



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

www.mcminnvilleoregon.gov

Landscape Review Committee
Community Development Center, 231 NE 5th Street
January 17, 2018
12:00 PM

Committee Members	Agenda Items
<p>Rob Stephenson Chair</p> <p>Sharon Gunter Vice-Chair</p> <p>Josh Kearns</p> <p>RoseMarie Caughran</p> <p>Tim McDaniel</p>	<ol style="list-style-type: none"> 1. Call to Order 2. Citizen Comments 3. Approval of Minutes 4. Action Items <ol style="list-style-type: none"> A. Election of Chair and Vice-Chair B. L 47-17 – Landscape Plan (Exhibit 1) 2326 NE Evans Street C. L 2-18 – Street Tree Removal (Exhibit 2) 1234 NE 14th Street 5. Discussion Items 6. Old/New Business 7. Committee Member Comments 8. Staff Comments 9. Adjournment

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

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



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EXHIBIT 1 - STAFF REPORT

DATE: January 17, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4B: L 47-17

Report in Brief:

An application for a landscape plan for a new multiple-family development site (L 47-17) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Brad Bassitt, submitted a landscape plan review application to install landscaping on the site of a new multiple-family development. The site was previously developed with a single family home, but the home was recently demolished to allow for the construction of the multiple-family development. The property is located at 2326 NE Evans Street and is more specifically described as Tax Lot 2200, Section 16BC, T. 4 S., R. 4 W., W.M.

Discussion:

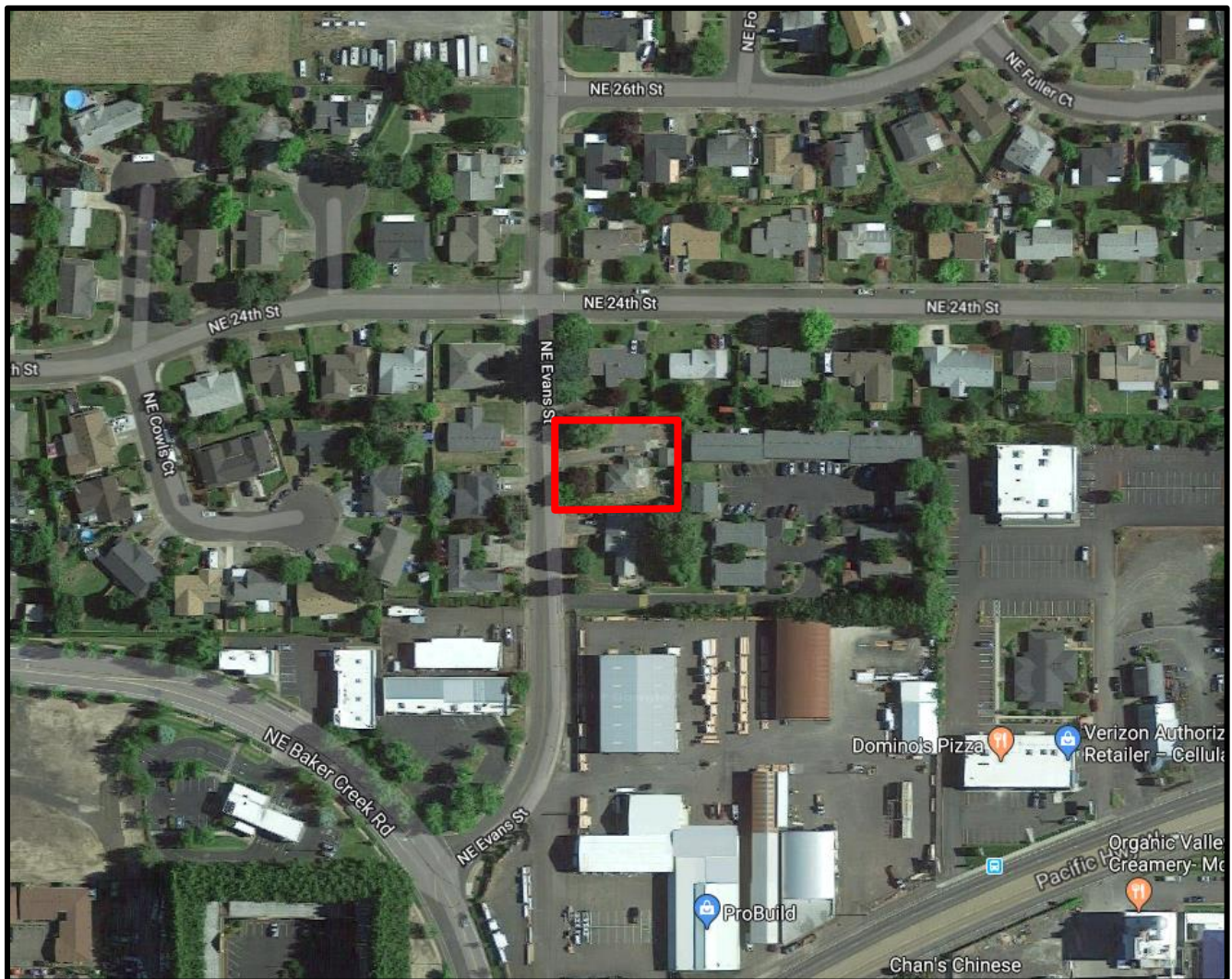
The subject property is zoned R-4 (Multiple Family Residential), which allows for multiple-family residential uses as permitted uses. The applicant is proposing to construct two buildings on the property, with each building containing three dwelling units. The dwelling units will be two-story units, with the units oriented side-by-side in the typical form of side-by-side townhomes. The entries of the two buildings will face each other, with a common walkway approach connecting the entries to each unit to the sidewalk and parking lot on the south side of the property. The applicant is proposing to construct the two buildings in two phases, with the eastern building being constructed as Phase 1 and the western building (closest to Evans Street) being constructed as Phase 2.

A map of the subject site, the approved site plan, and a rendering of the proposed buildings are provided below:

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for a New Multiple Family Development at 2326 NE Evans Street

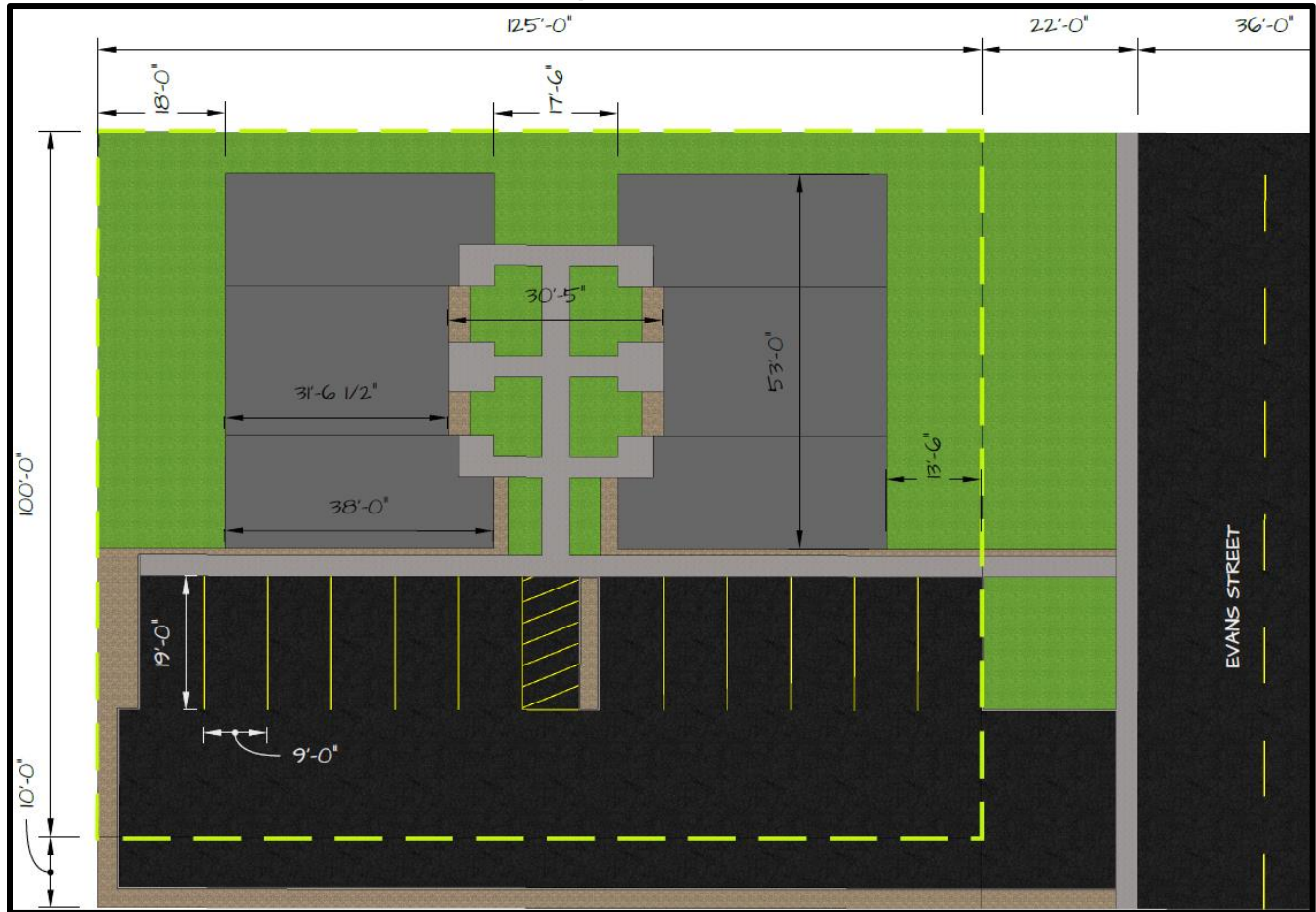
Site Reference Map



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Proposed Site Plan



Rendering of Proposed Buildings

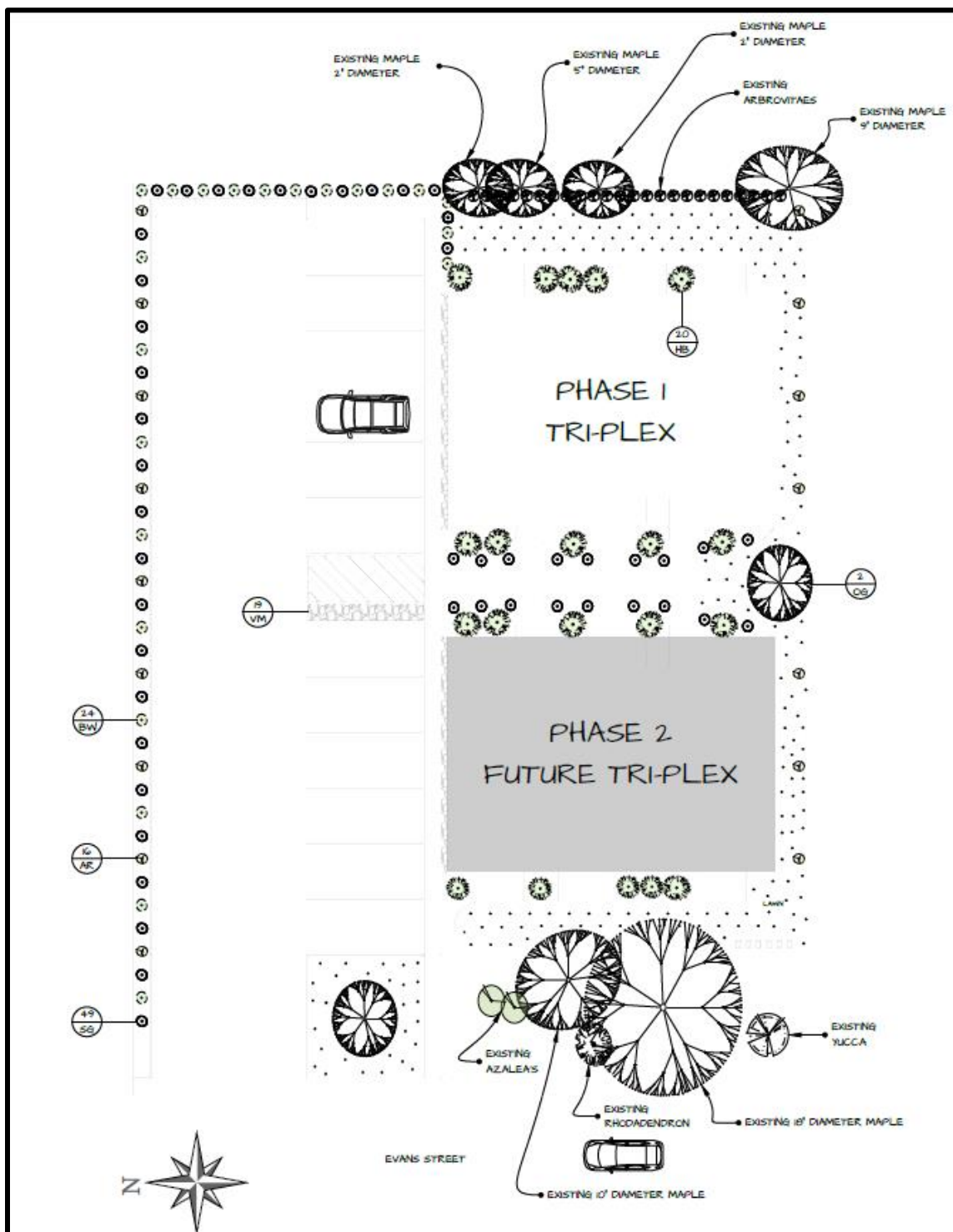


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The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least 25 percent of the gross area of a site being developed be landscaped (Section 17.57.050(A) (Area Determination – Planning Factors)). The landscape plan as proposed meets those requirements, as 25 percent of the site is proposed to be landscaped.

The landscaping being proposed can be seen below:



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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 subject site is surrounded by a variety of uses, including single family homes to the north and south and an apartment complex immediately to the east. The applicant is proposing to install landscaping along the eastern and northern property lines to provide screening of the parking area on the site. This continuous row of landscaping is proposed to be an alternating pattern of Emerald Green Arborvitae (*Thuja occidentalis*), Dwarf English Boxwood (*Buxus sempervirens* 'Suffruticosa'), and Sweet Flag Grass (*Acorus gramineus* 'Variegatus'). The arborvitae are shown to be planted along the northern property line at a spacing of about 15 feet apart on center, with two Sweet Flag Grasses and one Dwarf English Boxwood shrub between each of the arborvitaes. This planting pattern will provide for some interest and variation in the planting pattern in the relatively narrow planting bed.

Along the eastern property line, the applicant is proposing to install only an alternating pattern of Dwarf English Boxwood and Sweet Flag Grass immediately adjacent to the parking area and drive aisle, and then maintain existing arborvitae and maple trees that exist along the remainder of the east property line. The existing arborvitae shrubs on the site provide a solid vegetative wall in the area that will be behind the eastern multiple family building, and the existing maple trees will provide for some shade and buffering between the new multiple family building and the adjacent apartment complex. The existing maple trees in this area range in size from a diameter of only 2 inches up to the largest tree that has a diameter of 9 inches.

Around the new buildings, the applicant is proposing to provide open lawn space and landscape planting beds in locations around the base of the building. In the entry area to the multiple-family buildings, the applicant is proposing to install Heavenly Bamboo (*Nandina domestica*) and Sweet Flag Grass in the areas between the common sidewalk and the entries to each of the dwelling units. On the back of the multiple family buildings, the applicant is also proposing to include landscape planting beds between the uncovered patios planted with Heavenly Bamboo.

Along the southern property line, the applicant is proposing to install another row of Emerald Green Arborvitae, with one October Glory Red Maple (*Acer rubrum* 'October Glory') tree between the two buildings. The arborvitae in this area will be spaced at about 15 feet apart on center.

On the west side of the new buildings, between the proposed use and the public right-of-way, the applicant is proposing to retain the existing vegetation on the site, which will be discussed in more detail below. A condition of approval has been included to require that the groundcover under these existing trees and around the shrubs be replaced with an updated and consistent groundcover such as new lawn area or bark dust. Also, the applicant will be required to construct a sidewalk and driveway that meet current accessibility requirements as part of the building permit for the new multiple family buildings. The one new tree that is proposed to be planted in the right-of-way will end up being about 5 feet from the new sidewalk, so a condition of approval is included to require root barrier protection along the edge of this sidewalk to prevent conflicts between the public infrastructure and the tree roots.

Overall, the proposed landscape plan is compatible with the proposed project and the surrounding and abutting properties.

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

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The applicant is proposing to retain some existing shade trees and evergreen plantings to provide for screening of the use along the east and west property lines. Specifically, the applicant is proposing to retain a continuous row of arborvitae shrubs and 4 maple trees on the east side of the new multiple-family buildings, and also retain two larger maple trees and some shrubs in the right-of-way between the new buildings and Evans Street. The existing trees and shrubs in the right-of-way are fully grown and will provide for buffering between the new multiple-family buildings and the street.

The existing vegetation that will be retained on the property can be seen below:



There are fences located along the north and east sides of the subject site, which will provide for some additional screening of the proposed use. The fence along the east side of the site is in poor condition, so a condition of approval is included to require that the fence be updated and maintained by the applicant. The continuous row of Emerald Green Arborvitae (*Thuja occidentalis*), Dwarf English Boxwood (*Buxus sempervirens* 'Suffruticosa'), and Sweet Flag Grass (*Acorus gramineus* 'Variegatus') along the northern property line will provide for screening as well as some interest and variation in the planting pattern in the relatively narrow planting bed. The Dwarf English Boxwood (*Buxus sempervirens* 'Suffruticosa') and Sweet Flag Grass (*Acorus gramineus* 'Variegatus') are low growing plants that reach maximum heights of only 3 feet and 1 foot, respectively, so the shrubs and grasses themselves won't provide much screening, but along with the fence in this location the subject site will be screened from view from the property to the north.

The Landscape Review Committee could find that the screening along the north and south sides is not adequate, based on the proposed spacing of the arborvitae at about 15 feet apart on center. If the Landscape Review Committee does not find this screening to be adequate, staff would propose that the spacing of the arborvitae be reduced to provide for a more full screening effect at plant maturity.

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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 applicant is proposing to retain the existing trees on the site. This amounts to the retention of 6 maple trees. The applicant is also proposing to retain other shrubs on the site, including a row of existing arborvitae along the eastern property line and azaleas, rhododendron, and yucca plants between the new buildings and Evans Street.

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

The applicant is proposing to install one planting island in the middle of the parking area. The planting island will break up the large expanse of parking to be located in the parking lot. However, the planting island is only 3 feet in width and proposed to be planted with Bowles Periwinkle (*Vinca minor* 'Bowles'). This evergreen ground cover plant will grow to a low ground cover of only about 8 inches in height, which will not provide much buffering between parking spaces and will provide no shade in the parking lot.

If the Landscape Review Committee does not find the proposed evergreen ground cover to be an adequate plant material to break up the parking area, staff recommends that the planting island be increased in width and that a tree be planted within the planting island to provide shade. The planting island could be increased to 6 feet in width by utilizing a small amount of space on the east side of the proposed parking lot, which would provide more space for the planting of a tree in this area.

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 one street tree in the public right-of-way. The proposed tree is an October Glory Red Maple (*Acer rubrum* 'October Glory'). This species of tree is included on the McMinnville Street Tree List, and is being planted in an area that will provide adequate room for growth of the tree. The subject site has a large amount of right-of-way to allow the tree to grow to a mature height without much conflict. The Evans Street corridor adjacent to the subject site has sidewalks that are immediately adjacent to the street, so there will be no planting strip constructed with the development of the site. Section 17.58.080 of the McMinnville Zoning Ordinance only allows street trees to be required when the site is adjacent to a public right-of-way with a designated curb-side planting strip. As the site does not have a designated curb-side planting strip, street trees are not technically required. However, the applicant is providing this tree as part of the site's landscape plan.

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 planting beds and lawn areas will be irrigated by a fixed spray and drip irrigation system.

Fiscal Impact:

None.

Committee Options:

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- 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 landscape plan dated October 22, 2017 and submitted December 28, 2017.
2. That the groundcover and weeds under the existing trees and shrubs on the west side of the property and in the public right-of-way be cleaned up and replaced with a more consistent groundcover, such as low-growing shrubs, turf, or some type of non-vegetated groundcover (mulch, bark dust, or landscape rock). Non-vegetated groundcover may be better suited for the area to avoid potential impacts on the roots of the existing trees.
3. That the applicant shall update and continually maintain the existing wood fence along the eastern property line to provide adequate screening between the proposed use and the existing apartment complex to the east.
4. That the tree proposed to be installed in the public right-of-way shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree. The root barrier protection shall be placed in a 10-foot length, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
5. 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 47-17 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs

Attachments:

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**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
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DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR A NEW MULTIPLE FAMILY DEVELOPMENT AT 2323 NE EVANS STREET

DOCKET: L 47-17

REQUEST: The applicant requested the approval of a landscape plan for the development of two new multiple family buildings. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

LOCATION: The property in question is located at 2326 NE Evans Street. The subject property is more specifically described as Tax Lot 2200, Section 16BC, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is zoned R-4 (Multiple Family Residential).

APPLICANT: Brad Bassitt

STAFF: Chuck Darnell, Associate Planner

DATE DEEMED COMPLETE: December 28, 2017

DECISION-MAKING BODY: McMinnville Landscape Review Committee

DATE & TIME: January 17, 2018. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128

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

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the landscape plan (L 47-17) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Staff: _____
Chuck Darnell, Associate Planner

Date: _____

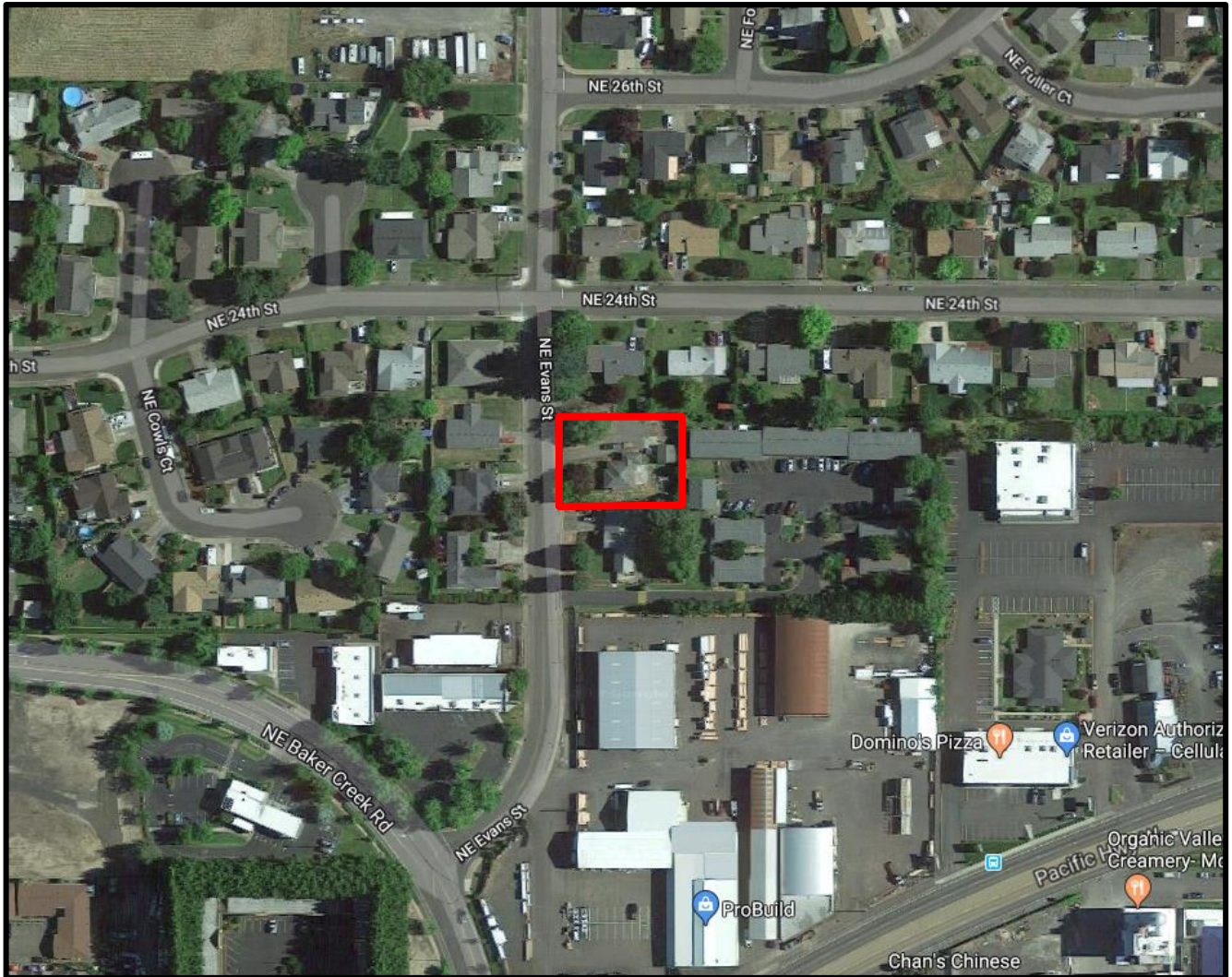
Planning Department: _____
Heather Richards, Planning Director

Date: _____

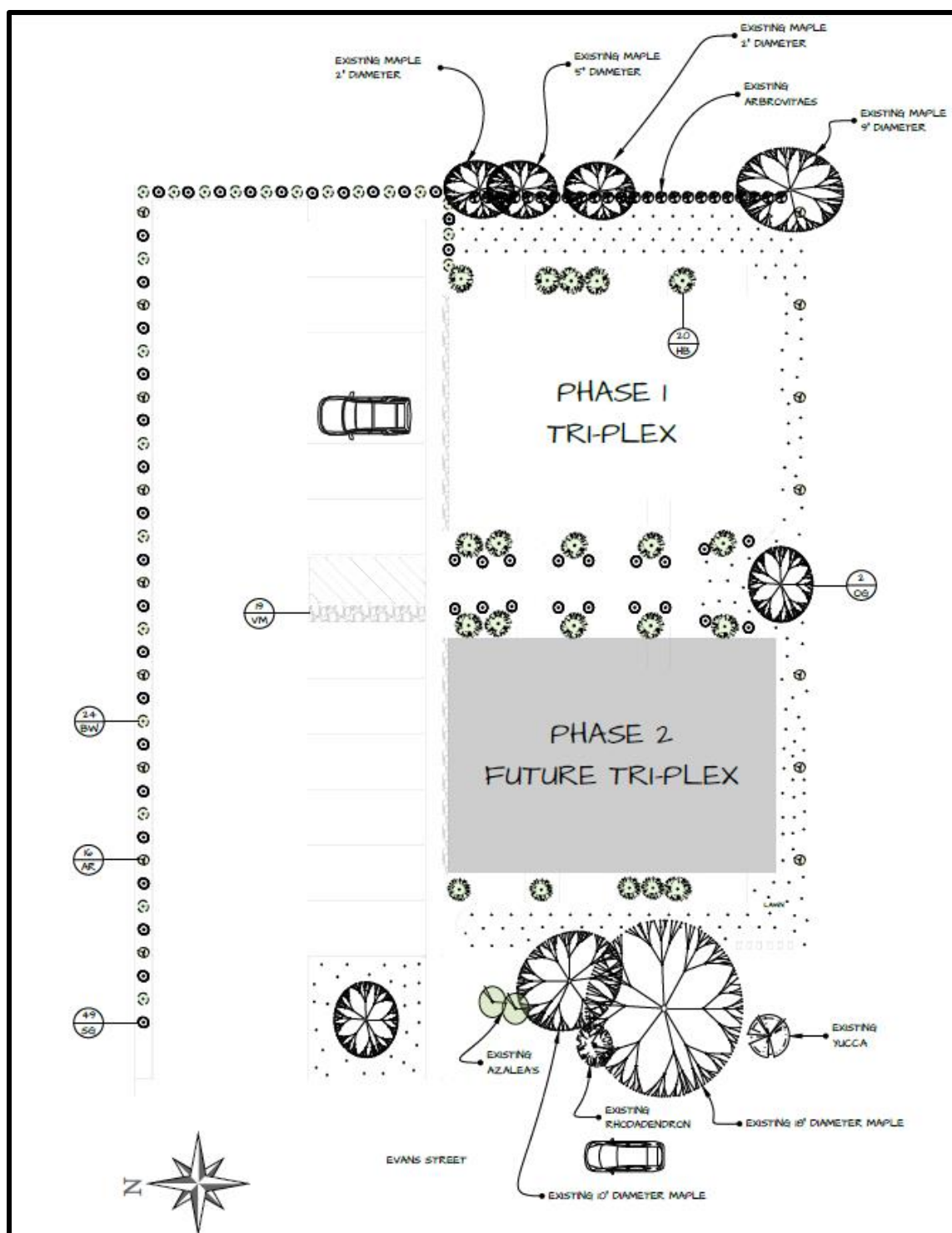
APPLICATION SUMMARY:

The applicant requested the approval of a landscape plan for a new multiple family development site. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans – Submittal and review – Approval – Time limit for completion) of the McMinnville Zoning Ordinance.

The subject site can be seen below as a red outlined area:



The landscaping being proposed can be seen below:



CONDITIONS OF APPROVAL

L 47-17 is **approved** subject to the following conditions:

1. That the applicant shall install landscaping as shown on the landscape plan dated October 22, 2017 and submitted December 28, 2017.

2. That the groundcover and weeds under the existing trees and shrubs on the west side of the property and in the public right-of-way be cleaned up and replaced with a more consistent groundcover, such as low-growing shrubs, turf, or some type of non-vegetated groundcover (mulch, bark dust, or landscape rock). Non-vegetated groundcover may be better suited for the area to avoid potential impacts on the roots of the existing trees.
3. That the applicant shall update and continually maintain the existing wood fence along the eastern property line to provide adequate screening between the proposed use and the existing apartment complex to the east.
4. That the tree proposed to be installed in the public right-of-way shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree. The root barrier protection shall be placed in a 10-foot length, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
5. 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 (on file with the Planning Department)

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. Brad Bassitt submitted a landscape plan review application to install landscaping on a new multiple family development site at 2326 NE Evans Street. The property is more specifically described as Tax Lot 2200, Section 16BC, T. 4 S., R. 4 W., W.M.
2. The site is currently designated as Residential on the McMinnville Comprehensive Plan Map, and is zoned R-4 (Multiple Family Residential).
3. 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
4. A public meeting was held by the Landscape Review Committee on January 17, 2018 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

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 and retained within the public right-of-way along Evans Street. The trees will 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 Landscape Review Committee 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.

McMinnville's City Code:

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 encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

Finding: The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. 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.

17.57.050 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.

17.57.070 Area Determination—Planning factors.

- A. Landscaping shall be accomplished within the following ranges: [...]
 - 3. Multiple-family, twenty-five percent of the gross area. This may be reduced to not less than fifteen 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 area of the multi-family development site is 12,500 square feet, and the applicant is proposing to landscape 3,198 square feet of the site. This results in 25.5 percent of the site being landscaped, which meets the minimum landscaped area requirement.

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
 - 1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

Finding: The subject site is surrounded by a variety of uses, including single family homes to the north and south and an apartment complex immediately to the east. The applicant is proposing to install landscaping along the eastern and northern property lines to provide screening of the parking area on the site. This continuous row of landscaping is proposed to be an alternating pattern of Emerald Green Arborvitae (*Thuja occidentalis*), Dwarf English Boxwood (*Buxus sempervirens* 'Suffruticosa'), and Sweet Flag Grass (*Acorus gramineus* 'Variegatus'). The arborvitae are shown to be planted along the northern property line at a spacing of about 15 feet apart on center, with two Sweet Flag Grasses and one Dwarf English Boxwood shrub between each of the arborvitaes. This planting pattern will provide for some interest and variation in the planting pattern in the relatively narrow planting bed.

Along the eastern property line, the applicant is proposing to install only an alternating pattern of Dwarf English Boxwood and Sweet Flag Grass immediately adjacent to the parking area and drive aisle, and then maintain existing arborvitae and maple trees that exist along the remainder of the east property line. The existing arborvitae shrubs on the site provide a solid vegetative wall in the area that will be behind the eastern multiple family building, and the existing maple trees will provide for some shade and buffering between the new multiple family building and the adjacent apartment complex. The existing maple trees in this area range in size from a diameter of only 2 inches up to the largest tree that has a diameter of 9 inches.

Around the new buildings, the applicant is proposing to provide open lawn space and landscape planting beds in locations around the base of the building. In the entry area to the multiple-family buildings, the applicant is proposing to install Heavenly Bamboo (*Nandina domestica*) and Sweet Flag Grass in the areas between the common sidewalk and the entries to each of the dwelling units. On

the back of the multiple family buildings, the applicant is also proposing to include landscape planting beds between the uncovered patios planted with Heavenly Bamboo.

Along the southern property line, the applicant is proposing to install another row of Emerald Green Arborvitae, with one October Glory Red Maple (*Acer rubrum* 'October Glory') tree between the two buildings. The arborvitae in this area will be spaced at about 15 feet apart on center.

On the west side of the new buildings, between the proposed use and the public right-of-way, the applicant is proposing to retain the existing vegetation on the site, which will be discussed in more detail below. A condition of approval has been included to require that the groundcover under these existing trees and around the shrubs be replaced with an updated and consistent groundcover such as new lawn area or bark dust. Also, the applicant will be required to construct a sidewalk and driveway that meet current accessibility requirements as part of the building permit for the new multiple family buildings. The one new tree that is proposed to be planted in the right-of-way will end up being about 5 feet from the new sidewalk, so a condition of approval is included to require root barrier protection along the edge of this sidewalk to prevent conflicts between the public infrastructure and the tree roots.

Overall, the proposed landscape plan is compatible with the proposed project and the surrounding and abutting properties.

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

Finding: The applicant is proposing to retain some existing shade trees and evergreen plantings to provide for screening of the use along the east and west property lines. Specifically, the applicant is proposing to retain a continuous row of arborvitae shrubs and 4 maple trees on the east side of the new multiple-family buildings, and also retain two larger maple trees and some shrubs in the right-of-way between the new buildings and Evans Street. The existing trees and shrubs in the right-of-way are fully grown and will provide for buffering between the new multiple-family buildings and the street.

The existing vegetation that will be retained on the property can be seen below:



There are fences located along the north and east sides of the subject site, which will provide for some additional screening of the proposed use. The fence along the east side of the site is in poor condition, so a condition of approval is included to require that the fence be updated and maintained by the applicant. The continuous row of Emerald Green Arborvitae (*Thuja occidentalis*), Dwarf English Boxwood (*Buxus sempervirens* 'Suffruticosa'), and Sweet Flag Grass (*Acorus gramineus* 'Variegatus') along the northern property line will provide for screening as well as some interest and variation in the planting pattern in the relatively narrow planting bed. The Dwarf English Boxwood (*Buxus sempervirens* 'Suffruticosa') and Sweet Flag Grass (*Acorus gramineus* 'Variegatus') are low growing plants that reach maximum heights of only 3 feet and 1 foot, respectively, so the shrubs and grasses themselves won't provide much screening, but along with the fence in this location the subject site will be screened from view from the property to the north.

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 applicant is proposing to retain the existing trees on the site. This amounts to the retention of six (6) maple trees. The applicant is also proposing to retain other shrubs on the site, including a row of existing arborvitae along the eastern property line and azaleas, rhododendron, and yucca plants between the new buildings and Evans Street.

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

Finding: The applicant is proposing to install one planting island in the middle of the parking area. The planting island will break up the large expanse of parking to be located in the parking lot. However, the planting island is only 3 feet in width and proposed to be planted with Bowles Periwinkle (*Vinca minor* 'Bowles'). This evergreen ground cover plant will grow to a low ground cover of only about 8 inches in height, which will provide a small amount of vegetation to break up the parking area.

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 one street tree in the public right-of-way. The proposed tree is an October Glory Red Maple (*Acer rubrum* 'October Glory'). This species of tree is included on the McMinnville Street Tree List, and is being planted in an area that will provide adequate room for growth of the tree. The subject site has a large amount of right-of-way to allow the tree to grow to a mature height without much conflict. The Evans Street corridor adjacent to the subject site has sidewalks that are immediately adjacent to the street, so there will be no planting strip constructed with the development of the site. Section 17.58.080 of the McMinnville Zoning Ordinance only allows street trees to be required when the site is adjacent to a public right-of-way with a designated curb-side planting strip. As the site does not have a designated curb-side planting strip, street trees are not technically required. However, the applicant is providing this tree as part of the site's landscape plan.

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 planting beds and lawn areas will be irrigated by a fixed spray and drip irrigation system.

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

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

CD



Planning Department

231 NE Fifth Street • McMinnville, OR 97128

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

www.ci.mcminnville.or.us

Office Use Only:

File No. 847-17

Date Received 12/22/17

Fee 145⁰⁰

Receipt No. 1780916

Received by [Signature]

Landscape Plan Review Application

Applicant Information

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

Applicant Name Bassitt Homes LLC Phone 503-830-1875

Contact Name Brad Bassitt Phone 503-830-1875
(If different than above)

Address 5455 NE Riverside Dr.

City, State, Zip McMinnville, OR 97128

Contact Email bassitthomes@gmail.com

Property Owner Information

Property Owner Name Bassitt Homes LLC Phone _____
(If different than above)

Contact Name Brad Bassitt Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

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

Property Address 2326 NE EVANS ST.

Assessor Map No. R4 - - Total Site Area 12,500 SQFT

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation _____ Zoning Designation _____


Landscaping Information

1. Total Landscaped Area: 3,198 SQFT
2. Percent Landscaped: 25%
3. Building Floor Area:
New Structure: 7296 sqft Existing Structure: 0 Addition: 0
4. Architect Name Bassitt Homes LLC Phone _____
(Landscape Architect, Engineer, or Other Designer)
Contact Name Brad Bassitt Phone 503-830-1875
Address 5455 NE Riverside Dr.
City, State, Zip McMinnville, OR 97128
Contact Email bassithomes@gmail.com

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

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

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

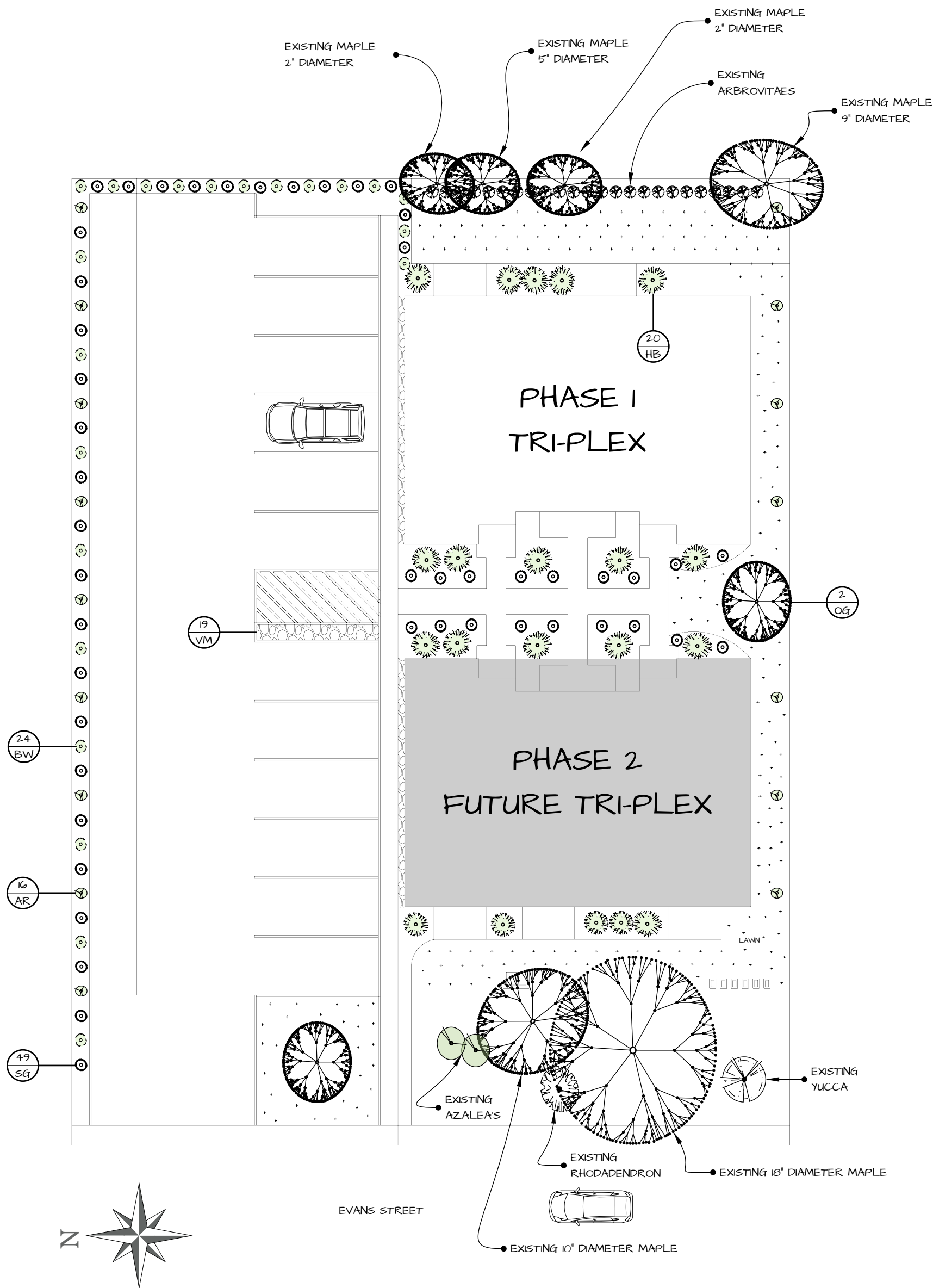

Applicant's Signature

12-22-17
Date


Property Owner's Signature

12-22-17
Date

LANDSCAPE PLAN



PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	REMARKS
TREES				
AR	16	THUJA EMERALD GREEN ARBORVITAE	ARBORVITAE	2 GAL.
OG	2	ACER RUBRUM	OCTOBER GLORY RED MAPLE	
SHRUBS				
SG	49	ACORUS GRAMINEUS "VARIEGATUS"	SWEET FLAG GRASS	1 GAL.
BW	24	BUXUS SEMPERVIRENS "SUFFRUTICOSA"	BOXWOOD	1 GAL.
HB	20	NANDINA "DOMESTICA"	HEAVENLY BAMBOO	1 GAL.
PERENNIALS/ANNUALS				
VM	19	VINCA MINOR "BOWLES"	BOWLES PERIWINKLE	1 GAL.

NOTE: ALL BEDS AND LAWNS TO BE IRRIGATED, FIXED SPRAY/DRIP

SAGE RIVER TOWN HOMES		
2326 NE EVANS ST.		
McMinnville, OR 97128		
SCALE	DATE	REVISION
1/6" = 1'	10/22/17	
DRAWN BY	CHECKED BY	DRAWING #
BRAD BASSITT	NB	17-193
LOT SIZE: 12,500 SQFT		
LANDSCAPE AREA: 3198 SQFT		
PERCENTAGE LANDSCAPE: 25%		



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

www.mcminnvilleoregon.gov

EXHIBIT 2 - STAFF REPORT

DATE: January 17, 2018
TO: McMinnville Landscape Review Committee
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4C: L 2-18

Report in Brief:

An application for a tree removal (L 2-18) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Harold Washington on behalf of Yamhill County Gospel Rescue Mission, submitted a street tree removal application to remove one (1) street tree from the property located at 1234 NE 14th Street. The subject property is more specifically described as Tax Lot 1500, Section 16DC, T. 4 S., R. 5 W., W.M.

Discussion:

The subject property is the site of the Yamhill County Gospel Rescue Mission, which is the site of a year-round social relief facility providing residential care facilities and emergency housing services. The subject site was recently granted a conditional use permit to allow for the addition of two new structures to the site to provide separate facilities for women's housing, men's housing, and emergency housing.

The subject site can be seen below as a red outlined area:

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1234 NE 14th Street

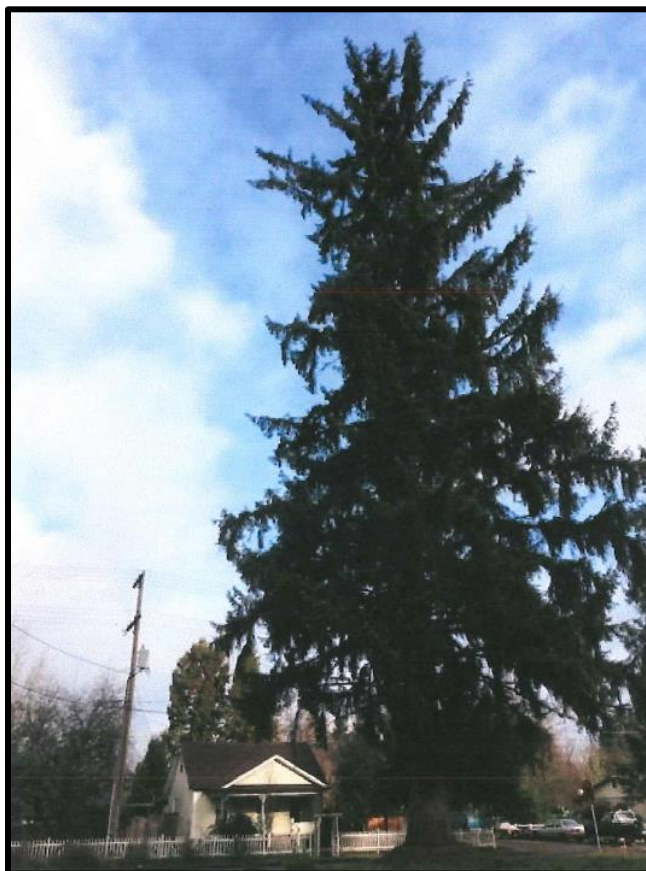


The applicant is requesting the removal of one (1) street tree due to proximity to a new building that is going to be constructed on the site. The tree in question is a Sitka spruce tree that measures approximately 60 feet in height and 46 inches in diameter at breast height. The tree is located on the north side of the property, fronting NE 14th Street. The trunk of the tree is located partially in the public right-of-way, so therefore the removal request requires Landscape Review Committee approval per Section 17.58.020 of the McMinnville Zoning Ordinance. The applicant has provided an arborist's report and recommendation, along with photos that show the location of the tree roots in proximity to the location of the new building.

The existing tree can be seen below:

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1234 NE 14th Street

**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.

The tree in question does not display any signs or obvious evidence of significant distress or disease that would require its removal. Therefore, this criteria is not applicable.

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

This criteria is not applicable, as the tree is not in conflict with public improvements.

- C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.

The subject site, as stated above, is the site of the Yamhill County Gospel Rescue Mission. The Gospel Rescue Mission received conditional use approval in 2015 (CU 2-15) to add two buildings to the property to provide for separate buildings for a women's facility, men's facility, and emergency housing facility. During the conditional use review, the applicant at the time had stated that: "Landscaping will be strategically placed on the property to promote a pleasing aesthetic look and a buffer between both the Macy St and 14th St properties. The large trees that are currently on the properties will be kept in place to maintain the shade and overall look of the property". While this statement was provided in the

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1234 NE 14th Street

conditional use permit application, there was no specific language or condition of approval on the Planning Commission's conditional use approval that required that the existing trees stay in place.

At the time of the conditional use review, the Yamhill County Gospel Rescue Mission was proposing to add a modular unit to the site to operate as the men's facility. Since that time, the Gospel Rescue Mission has decided to construct a new stick-built building on the site to operate as the men's facility. This new building will require excavation and the construction of a foundation, which as shown on the current site plan provided with the application would require excavating up to approximately 18 inches from the trunk of the tree in question. The applicant hired a certified arborist to inspect the tree and provide an analysis of the impacts of construction of the new building on the existing tree. The arborist's report states that the roots of the tree have been damaged by past construction, and that if the foundation of the new building is excavated within 18 inches of the south side of the trunk, the roots will be damaged and will destabilize the tree. The arborist's report goes on to recommend that the tree be removed based on those root impacts. The applicant wishes to remove the tree to prevent any damage to what would be a brand new building by the destabilized tree.

Based on the changes to the development plan for this site and the arborist's report on the impacts to the tree roots from construction, this criteria is met as the proposed tree removal is now part of an approved development project.

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 provide a landscape plan that has been developed for the site and the new buildings that will be located on the property after full development of the site. The landscape plan shows the installation of White Barked Himalayan Birch trees in the same general area as the existing tree that is requested to be removed. While this specific application and review is not of the provided landscape plan, this does show that the applicant intends to plant replacement trees in the right-of-way adjacent to the new building. Staff is suggesting that a condition of approval be included to require that the landscape plan be submitted prior to submittal of building permits for the new building, and that the landscape plan identify replacement trees that will be planted in the same general area as the existing tree that is removed.

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.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1234 NE 14th Street

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 any power or water facilities adjacent to the tree, and the applicant shall contact McMinnville Water and Light at (503) 472-6158 if there are any conflicts with the power or water facilities during the tree removal.
4. That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.
5. That all costs and liability associated with the tree removal and replacement shall be borne by the applicant.
6. That the applicant shall plant, at a minimum, three (3) replacement trees in place of the existing tree being removed. The applicant shall submit a landscape plan for review by the Landscape Review Committee prior to the submittal of building permits for the new building on the site. The landscape plan shall identify the replacement tree species and locations, and the Landscape Review Committee shall determine whether the replacement tree species and locations proposed in the landscape plan are suitable.
7. That the applicant shall complete the removal within six (6) months of this approval notification, or July 17, 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 2-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1234 NE 14th Street



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

503-434-7311
www.mcminnvilleoregon.gov

**DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE
LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF A STREET TREE REMOVAL AT 1234
NE 14th Street**

DOCKET: L 2-18 (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 property is located at 1234 NE 14th Street. The subject property is more specifically described as Tax Lot 1500, Section 16DC, T. 4 S., R. 5 W., W.M

ZONING: R-3 (Two-Family Residential)

APPLICANT: Harold Washington, on behalf of Yamhill County Gospel Rescue Mission

STAFF: Chuck Darnell, Associate Planner

**DATE DEEMED
COMPLETE:** January 12, 2018

HEARINGS BODY: McMinnville Landscape Review Committee

DATE & TIME: January 17, 2017. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128

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

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the street tree removal (L 2-18) **subject to the conditions of approval provided in this document.**

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

Planning Staff: _____ Date: _____
Chuck Darnell, Associate Planner

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

APPLICATION SUMMARY:

The subject property is the site of the Yamhill County Gospel Rescue Mission, which is the site of a year-round social relief facility providing residential care facilities and emergency housing services. The subject site was recently granted a conditional use permit to allow for the addition of two new structures to the site to provide separate facilities for women's housing, men's housing, and emergency housing.

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 proximity to a new building that is going to be constructed on the site. The tree in question is a Sitka spruce tree that measures approximately 60 feet in height and 46 inches in diameter at breast height. The tree is located on the north side of the property, fronting NE 14th Street. The trunk of the tree is located partially in the public right-of-way, so therefore the removal request requires Landscape Review Committee approval per Section 17.58.020 of the McMinnville Zoning Ordinance. The applicant has provided an arborist's report and recommendation, along with photos that show the location of the tree roots in proximity to the location of the new building.

The existing tree can be seen below:

Attachments:

Attachment 1 – Application for Street Tree Removal

**CONDITIONS OF APPROVAL:**

L 2-18 is **approved** subject to 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 any power or water facilities adjacent to the tree, and the applicant shall contact McMinnville Water and Light at (503) 472-6158 if there are any conflicts with the power or water facilities during the tree removal.
4. That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.
5. That all costs and liability associated with the tree removal and replacement shall be borne by the applicant.
6. That the applicant shall plant, at a minimum, three (3) replacement trees in place of the existing tree being removed. The applicant shall submit a landscape plan for review by the Landscape Review Committee prior to the submittal of building permits for the new building on the site. The landscape plan shall identify the replacement tree species and locations, and the Landscape Review Committee shall determine whether the replacement tree species and locations proposed in the landscape plan are suitable.

Attachments:

Attachment 1 – Application for Street Tree Removal

7. That the applicant shall complete the removal within six (6) months of this approval notification, or July 17, 2018.

ATTACHMENTS:

1. Application for Street Tree Removal (on file with the Planning Department)

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. Harold Washington, on behalf of Yamhill County Gospel Rescue Mission, 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. The subject property is located at 1234 NE 14th Street. The subject property is more specifically described as Tax Lot 1500, Section 16DC, T. 4 S., R. 5 W., W.M.
2. The site is currently zoned R-3 (Two-Family Residential), and is designated as Residential 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, and the comments provided by the Public Works Department and McMinnville Water and Light have been incorporated into the conditions of approval.
4. A public meeting was held by the Landscape Review Committee on January 17, 2018 to review the application and proposed street tree removal request. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

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

Finding: GOAL VI 1 and Policy 132.38.00 are satisfied in that at least three (3) replacement trees are being required to be replanted in this location. The planting of the replacement trees will enhance the streetscape and livability in the surrounding area.

Attachments:

Attachment 1 – Application for Street Tree Removal

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 Landscape Review Committee 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.

McMinnville's City Code:

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 tree that will be impacted by an approved development project and will allow for a replacement tree to be planted. The removal of a tree that will be impacted by an approved development project will carry out the purpose of the Trees chapter of the McMinnville Zoning Ordinance.

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 partially 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, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the McMinnville Planning Department. The applicant shall include information describing the location, type, and size of the subject tree or trees, and the reasons for the desired action, and the costs associated with tree removal, replacement, and repair of any other public infrastructure impacted by the tree removal or major pruning. Requests for tree removal or pruning of trees outside of the Downtown Tree Zone shall be forwarded to the McMinnville Landscape Review Committee for a decision within 30 (thirty) days of submittal. Requests for tree

Attachments:

Attachment 1 – Application for Street Tree Removal

removal within the Downtown Tree Zone shall be submitted to the McMinnville Planning Department. Such requests shall be acted upon as soon as practicable, with consideration given to public safety, value of the tree to the public, and work schedules. The Planning Director or their designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or Planning Director, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or Director may be appealed to the Planning Commission if written notice of the appeal is filed with the Planning Department within 15 (fifteen) days of the committee's or Director's decision. A decision made by the Planning Director in response to a request to remove an unsafe tree, or a tree causing repeated and excessive damage to sidewalks or other public or private improvements or structures shall be final, unless appealed by the applicant; no other party shall have standing to appeal.

- B. Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the City. The Planning Director, after consultation with appropriate city staff and/or a certified arborist, shall direct removal of downtown trees that are identified in a current Downtown Tree Zone inventory assessment as unhealthy, dangerous to the public, inappropriate for the downtown area, or otherwise in need of removal.
- C. The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.
- D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. The value of the existing tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. Every attempt should be made to plant replacement trees in the same general location as the tree being removed. In the event that a replacement tree cannot be planted in the same general location, a condition of approval may be required to allow for the replacement tree to be planted in another location in the City as part of the City's annual tree planting program.
- E. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.
- F. The applicant shall complete the tree removal, and tree replacement if required, within six months of receiving notification of the Landscape Review Committee's decision. The Landscape Review Committee may allow for additional time to complete the tree replacement to allow for planting in favorable seasons and to promote tree survivability.
- G. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.
- H. The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014. Specific design drawings and specifications have been developed for trees outside the Downtown Tree Zone. Such design specifications may be periodically updated by the City to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees to minimize the potential for sidewalk / tree root conflict.

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

Attachments:

Attachment 1 – Application for Street Tree Removal

followed in removing the tree are included as conditions of approval. A condition of approval has also been included to require at least three (3) replacement trees to be planted in place of the tree being removed

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

A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.

Finding: The tree in question does not display any signs or obvious evidence of significant distress or disease that would require its removal. Therefore, this criteria is not applicable.

B. The tree is in conflict with public improvements.

Finding: This criteria is not applicable, as the tree is not in conflict with public improvements.

C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.

Finding: The subject site, as stated above, is the site of the Yamhill County Gospel Rescue Mission. The Gospel Rescue Mission received conditional use approval in 2015 (CU 2-15) to add two buildings to the property to provide for separate buildings for a women's facility, men's facility, and emergency housing facility. During the conditional use review, the applicant at the time had stated that: "Landscaping will be strategically placed on the property to promote a pleasing aesthetic look and a buffer between both the Macy St and 14th St properties. The large trees that are currently on the properties will be kept in place to maintain the shade and overall look of the property". While this statement was provided in the conditional use permit application, there was no specific language or condition of approval on the Planning Commission's conditional use approval that required that the existing trees stay in place.

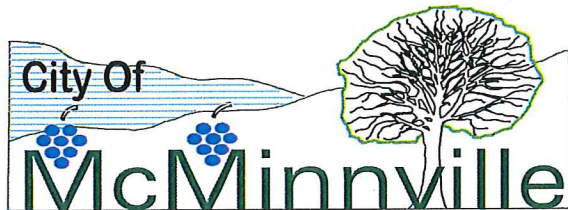
At the time of the conditional use review, the Yamhill County Gospel Rescue Mission was proposing to add a modular unit to the site to operate as the men's facility. Since that time, the Gospel Rescue Mission has decided to construct a new stick-built building on the site to operate as the men's facility. This new building will require excavation and the construction of a foundation, which as shown on the current site plan provided with the application would require excavating up to approximately 18 inches from the trunk of the tree in question. The applicant hired a certified arborist to inspect the tree and provide an analysis of the impacts of construction of the new building on the existing tree. The arborist's report states that the roots of the tree have been damaged by past construction, and that if the foundation of the new building is excavated within 18 inches of the south side of the trunk, the roots will be damaged and will destabilize the tree. The arborist's report goes on to recommend that the tree be removed based on those root impacts. The applicant wishes to remove the tree to prevent any damage to what would be a brand new building by the destabilized tree.

Based on the changes to the development plan for this site and the arborist's report on the impacts to the tree roots from construction, this criteria is met as the proposed tree removal is now part of an approved development project.

CD:sjs

Attachments:

Attachment 1 – Application for Street Tree Removal



Planning Department

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

Office Use Only:

File No. L2-18

Date Received 1-10-18

Fee —

Receipt No. —

Received by SA

Street Tree Removal

Applicant Information

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

Applicant Name Yamhill Co. Gospel Rescue Mission Phone 971-237-1999

Contact Name Harold Washington Phone 971-237-3730
(If different than above)

Address 1919 SW Pequin Rd

City, State, Zip McMinnville, OR 97128

Contact Email Harold@online mac.com

Property Owner Information

Property Owner Name Yamhill Co Gospel Rescue Mission Phone 971-237-1999
(If different than above)

Contact Name Harold Washington Phone 971-237-3730

Address 1919 SW Pequin Rd

City, State, Zip McMinnville, OR 97128

Contact Email Harold@online mac.com

Site Location and Description

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

Property Address 1234 14th St McMinnville OR 97128
(Property nearest to tree(s) for removal)

Assessor Map No. R4 416 - DC - 01500 Total Site Area _____

Subdivision Oak Park Add Block _____ Lot _____

Comprehensive Plan Designation Res Zoning Designation R-3

Additional Information

1. How many trees are requested for removal? 1
2. What type (species) of tree(s) are they? Picea sitchensis - Sitka Spruce
3. What is the diameter of the tree(s), measured four feet above ground level? 45.16 inches
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. _____
We are requesting the removal of 1
Sitka Spruce due to the proximity of the
new construction. The roots have been
damaged by the construction of the old sidewalk.
With the new construction there will be more damage to
this tree. This tree will pose a danger to the new
building.

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.

Harold W. Winters
Applicant's Signature

1-10-18
Date

Harold W. Winters
Property Owner's Signature

1-10-18
Date



Pat A Randall
ISA Certified Arborist #PN-1482

NW Tree Care
105 NE 8th Street
McMinnville, OR 97128

Re: Yamhill County Gospel Mission, proposed new construction site tree removal.
NE 14th St., McMinnville, OR 97128

The tree evaluated on January 10, 2018, for potential removal is a mature Sitka Spruce, *Picea sitchensis*. The tree is approximately 65 feet tall with a diameter, DBH, of 45.16 inches. See photo (1) IMG 1538

The trunk of the tree is set back from the existing sidewalk 5 feet on the north side. The south side of the trunk is approximately 18 inches from the proposed foundation of the new building. See photo (2) IMG 1535

The roots of this tree have already been damaged by construction on the north side when the sidewalk was put in. All the roots would have been cut on that side to install the sidewalk. More recent damage has been done to the roots on the south side of the trunk with some sort of excavation, exposing some larger roots. The tree appears to be growing on a mound about 3 feet tall, but that was the level of the existing land when the tree was planted. See photo (3) IMG 1540

Despite some deadwood in the tree, it appears to be healthy.

If the foundation will be excavated within 18 inches of the trunk on the south side, it will damage/destroy all the roots on the south side of the trunk. Since the roots have already been cut on the north side, this would greatly destabilize the tree. The tree is large, tall, and extremely heavy with many targets; street, sidewalk, utilities, structures, and would become a hazardous tree immediately.

Recommendation: Remove the tree entirely and grind the remaining stump. Then replant the site with trees/shrubs appropriate to the newly developed location when construction is complete.

Pat A. Randall
ISA Certified Arborist







Yonbhill County Gospel Rescue Mission
PO Box 373, McManisville, Or 97128

LOGAN STREET

14TH STREET

13TH STREET

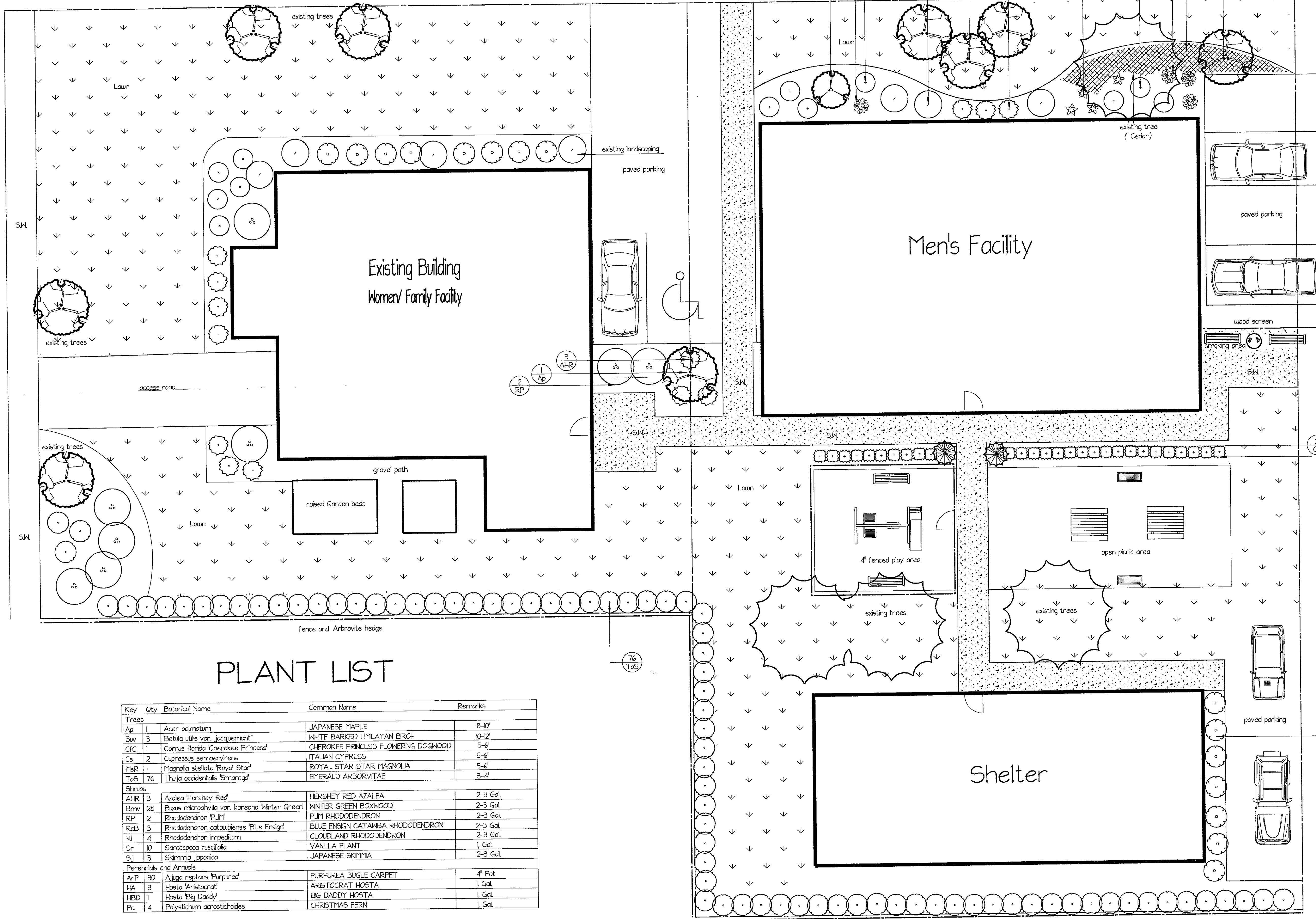
MACY STREET



see Inst. #201711270
for road vacaction

LANDSCAPE PLAN

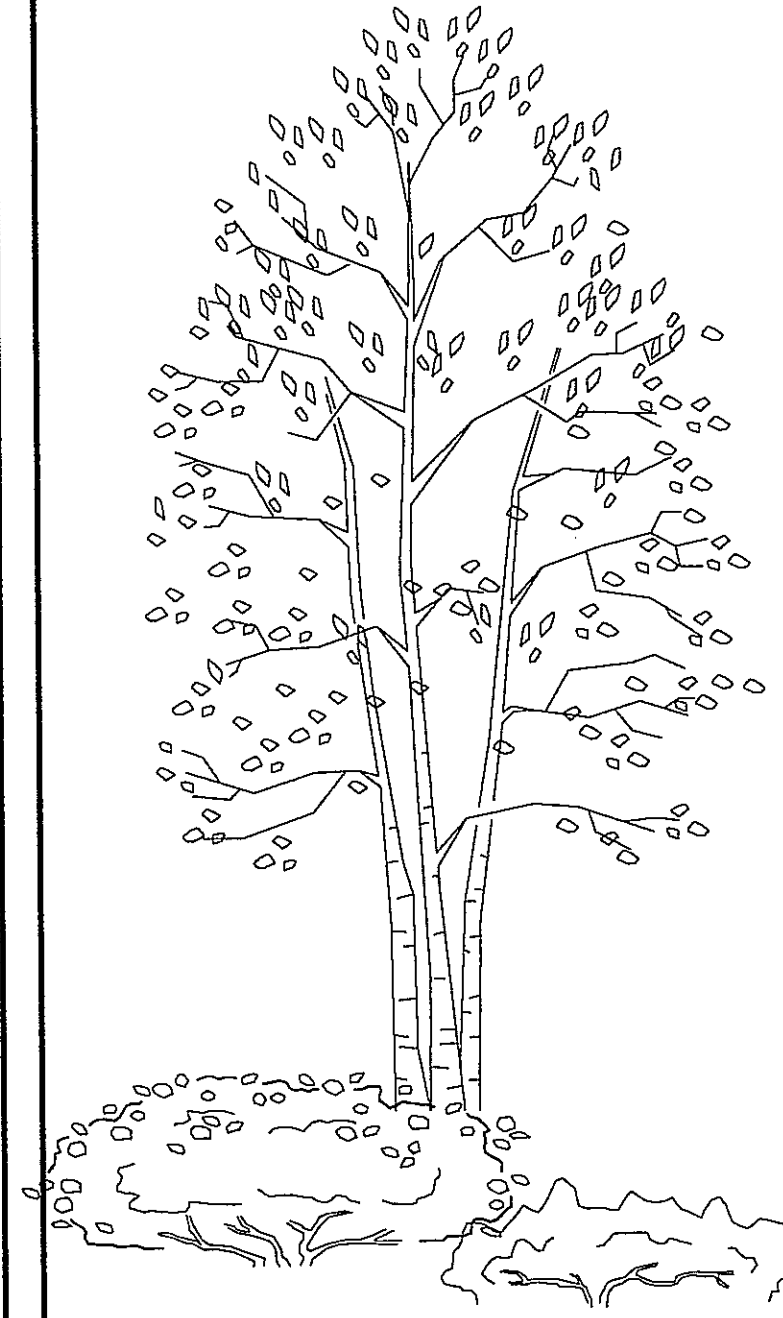
14 th. St.



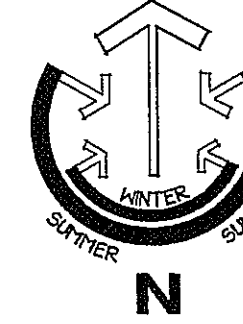
PLANT LIST

Key	Qty	Botanical Name	Common Name	Remarks
Trees				
Ap	1	Acer palmatum	JAPANESE MAPLE	8-10'
Bw	3	Betula utilis var. jacquemontii	WHITE BARKED HIMALAYAN BIRCH	10-12'
CFC	1	Cornus florida 'Cherokee Princess'	CHEROKEE PRINCESS FLOWERING DOGWOOD	5-6'
Cs	2	Cyperus sempervirens	ITALIAN CYPRESS	5-6'
MsR	1	Magnolia stellata 'Royal Star'	ROYAL STAR STAR MAGNOLIA	5-6'
ToS	76	Thuja occidentalis 'Smaragd'	EMERALD ARBORVITAE	3-4'
Shrubs				
AHR	3	Azalea 'Hershey Red'	HERSHEY RED AZALEA	2-3 Gal.
Bmv	28	Buxus microphylla var. koreana 'Winter Green'	WINTER GREEN BOXWOOD	2-3 Gal.
RP	2	Rhododendron 'PJM'	PJM RHODODENDRON	2-3 Gal.
RcB	3	Rhododendron catawbiense 'Blue Ensign'	BLUE ENSIGN CATAWBA RHODODENDRON	2-3 Gal.
Ri	4	Rhododendron impeditum	CLOUDLAND RHODODENDRON	2-3 Gal.
Sr	10	Sarcococca nuscifolia	VANILLA PLANT	1 Gal.
Sj	3	Skimmia japonica	JAPANESE SKIMMIA	2-3 Gal.
Perennials and Annuals				
ArP	30	A. j. reptans 'Purpurea'	PURPUREA BUGLE CARPET	4" Pot
HA	3	Hosta 'Aristocrat'	ARISTOCRAT HOSTA	1 Gal.
HBD	1	Hosta 'Big Daddy'	BIG DADDY HOSTA	1 Gal.
Pa	4	Polystichum acrostichoides	CHRISTMAS FERN	1 Gal.

NOTES



No.	Date	Description
2		
REVISIONS		



Gospel Rescue Mission

Gospel Rescue Mission

NE 14th. St.

McMinnville, Or. 97128

SCALE	1"=8'
DRAWN BY	Rob Stephenson
CHECKED BY	RHS
DATE	Jan. 2018
DATE OF PRINT	1/8/18

PROJECT NO.	254-B
SHEET NO.	1