicant is proposing to install landscaping within the area of the site that is being developed. The existing parcel is very deep, but the proposed building, parking areas, and landscaped space only take up the northern most area of the site.

The applicant is proposing to install a lawn with trees and shrubs on the north side of the site and within the public right-of-way adjacent to the site. The applicant is proposing to install October Glory Red Maple (*Acer rubrum* 'October Glory') trees within the right-of-way with Anthony Waterer Spirea (*Spiraea japonica* "Anthony Waterer") dispersed under the understory. However, there are overhead utility and power lines along the site's frontage in the Rivergate Street right-of-way. The October Glory Red Maple trees reach a mature height of up to 50 feet and a mature width of up to 35 feet. Based on the proposed location of the trees, the October Glory Red Maple trees would be in conflict with the overhead power lines at maturity. Therefore, a condition of approval is included to require that these trees be changed to a species from the Small Trees section of the McMinnville Street Tree List.

In addition to the landscaped area adjacent to Rivergate Street, the applicant is proposing to install lawn and landscaped area around the entire building, besides the areas required for vehicular



circulation. Along the east side of the building will be a row of evenly spaced Vine Maple (*Acer circinatum*) trees. On the west side of the building, a landscaped area will be installed between the main access and a secondary access to a loading area on the southwest corner of the building. Two October Glory Red Maple trees are proposed in this landscaped area, with rhododendron (*Rhododendron* 'Annah Krutske') and David Viburnum (*Viburnum davidii*) installed around and beneath the trees. On the south side of the building, five (5) Scotch Pine (*Pinus sylvestris*) trees will be planted in a staggered pattern with rhododendron (*Rhododendron* 'Annah Krutske') planted in groupings behind the pine trees.

Overall, the landscaping plan is very robust and will provide visual interest and be compatible with the surrounding properties and uses.

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 along Rivergate Street. The actual area being developed is setback quite far from both the right-of-way and from adjacent properties. Landscaping is being provided on all sides of the new building, which will provide screening from all adjacent properties as well. A combination of shade trees, evergreen trees, and shrubs, as described above, will be used to provide the screening.

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 vacant, 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 12 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 include the installation of trees that will be within the public right-of-way. A condition of approval is recommended to require that these trees be of a species from the Small Trees section of the McMinnville Street Tree List, which will provide for suitable street trees in this area that will be adjacent to a parking area.

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 drip 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:

H. M-2 (General Industrial zone).

Finding: The subject site is zoned M-2 (General 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](http://www.mcminnvilleoregon.gov)

## EXHIBIT 4 - STAFF REPORT

**DATE:** August 16, 2017  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 4B: L 28-17

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### **Report in Brief:**

An application for a landscape plan for a new commercial building (L 28-17) to be reviewed by the Landscape Review Committee.

### **Background:**

The applicant, Linda Cameron, submitted a landscape plan review application to install landscaping on the site of a new commercial building located at 1384 NE Highway 99W. The subject property is more specifically described as Tax Lot 300, Section 16AC, T. 4 S., R. 4 W., W.M.

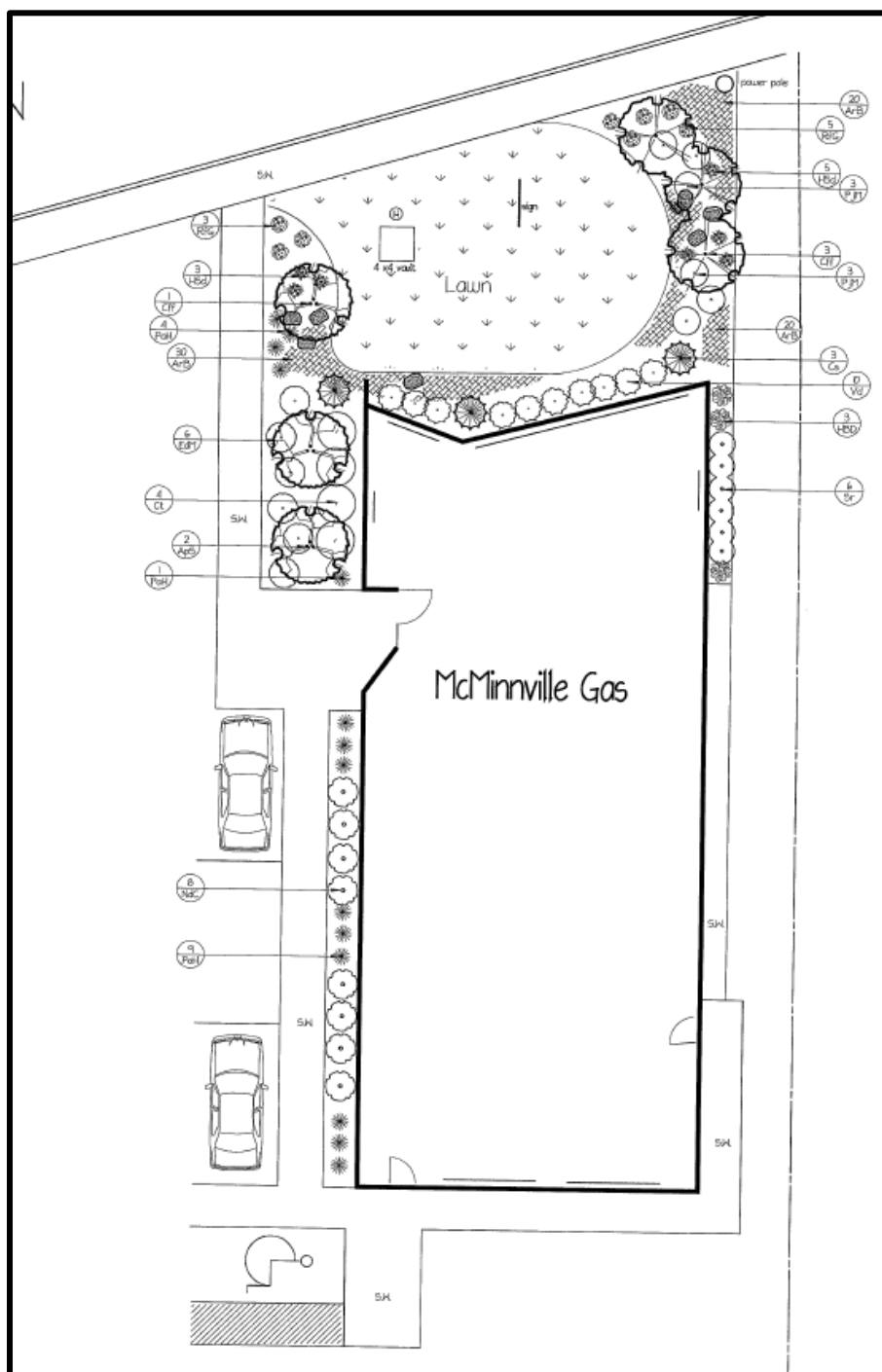
### **Discussion:**

The subject property is zoned C-3 (General Commercial). The site is currently fully developed, and McMinnville Gas Company owns and operates their business on the property. The owners of McMinnville Gas Company have submitted a demolition permit to remove the existing building, and have also submitted building permits to construct a new building in place of the existing building that will be demolished. The new building will provide retail services on the ground floor, and will have a second floor that provides offices for employees. 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 slightly over eight (8) percent of the area of the site being developed is proposed to be landscaped.

The landscaping being proposed on the site 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 of other commercially zoned property along Highway 99W. The applicant is proposing to install landscaping within the area of the site that is being developed. The existing parcel is very deep, but the proposed building, drive aisles, and landscaped space only take up

the northern most area of the site. The southern portion of the site is currently fully developed, and is used for storage of materials and equipment. The property owners are striping parking on the south side of the building in the existing paved area of the site, as there is currently no clearly striped or identified parking on the site. The owners are not redeveloping this portion of the site, so it was not included in the landscape plan. Only the area of the site being redeveloped was included in the landscape plan, as is the City's typical practice for development that does not encompass a full property.

The applicant is proposing to install a lawn area on the north side of the new building. The lawn area will be wrapped with a combination of trees, shrubs, perennials, and groundcover. On the west and east sides of the open lawn area, Cherokee Brave Pink Flowering Dogwood (*Cornus florida f rubra* 'Cherokee Brave') trees will be installed. This species of tree is a somewhat lower growing species, reaching heights up to 25 feet with a spreading horizontal canopy reaching widths up to 25 feet. One (1) of these trees will be on the west side of the lawn, and three (3) will be on the east side of the lawn. Under the trees, shrubs and perennials including Goldsturm Black-Eyed Susan (*Redbeckia fulgida* 'Goldsturm'), Stella Doro Daylilies (*Hemerocallis* 'Stella Doro'), and Mt. Fire Japanese Pieris (*Pieris japonica* 'Mt. Fire') will be installed. In addition to those plants in the understory, groups of Camas gray basalt boulders will be within the planting beds. Bronze Beauty Bugle Carpet (*Ajuga reptans* 'Bronze Beauty') will be installed as groundcover throughout these areas as well to fill out the planting beds.

Along the front building line, the applicant is proposing to install a continuous row of David Viburnum (*Viburnum davidii*), interspersed with a few Sasanqua Camellia (*Camellia sasanqua*), which will complement the main front façade of the new building. On the west side of the building near the front corner, two (2) Sango Kaku Japanese Maple (*Acer palmatum* 'Sango Kaku') trees will be installed, with Mexican Orange (*Choisya ternata*) and Mediterranean Pink Cape Heath (*Erica x darleyensis* 'Mediterranean Pink') shrubs planted beneath and around the trees. These plants are located near the main entry, providing visual interest around this heavily trafficked area of the site. Another row of shrubs and annuals will be installed on the east side of the building near the front corner of the building opposite of the Sango Kaku Japanese Maple trees.

Another continuous row of shrubs and grasses will be installed along the sidewalk that will be located adjacent to the parallel parking spaces on the west side of the building. This row of plants will include Heavenly Bamboo (*Nandina domestica* 'Compacta Nana') and Hamelin Fountain Grass (*Pennisetum alopecuroides* 'Hamelin').

The proposed landscape plan includes a wide variety of plant materials, as described above. The variety of plant materials will provide for visual interest throughout the site. The landscaping will be located in areas of the site that are most visible from adjacent properties and the general public traveling along Highway 99W. The areas of the site being landscaped are also the areas that will be most heavily frequented by customers and visitors to the building. Therefore, the proposed landscaping is compatible with the proposed use and the surrounding properties.

2. Screening the proposed use by sight-obscurating, 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 along the north side of the site that is adjacent to Highway 99W. The proposed landscape plan includes the installation of somewhat low growing and wide canopy trees that, at maturity, will provide for screening of the proposed use from the public right-of-way. These trees, along with the rows of shrubs and grasses along the sides of the building, will also provide screening of the use from the properties immediately adjacent to the west and east. Additional screening of the proposed use from the properties immediately adjacent is not possible, as

there are shared access drive aisles on the east and west boundaries of the subject site that are utilized by the properties immediately adjacent.

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, with a landscaped area on the north side of the site and some small trees and shrubs immediately adjacent to the building. These existing landscaped areas will either be completely or partially impacted by the proposed demolition of the existing building and the construction of the new building. The existing landscaped areas are being replaced with new plant material, as described in more detail above, and the existing grade is not being significantly altered.

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

The only parking areas in the portion of the site that is being developed are three (3) parallel parking spaces on the west side of the new building. With the existing shared drive aisle that needs to be retained, this area of the site is constrained and there is not room to accommodate additional landscaping. The continuous row of Heavenly Bamboo (*Nandina domestica* 'Compacta Nana') and Hamelin Fountain Grass (*Pennisetum alopecuroides* 'Hamelin') will be installed between the sidewalk and parallel parking spaces and the new building, which will break up the hard surfaces with natural material and will provide buffering between the parking spaces and the new building. This will also create some visual interest for customers traveling between the parking spaces and the main entry to the new building.

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 a fixed spray irrigation system to meet this requirement. The applicant has noted that some of the narrow planting beds may utilize a drip line irrigation system, but all landscaped areas on the site will be irrigated in some manner.

#### **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:

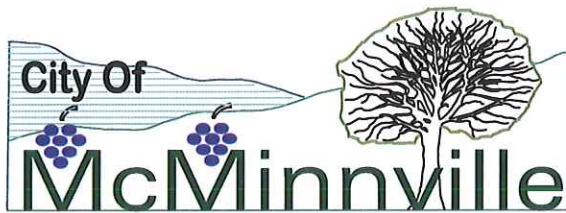
1. That the applicant shall install landscaping as shown on the submitted landscape plan dated July, 2017.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
3. That 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 28-17 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](http://www.mcminnvilleoregon.gov)

<b>Office Use Only:</b>	
File No.	28-17
Date Received	7/26/17
Fee	145 <sup>00</sup>
Receipt No.	17B0489
Received by	[Signature]

## Landscape Plan Review Application

### Applicant Information

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

Applicant Name Moore Architecture + Design, LLC Phone 503.784.5070

Contact Name Linda Cameron Phone same  
(If different than above)

Address 2327 SW Market Street Drive

City, State, Zip Portland, OR 97201

Contact Email Linda@moorearchdesign.com

### Property Owner Information

Property Owner Name McMinnville Gas Co Phone (503) 472-7220  
(If different than above)

Contact Name John Buller & Ryan Buller Phone (408) 590-9803

Address 1384 NE Hwy 99W, McMinnville, OR

City, State, Zip McMinnville, OR 97128

Contact Email rbuller.macgas@frontier.com

### Site Location and Description

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

Property Address 1384 NE Hwy 99W, McMinnville, OR 97128 23566 sf (existing area)

Assessor Map No. R4 41 6AC Total Site Area being modified

Subdivision -- Block -- Lot 00300

Comprehensive Plan Designation Commerical Zoning Designation C-3



### Landscaping Information

1. Total Landscaped Area: 1984 sf
2. Percent Landscaped: 8.4%
3. Building Floor Area: To be demolished  
New Structure: 6473 sf Existing Structure: 1800 sf Addition: NA
4. Architect Name Robert Stephenson Landscape Arch. Phone 503-434-0114  
(Landscape Architect; Engineer; or Other Designer)  
Contact Name Robert Phone 503-472-3919  
Address 1081 NW Baker Crest Ct.  
City, State, Zip McMinnville, OR 97128  
Contact Email w.rhstephenson@yahoo.com

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

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

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



Applicant's Signature

7.26.17

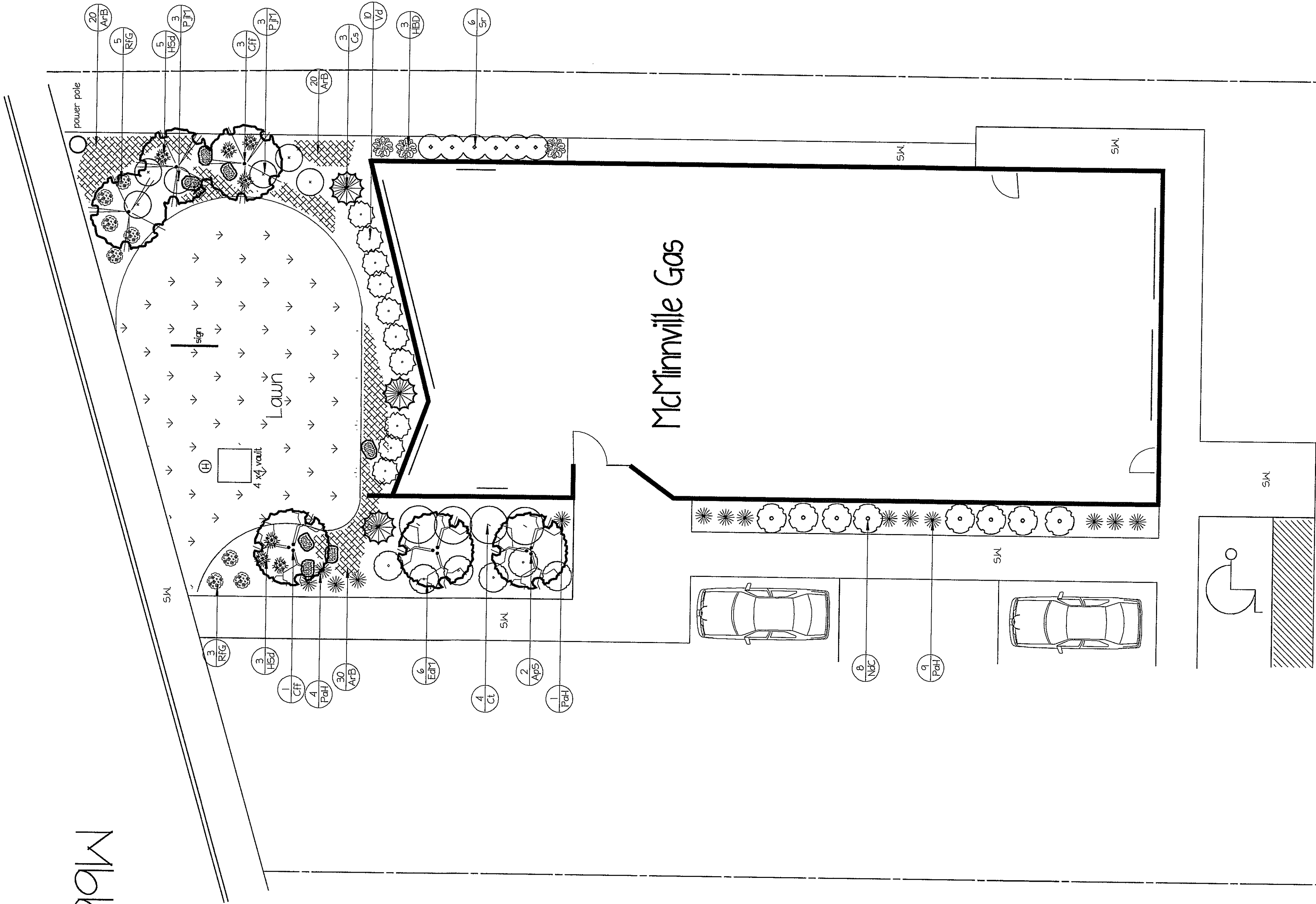
Date



Property Owner's Signature

7-26-17

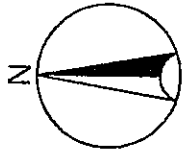
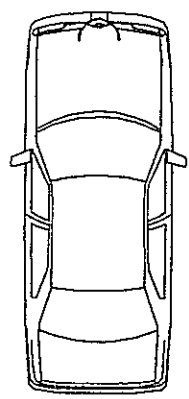
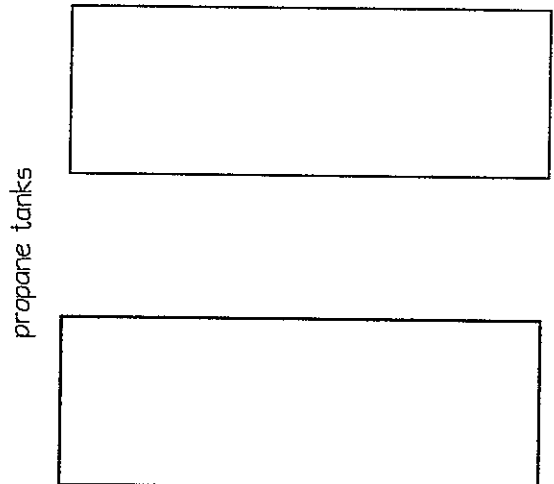
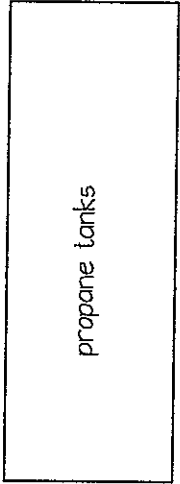
Date



PLANT LIST

Key	Qty	Botanical Name	Common Name	Remarks
Trees				
AvB	2	Acer palmatum 'Sango kaku'	SANGO KAKU JAPANESE MAPLE	8-17'
Cff	4	Cornus florida f. rubra 'Cherokee Brave'	CHEROKEE BRAVE PINK FLOWERING DOGWOOD	8-17'
Shrubs				
Cs	3	Cornus sibirica	SAGANQIA CAPELLIA	2-3 Gal.
Ct	4	Choisya ternata	MEXICAN ORANGE	2-3 Gal.
EdH	6	Erica x darleyensis 'Mediterranean Pink'	MEDITERRANEAN PINK CAPE HEATH	1 Gal.
NdC	8	Nandina domestica 'Compacta Nana'	GULFSTREAM HEAVENLY BAMBOO	2-3 Gal.
PfH	6	Pieris japonica 'Mt. Fire'	MT. FIRE JAPANESE PERS.	2-3 Gal.
Sr	6	Sorococco nudiola	VANILLA PLANT	1 Gal.
Vd	10	Viornum davidi	DAVID VEURNUM	2-3 Gal.
Ornamental Grasses				
PdH	14	Pennisetum oligosperum 'Hemslair'	HAYELIN FOUNTAIN GRASS	1 Gal.
Perennials and Annuals				
AvB	70	Ajuga reptans 'Bronze Beauty'	BRONZE BEAUTY BUGLE CARPET	1 Gal.
HdH	8	Hemerocallis 'Stella d'oro'	STELLA DORO DAYLILY	1 Gal.
HdD	3	Hosta 'Big Daddy'	BIG DADDY HOSTA	1 Gal.
R/G	8	Rubredo 'Majda Goldsturm'	GOLDSTURM BLACK-EYED SUSAN	1 Gal.

Note: All beds shall be irrigated with fixed spray, narrow beds may be drip  
Note: Boulders shall be Carrara gray basalt.



McMinnville Gas

99W

McMinnville, Or. 97128

client:

scale

date

revision

July, 2017

checked by

drawing #

235-17-R

Rob Stephenson

RHS

Rob Stephenson

RHS

235-17-R



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## **DECISION DOCUMENT – 1384 NE HIGHWAY 99W**

### **DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR A NEW COMMERCIAL BUILDING AT 1384 NE HIGHWAY 99W**

**DOCKET:** L 28-17 (Landscape Plan)

**REQUEST:** The applicant, Linda Cameron on behalf of McMinnville Gas Company, submitted a landscape plan review application to install landscaping on the site of a redeveloped commercial building. 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 1384 NE Highway 99W. The subject property is more specifically described as Tax Lot 300, Section 16AC, 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:** Linda Cameron on behalf of McMinnville Gas Company

**STAFF:** Chuck Darnell, Associate Planner

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

**DATE & TIME:** August 16, 2017. Meetings was held at the Community Development Center, 231 NE 5<sup>th</sup> 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 28-17).

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**DECISION: APPROVAL WITH CONDITIONS**  
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Planning Staff: \_\_\_\_\_  
Chuck Darnell, Associate Planner

Date: \_\_\_\_\_

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

Date: \_\_\_\_\_



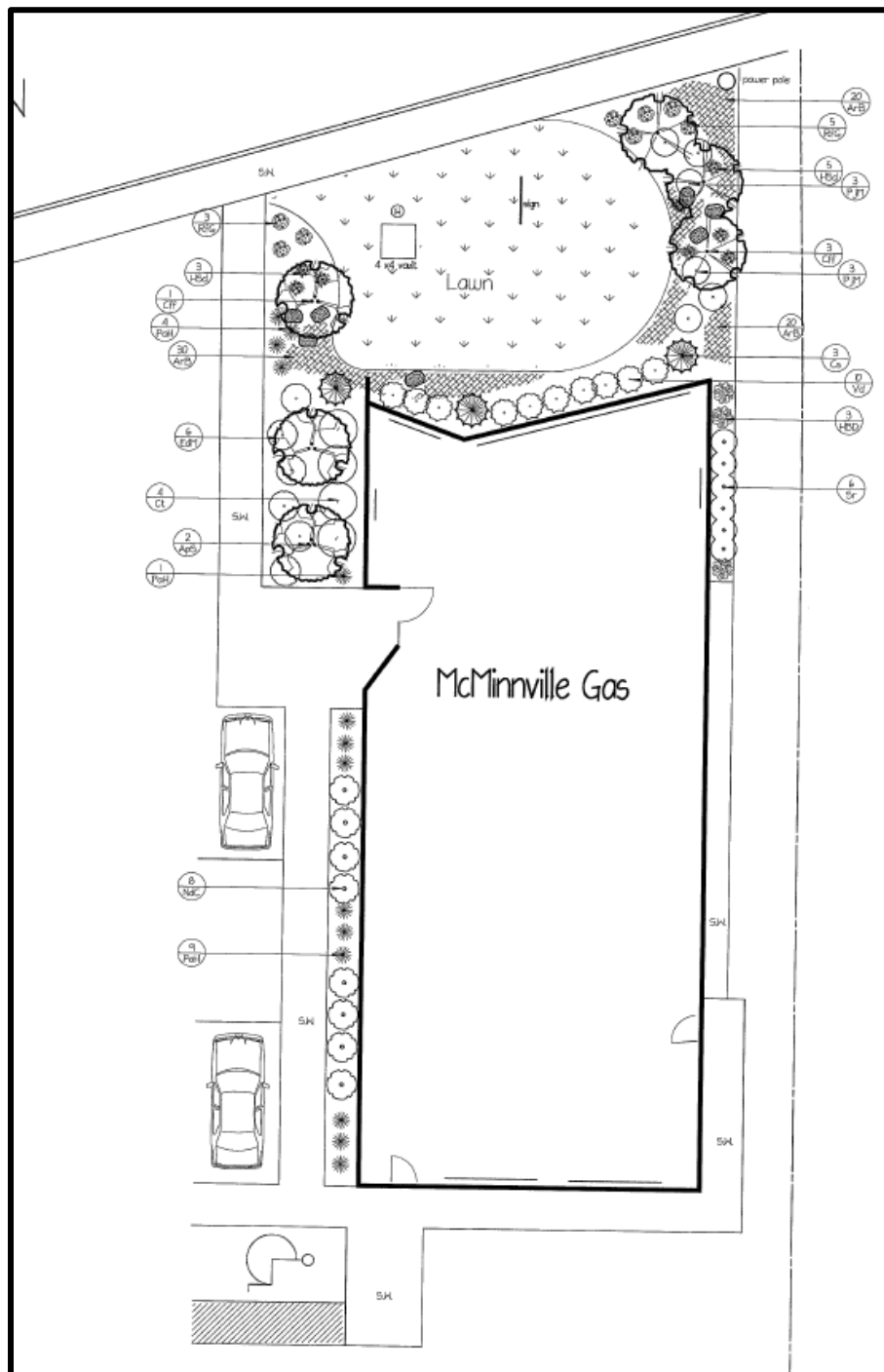
### Application Summary:

The applicant, Linda Cameron on behalf of McMinnville Gas Company, submitted a landscape plan review application to install landscaping on the site of a redeveloped commercial building. 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 subject site is shown below:



The landscape plan as proposed is shown below:



### **CONDITIONS OF APPROVAL**

1. That the applicant shall install landscaping as shown on the submitted landscape plan dated July, 2017.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.

3. 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. Linda Cameron, on behalf of McMinnville Gas Company, submitted a landscape plan review application to install landscaping on the site of a redeveloped commercial building located at 1384 NE Highway 99W. The subject property is more specifically described as Tax Lot 300, Section 16AC, 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 August 16, 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 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 Highway 99W. 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.

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:

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 slightly over eight (8) percent of the area of the 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 of other commercially zoned property along Highway 99W. The applicant is proposing to install landscaping within the area of the site that is being developed. The existing parcel is very deep, but the proposed building, drive aisles, and landscaped space only take up the northern most area of the site. The southern portion of the site is currently fully developed, and is used for storage of materials and equipment. The property owners are striping parking on the south side of the building in the existing paved area of the site, as there is currently no clearly striped or identified parking on the site. The owners are not redeveloping this portion of the site, so it was not included in the landscape plan. Only the area of the site being redeveloped was included in the landscape plan, as is the City's typical practice for development that does not encompass a full property.

The applicant is proposing to install a lawn area on the north side of the new building. The lawn area will be wrapped with a combination of trees, shrubs, perennials, and groundcover. On the west and east sides of the open lawn area, Cherokee Brave Pink Flowering Dogwood (*Cornus florida f rubra* 'Cherokee Brave') trees will be installed. This species of tree is a somewhat lower growing species, reaching heights up to 25 feet with a spreading horizontal canopy reaching widths up to 25 feet. One (1) of these trees will be on the west side of the lawn, and three (3) will be on the east side of the lawn. Under the trees, shrubs and perennials including Goldsturm Black-Eyed Susan (*Redbeckia fulgida* 'Goldsturm'), Stella Doro Daylilies (*Hemerocallis* 'Stella Doro'), and Mt. Fire Japanese Pieris (*Pieris japonica* 'Mt. Fire') will be installed. In addition to those plants in the understory, groups of Camas gray basalt boulders will be within the planting beds. Bronze Beauty Bugle Carpet (*Ajuga reptans* 'Bronze Beauty') will be installed as groundcover throughout these areas as well to fill out the planting beds.

Along the front building line, the applicant is proposing to install a continuous row of David Viburnum (*Viburnum davidii*), interspersed with a few Sasanqua Camellia (*Camellia sasanqua*), which will complement the main front façade of the new building. On the west side of the building near the front corner, two (2) Sango Kaku Japanese Maple (*Acer palmatum* 'Sango Kaku') trees will be installed, with Mexican Orange (*Choisya ternata*) and Mediterranean Pink Cape Heath (*Erica x darleyensis* 'Mediterranean Pink') shrubs planted beneath and around the trees. These plants are located near the main entry, providing visual interest around this heavily trafficked area of the site. Another row of shrubs and annuals will be installed on the east side of the building near the front corner of the building opposite of the Sango Kaku Japanese Maple trees.

Another continuous row of shrubs and grasses will be installed along the sidewalk that will be located adjacent to the parallel parking spaces on the west side of the building. This row of plants will include Heavenly Bamboo (*Nandina domestica* 'Compacta Nana') and Hamelin Fountain Grass (*Pennisetum alopecuroides* 'Hamelin').

The proposed landscape plan includes a wide variety of plant materials, as described above. The variety of plant materials will provide for visual interest throughout the site. The landscaping will be

located in areas of the site that are most visible from adjacent properties and the general public traveling along Highway 99W. The areas of the site being landscaped are also the areas that will be most heavily frequented by customers and visitors to the building. Therefore, the proposed landscaping is compatible with the proposed use and the surrounding 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 along the north side of the site that is adjacent to Highway 99W. The proposed landscape plan includes the installation of somewhat low growing and wide canopy trees that, at maturity, will provide for screening of the proposed use from the public right-of-way. These trees, along with the rows of shrubs and grasses along the sides of the building, will also provide screening of the use from the properties immediately adjacent to the west and east. Additional screening of the proposed use from the properties immediately adjacent is not possible, as there are shared access drive aisles on the east and west boundaries of the subject site that are utilized by the properties immediately adjacent.

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, with a landscaped area on the north side of the site and some small trees and shrubs immediately adjacent to the building. These existing landscaped areas will either be completely or partially impacted by the proposed demolition of the existing building and the construction of the new building. The existing landscaped areas are being replaced with new plant material, as described in more detail above, and the existing grade is not being significantly altered.

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

Finding: The only parking areas in the portion of the site that is being developed are three (3) parallel parking spaces on the west side of the new building. With the existing shared drive aisle that needs to be retained, this area of the site is constrained and there is not room to accommodate additional landscaping. The continuous row of Heavenly Bamboo (*Nandina domestica* 'Compacta Nana') and Hamelin Fountain Grass (*Pennisetum alopecuroides* 'Hamelin') will be installed between the sidewalk and parallel parking spaces and the new building, which will break up the hard surfaces with natural material and will provide buffering between the parking spaces and the new building. This will also create some visual interest for customers traveling between the parking spaces and the main entry to the new building.

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 a fixed spray irrigation system to meet this requirement. The applicant has noted that some of the

narrow planting beds may utilize a drip line irrigation system, but all landscaped areas on the site will be irrigated in some manner.

- 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:

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

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

CD:sjs



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

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## EXHIBIT 5 - STAFF REPORT

**DATE:** August 16, 2017  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 4C: L 29-17

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### **Report in Brief:**

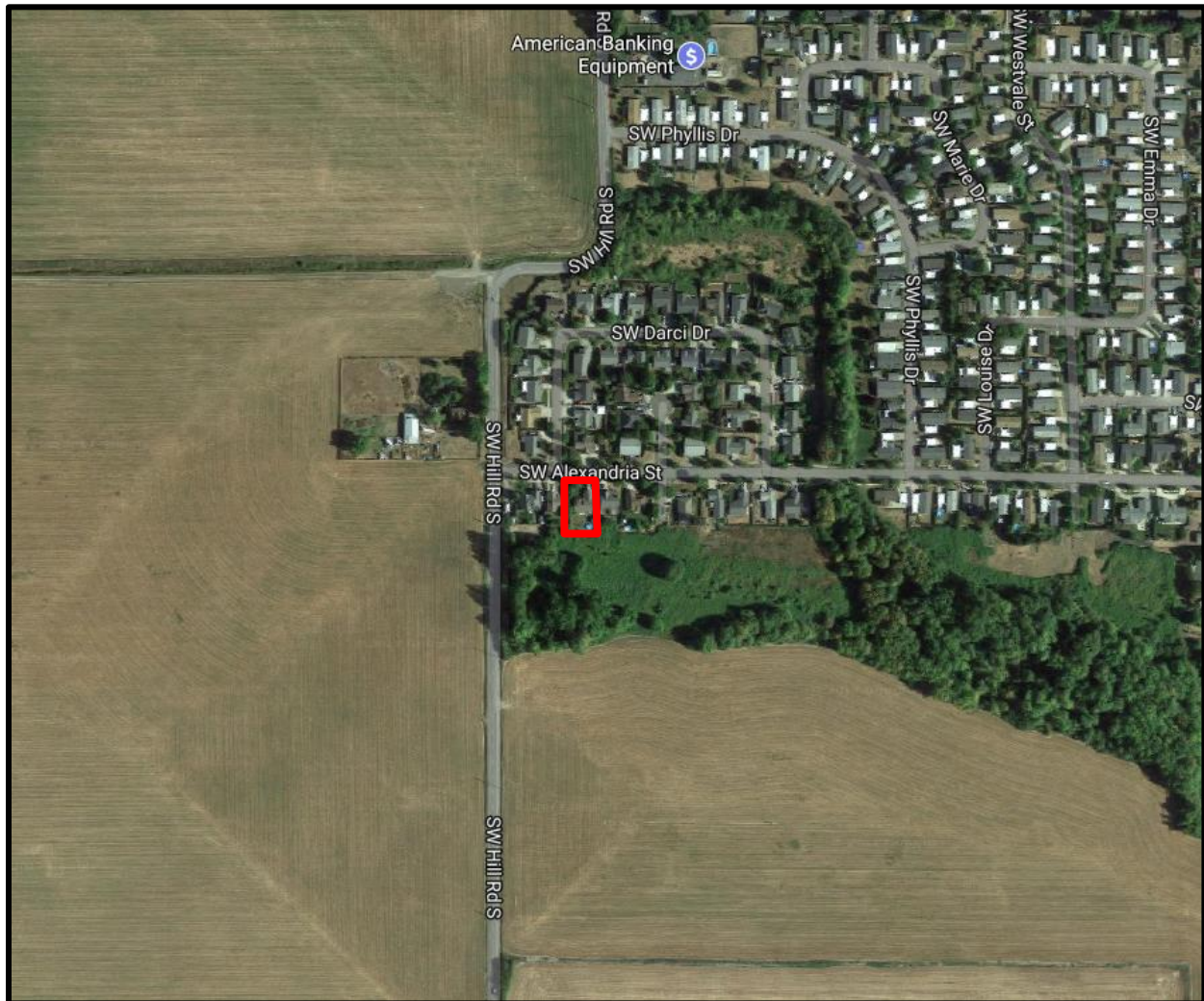
An application for a tree removal (L 29-17) to be reviewed by the Landscape Review Committee.

### **Background:**

The applicant, Ronald Mantle, submitted a street tree removal application to remove one (1) street tree from the property located at 2212 SW Alexandria Street. The subject property is more specifically described as Tax Lot 321, Section 30AB, T. 4 S., R. 4 W., W.M.

### **Discussion:**

The subject property is a single family site in the Alexandria Addition subdivision, east of Hill Road and on the edge of the city limits. 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 maple variety that measures approximately 15 inches in diameter at breast height. The tree is approximately 40 feet in height. The applicant has provided photos that show sidewalk and curb damage 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 and the private driveway. The tree roots have caused the adjacent sidewalk to lift, and recently a resident did trip on the lifted sidewalk. The applicant has concerns with pedestrian safety and liability due to the damage to the sidewalk. The applicant already started to remove the sidewalk panel that was lifted, and intends to replace the sidewalk panel that was damaged.

The applicant is also concerned that the tree roots are beginning to damage the private driveway improvements on the property. While there is no obvious damage yet to the driveway, there is a large crack and lifting occurring on the curb and gutter within the public right-of-way on Alexandria Street.

The tree's root buttress is mounded 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.

Also, upon inspecting the site it was determined that the tree was planted in a location that would not meet current street tree planting standards. The trunk of the tree is only about one (1) foot from the driveway, and only about six (6) feet from the water meter serving the property. The street tree standards in Section 17.58.090 (E) of the McMinnville Zoning Ordinance normally require that street trees be planted at least five (5) feet from a driveway and at least ten (10) feet from a water meter. A photo of location of the tree and the proximity to the existing utilities and improvements is provided below:



Based on the damage being caused to public improvements, and the fact that the tree is not planted in a suitable location, the tree removal request meets this criteria.

- 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. The planting strip where the tree that is proposed to be removed is located cannot accommodate a replacement tree, based on the proximity of improvements and the inability to meet required setbacks, as described in more detail above.

On the opposite side of the driveway, there is a tree planted in the planting strip adjacent to the subject property. The trunk of that tree is 14 (fourteen) feet from the driveway, somewhat centered in the planting strip between the driveway and the property line. Therefore, there is no space to add another tree, so staff is not recommending that a replacement tree be planted on this property, should the Landscape Review Committee approve the tree removal request.

A photo of the planting strip on the opposite side of the property is provided below:



**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 stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. The applicant shall use caution when removing the tree and the roots. The applicant shall take care to not come into contact with the underground power or water facilities that exist beneath and adjacent to the tree. The applicant shall contact McMinnville Water and Light at (503) 472-6158 if there are any conflicts or damage to underground power or water facilities during the tree removal.
4. 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.
5. That the planter areas shall be restored to original grade immediately following the tree removal.
6. That all costs and liability associated with the tree's removal shall be borne by the applicant.
7. That the applicant shall complete the removal within six (6) months of this approval notification, or February 16, 2018.

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 29-17 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](http://www.mcminnvilleoregon.gov)

**Office Use Only:**

File No. L 29-17  
Date Received 8-1-17  
Fee Ø  
Receipt No. N/A  
Received by CD

## Street Tree Removal

### Applicant Information

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

Applicant Name RONALD MANTRE Phone 541-706-2765

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

Address 2212 S.W. Alexandria St

City, State, Zip McMinnville, OR 97128

Contact Email GONCAMPAIN@GMAIL.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 2212 SW. Alexandria St  
(Property nearest to tree(s) for removal)

Assessor Map No. R4430-AB-00321 Total Site Area \_\_\_\_\_

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

Comprehensive Plan Designation Res. Zoning Designation R-2 PD

### Additional Information

1. How many trees are requested for removal? 1
2. What type (species) of tree(s) are they? NOT SURE MAPLE
3. What is the diameter of the tree(s), measured four feet above ground level? 42"
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. \_\_\_\_\_

THIS TREE IS FEELING UP THE DRIVEWAY AND SIDEWALK  
I HAD A PERSON TRIP ON THE SIDEWALK BUSTED THERE LIP AND  
BROKE 2 TEETH. IT IS ALSO 2 CLOSE TO THE WATER METER  
AND THERE IS A MAIL BOX ALSO

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.

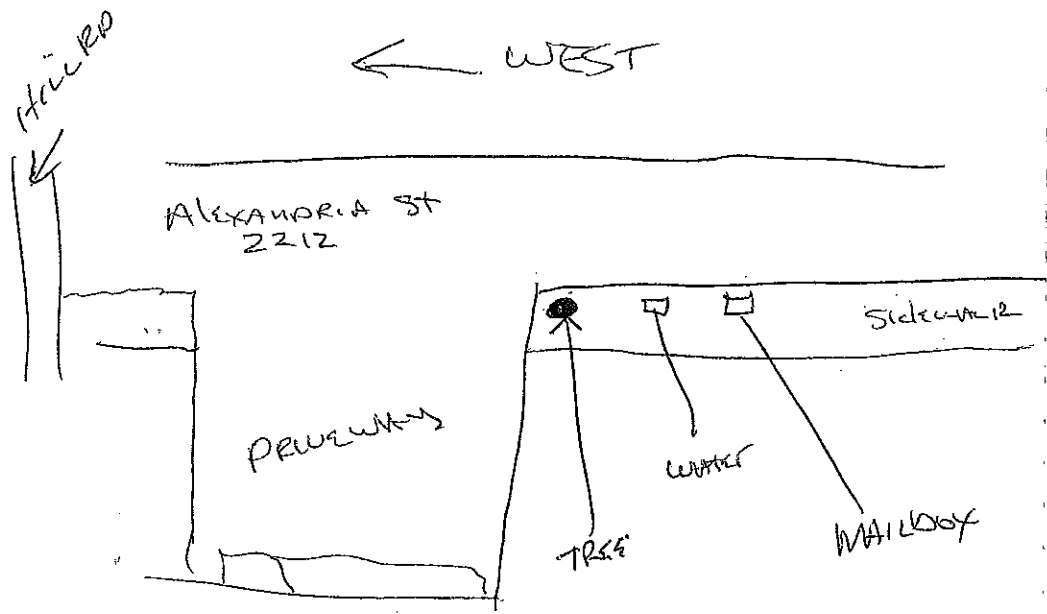
**I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.**

  
Applicant's Signature

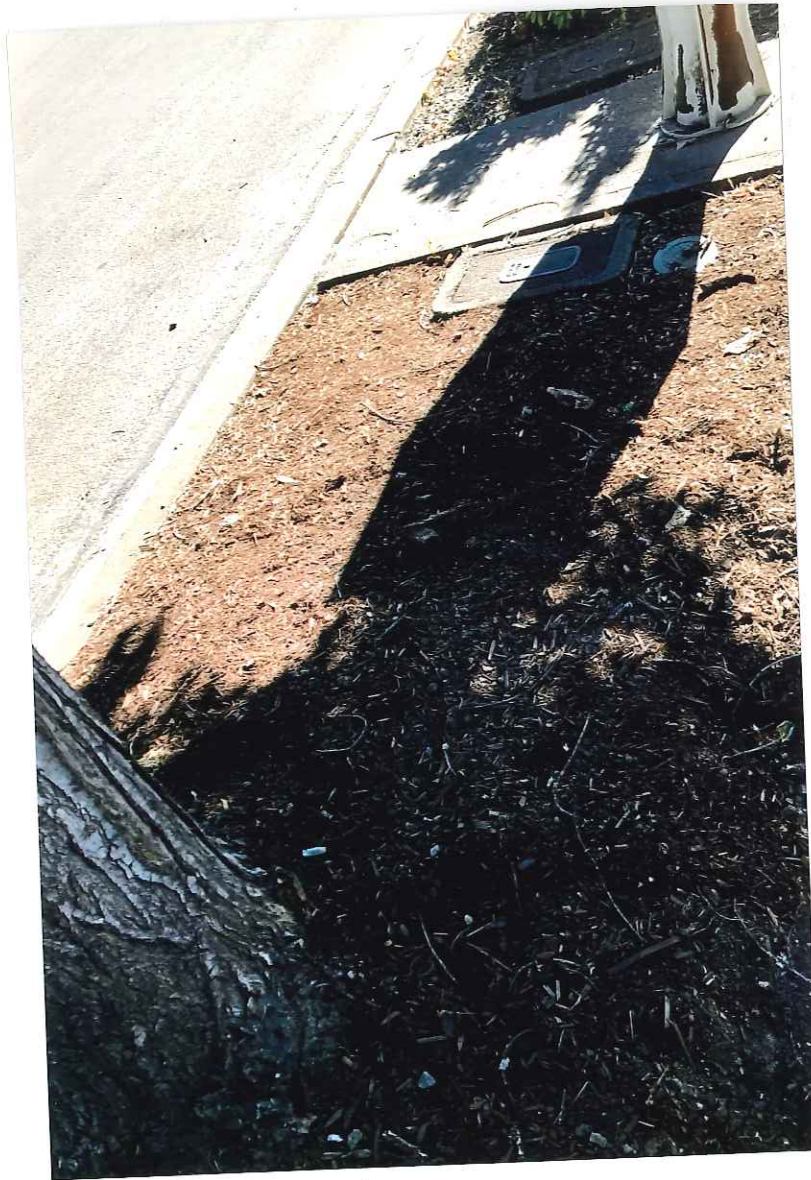
8-1-17  
Date

  
Property Owner's Signature

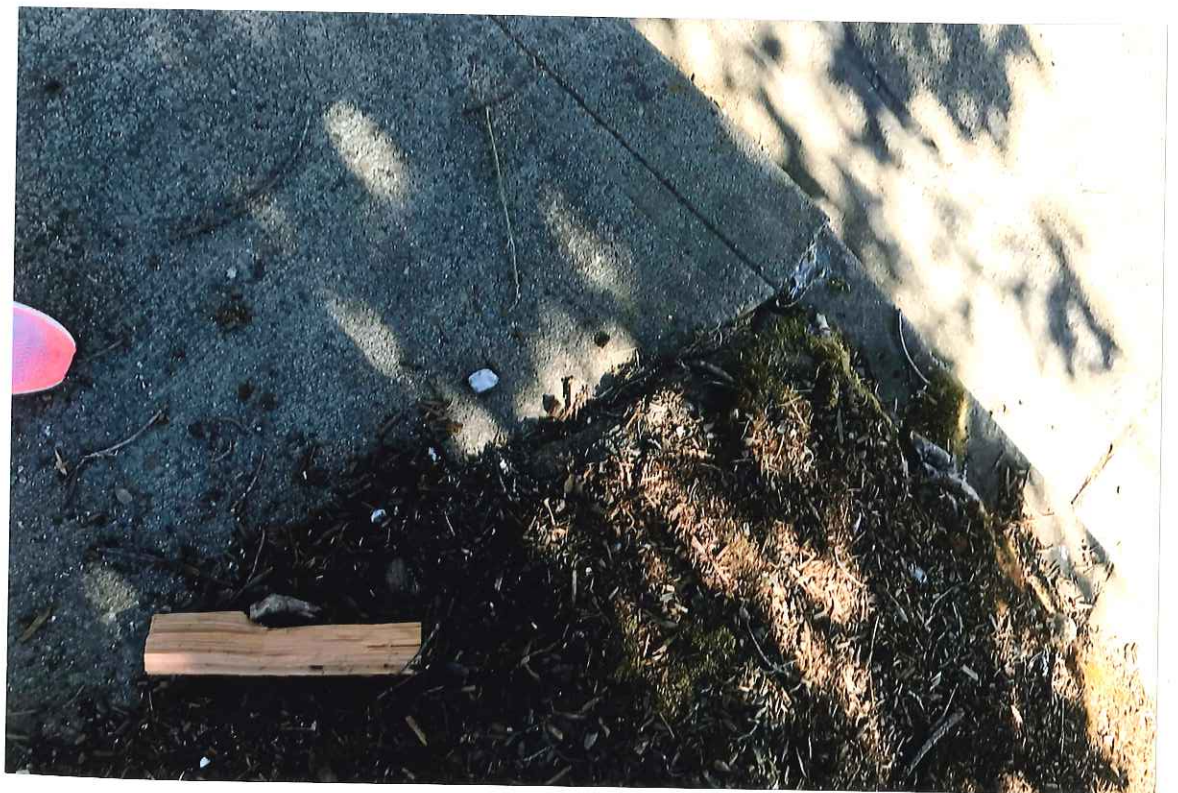
8-1-17  
Date













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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## **DECISION DOCUMENT – 2212 SW ALEXANDRIA STREET**

### **DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF TREE REMOVAL REQUEST AT 2212 SW ALEXANDRIA STREET**

**DOCKET:** L 29-17 (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 2212 SW Alexandria Street. The subject property is more specifically described as Tax Lot 321, Section 30AB, 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-2 PD (Single-Family Residential Planned Development).

**APPLICANT:** Ronald Mantle

**STAFF:** Chuck Darnell, Associate Planner

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

**DATE & TIME:** August 16, 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 29-17).

////////////////////////////////////  
**DECISION: APPROVAL WITH CONDITIONS**  
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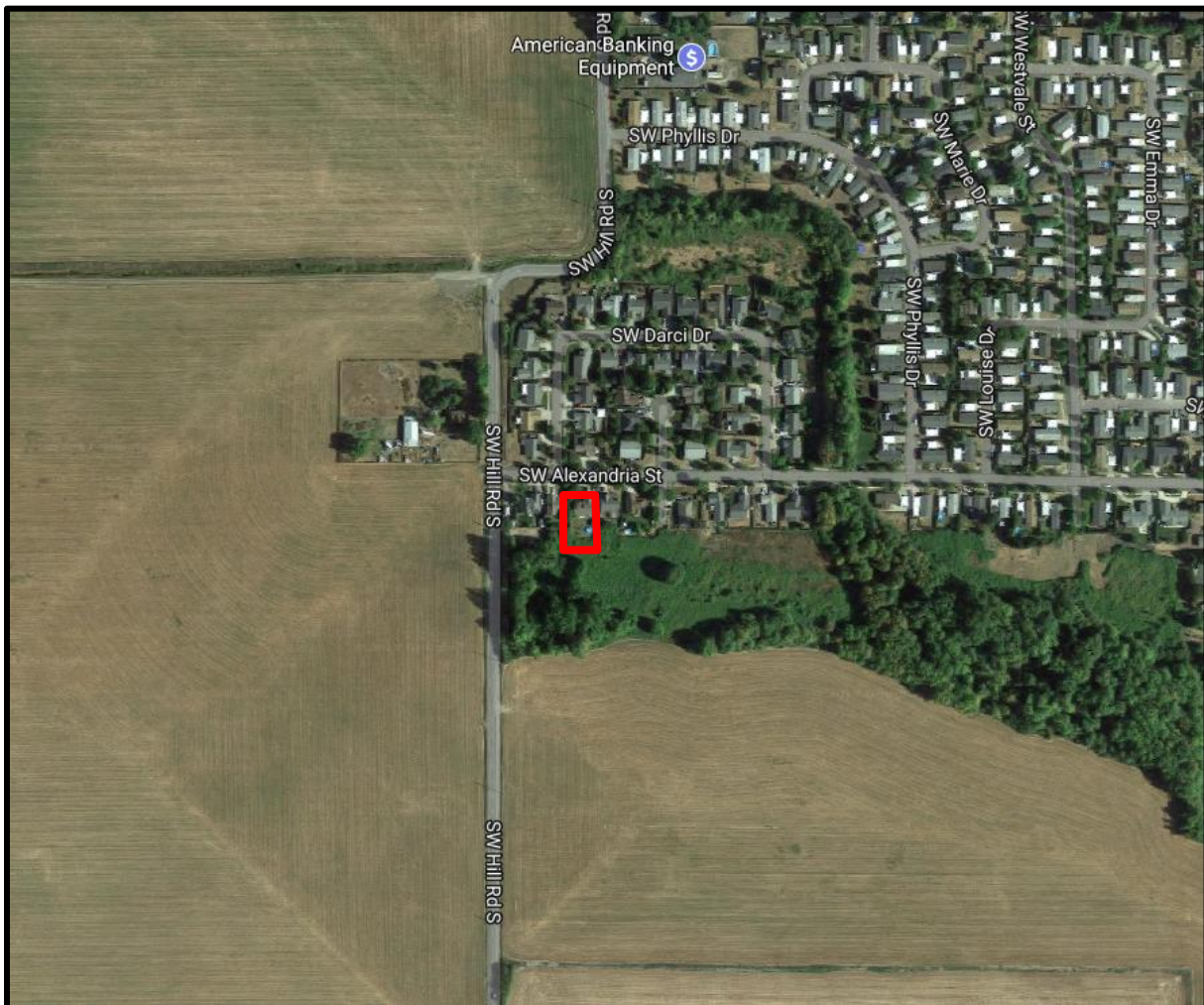
Planning Staff: \_\_\_\_\_ Date: \_\_\_\_\_  
Chuck Darnell, Associate Planner

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



**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. The subject site can be seen below:

**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 stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. The applicant shall use caution when removing the tree and the roots. The applicant shall take care to not come into contact with the underground power or water facilities that exist beneath and adjacent to the tree. The applicant shall contact McMinnville Water and Light at (503) 472-6158 if there are any conflicts or damage to underground power or water facilities during the tree removal.
4. 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.



5. That the planter areas shall be restored to original grade immediately following the tree removal.
6. That all costs and liability associated with the tree's removal shall be borne by the applicant.
7. That the applicant shall complete the removal within six (6) months of this approval notification, or February 16, 2018.

## **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. Ronald Mantle 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 2212 SW Alexandria Street. The subject property is more specifically described as Tax Lot 321, Section 30AB, T. 4 S., R. 4 W., W.M.
3. The site is currently zoned R-2 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 August 16, 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.

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.

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 zone shall be submitted to the McMinnville Planning Department. Such requests shall be acted upon as soon as practicable, with consideration given to public safety, value of the tree to the public, and work schedules. The Planning Director or his designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or Planning Director, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or Director may be appealed to the Planning Commission if 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.

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 and the private driveway. The tree roots have caused the adjacent sidewalk to lift, and recently a resident did trip on the lifted sidewalk. The applicant has concerns with pedestrian safety and liability due to the damage to the sidewalk. The applicant already started to remove the sidewalk panel that was lifted, and intends to replace the sidewalk panel that was damaged.

The applicant is also concerned that the tree roots are beginning to damage the private driveway improvements on the property. While there is no obvious damage yet to the driveway, there is a large crack and lifting occurring on the curb and gutter within the public right-of-way on Alexandria Street.

The tree's root buttress is mounded 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.

Also, upon inspecting the site it was determined that the tree was planted in a location that would not meet current street tree planting standards. The trunk of the tree is only about one (1) foot from the driveway, and only about six (6) feet from the water meter serving the property. The street tree standards in Section 17.58.090(E) of the McMinnville Zoning Ordinance normally require that street trees be planted at least five (5) feet from a driveway and at least ten (10) feet from a water meter. A photo of location of the tree and the proximity to the existing utilities and improvements is provided below:



Based on the damage being caused to public improvements, and the fact that the tree is not planted in a suitable location, the tree removal request meets this criteria.

CD:sjs