

ORDINANCE NO. 5061

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP DESIGNATION FROM RESIDENTIAL TO COMMERCIAL ON EXISTING PROPERTIES AND LOTS OF RECORD, REZONING SAID PROPERTY FROM R-4 PD (MULTIPLE FAMILY RESIDENTIAL PLANNED DEVELOPMENT) TO O-R (OFFICE/RESIDENTIAL), AND AMENDING AN EXISTING PLANNED DEVELOPMENT OVERLAY DISTRICT TO REMOVE SAID PROPERTY FROM THE PLANNED DEVELOPMENT.

RECITALS:

The Planning Department received applications (CPA 2-18 / ZC 4-18 / PDA 1-18) from MV Advancements, on behalf of property owner Linfield College, requesting approval of a Comprehensive Plan Map amendment, Zone Change and Planned Development on portions existing properties and lots of record. The applicant requested that the properties be amended from a Residential Comprehensive Plan Map designation to a Commercial designation. Concurrent with that request, the applicant requested approval of a zone change on the properties, rezoning the parcel from R-4 PD (Multiple Family Residential Planned Development) to O-R (Office/Residential), and also a Planned Development Amendment to remove the subject properties from an existing Planned Development Overlay District; and

The subject site is located at 600 SE Baker Street, and is more specifically described as Tax Lots 101 and 200, Section 20DD, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on December 20, 2018 at 6:30 p.m., before the McMinnville Planning Commission after due notice had been provided in the local newspaper on December 11, 2018, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearings, testimony was received, the application materials and a staff report were presented, and applicant and public testimony was received; and

The Planning Commission, being fully informed about said requests, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the comprehensive plan amendment and zone change review criteria listed in Section 17.74.020 and the planned development amendment review criteria listing in Section 17.74.070 of the McMinnville Municipal Code based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibits A, B, and C; and

The Planning Commission recommended approval of said comprehensive plan amendment, zone change, and planned development amendment to the Council;

The City Council completed a first reading of the proposed ordinance at their January 22, 2019 regular meeting. A motion to move the ordinance to a second reading was not passed unanimously, so the ordinance was returned to the City Council for a second reading at the February 12, 2019 City Council meeting;

The City Council having received the Planning Commission recommendation and staff report, and having deliberated; and

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

1. That the Council adopts the Findings of Fact, Conclusionary Findings, Decision and Conditions of Approval as documented in Exhibits A, B, and C; and

2. That the comprehensive plan map designation for the property is hereby amended from Residential to Commercial; and

3. That the property is hereby rezoned from R-4 PD (Multiple Family Residential Planned Development) to O-R (Office/Residential), subject to the following conditions:

- 1) That the rezoning be contingent on the Comprehensive Plan Map amendment request (CPA 2-18) being approved by the McMinnville City Council.
- 2) That if the site is developed as multiple-family residential, an additional area equivalent to 7 percent of the gross area of the site shall be reserved for usable open space for residents of the multiple-family development site. The usable open space area shall be a contiguous area, shall be located outside of the front yard setback area, and may be counted towards the minimum percent of the total area of the site required to be landscaped by Section 17.57.070(A) of the McMinnville City Code. The 7 percent usable open space area shall be calculated based on the area of the site outside of the floodplain zone.
- 3) That the large coniferous tree on the western portion of the site, identified as an "existing large cedar tree" on the concept plan provided in the application materials, as well as the large oak tree immediately southwest of the large coniferous tree described above, are preserved during the development of the site.

4. That the property is hereby removed from its existing Planned Development Overlay District, subject to the following conditions:

- 1) That Ordinance 4739 is amended to remove the subject site and properties from the Linfield College Master Plan area and Planned Development Overlay District, hereby adjusting the boundary of the Planned Development Overlay District. All other standards and conditions of approval adopted by Ordinance 4739 remain in effect.

Passed by the Council this 12th day of February, 2019, by the following votes:

Ayes: Garvin, Geary, Peralta, Stassens

Nays: Drabkin, Menke


MAYOR

Attest:

Melisa Bisset
CITY RECORDER

Approved as to form:


CITY ATTORNEY



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

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DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM A RESIDENTIAL DESIGNATION TO A COMMERCIAL DESIGNATION AT 600 SE BAKER STREET

- DOCKET:** CPA 2-18 (Comprehensive Plan Map Amendment)
- REQUEST:** Approval to amend the Comprehensive Plan Map designation of a property from Residential to Commercial to allow for the development of office and residential uses on the subject site.
- LOCATION:** The subject site is located at 600 SE Baker Street, and is more specifically described as Tax Lots 101 and 200, Section 20DD, T. 4 S., R. 4 W., W.M., respectively.
- ZONING:** The subject site's current zoning is R-4 PD (Multiple Family Residential Planned Development)
- APPLICANT:** MV Advancements, on behalf of property owner Linfield College
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** November 15, 2018
- HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME:** December 20, 2018. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- HEARINGS BODY:** McMinnville City Council
- DATE & TIME:** January 22, 2019 and February 12, 2019. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- PROCEDURE:** A request to amend the Comprehensive Plan Map requires an application to be reviewed by the Planning Commission during a public hearing, as described in Section 17.72.120 of the McMinnville City Code.
- CRITERIA:** The applicable criteria are specified in Section 17.74.020 of the McMinnville City Code.
- APPEAL:** The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.72.180 of the McMinnville City Code.

COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION

Based on the findings and conclusions, the City Council **APPROVES** the Comprehensive Plan Map amendment (CPA 2-18).

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DECISION: APPROVAL
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City Council:  Date: 2-12-19
Scott Hill, Mayor of McMinnville

Planning Commission:  Date: 2-19-2019
Roger Hall, Chair of the McMinnville Planning Commission

Planning Department:  Date: 2-19-19
Heather Richards, Planning Director

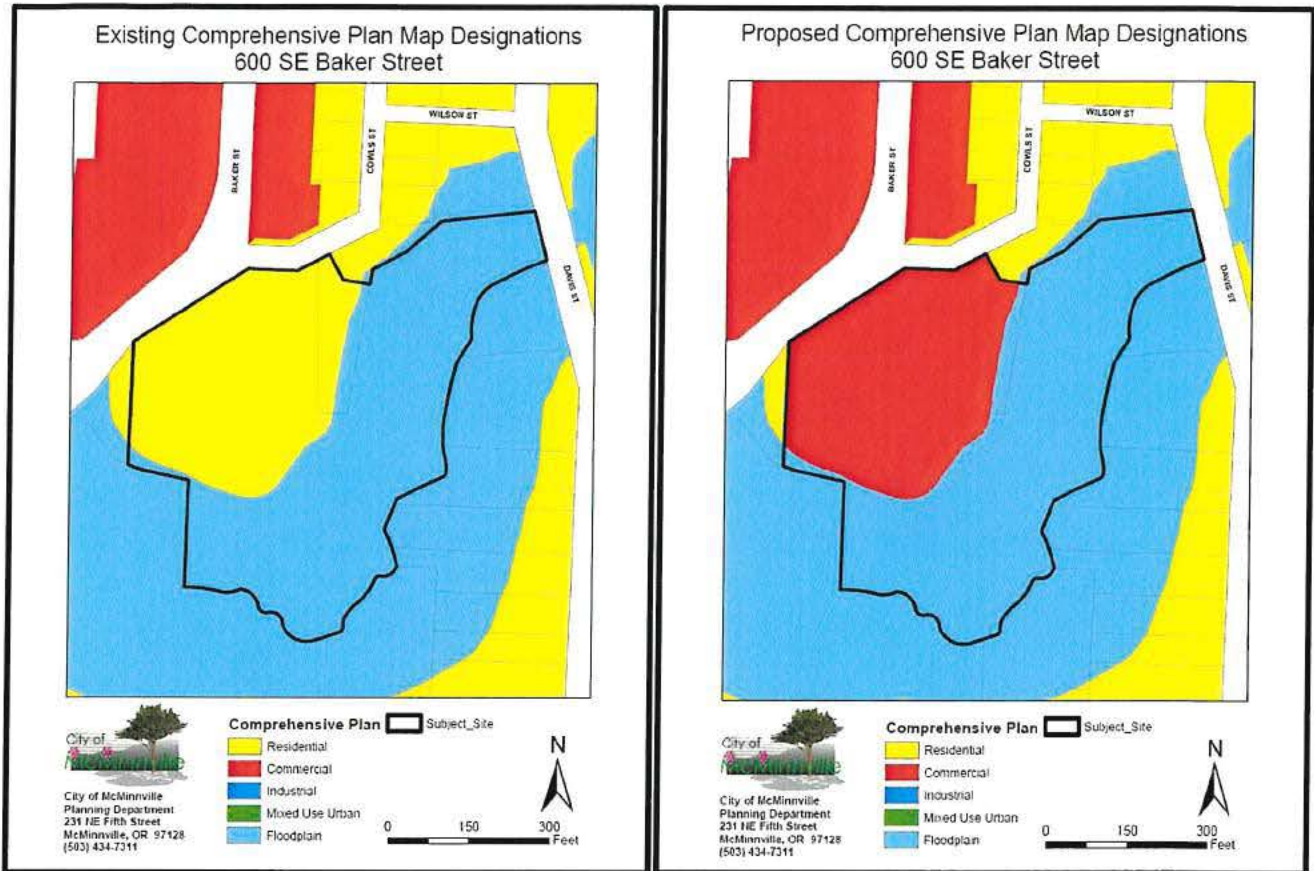
APPLICATION SUMMARY:

The subject site is currently vacant, other than some older pavement and gravel areas from the site's previous use. The site was the former location of the Columbus Elementary School, which existed upon the site until 1994. The Columbus Elementary School was demolished in 1994 following structural damage that occurred to the building during an earthquake in the spring of 1993. Linfield College has since acquired the property from the McMinnville School District, and has retained ownership of the property since that time. The applicant, MV Advancements, is under contract to purchase the property from Linfield College.

The site is bounded on the north by Cows Street, on the west by Baker Street (Highway 99W), and on the south and east mainly by the Cozine Creek. The property to the north and across Cows Street is zoned O-R (Office/Residential) and the existing uses are salon and office businesses. The property to the west and across Baker Street is zoned C-3 (General Commercial) and the existing use is retail (Walgreens). The property to the east is zoned R-4 (Multiple Family Residential) and the existing use is a small, four-unit multiple family building. Property further to the northeast along Cows Street is also zoned R-4 (Multiple Family Residential), and consists of various residential uses (multiple family, duplex, and single family dwellings). The property to the south and across Cozine Creek is zoned R-4 PD (Multiple Family Planned Development), and is the north end of the Linfield College campus.

The subject site is identified below (boundary shown below is approximate):

Reference maps showing the existing and proposed Comprehensive Plan Map designations of the subject site and the surrounding properties are provided below:



The applicant has submitted a conceptual development plan for the site, which they have specifically requested to not be binding on the site in any way, to depict the potential office and multiple-family residential uses they anticipate to construct on the site. The concept plan shows the development of an approximately 10,000 square foot office building, and identifies areas to the south of the office building as “future development” areas where up to 24 multiple family dwelling units could be constructed.

The concept plan, *which again is not proposed to be binding on the site and is not subject to site or design review as part of the proposed Comprehensive Plan Map amendment*, is identified below:

- McMinnville Engineering Department

The application demonstrates that the transportation and sanitary sewer infrastructure is adequate to support the proposal. At the time of building permits, the appropriate infrastructure improvements will be required.

Thus, no comments or suggested conditions of approval.

- Oregon Department of Transportation

Attached are ODOTs comments on the subject TIA*. Specific questions on these comments should be directed to Keith Blair. Based on this review, we have no comments or objection to the proposed comprehensive plan amendment and zone change. Please include ODOT in any future notifications on this project including findings and conditions of approval.

*Note – Full ODOT comments referenced above are listed as an attachment and are on file with the Planning Department.

Public Comments

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, December 11, 2018. As of the date of the Planning Commission public hearing on December 20, 2018, no public testimony had been received by the Planning Department.

FINDINGS OF FACT

- A. MV Advancements, on behalf of property owner Linfield College, requested an amendment to the Comprehensive Plan Map designation of a property from Residential to Commercial to allow for the development of office and residential uses on the subject site. The subject site is located at 600 SE Baker Street, and is more specifically described as Tax Lots 101 and 200, Section 20DD, T. 4 S., R. 4 W., W.M.
- B. The site is currently designated as Residential on the McMinnville Comprehensive Plan Map, 1980. The site is currently zoned R-4 PD (Multiple Family Residential Planned Development) on the McMinnville Zoning Map.
- C. Sanitary sewer and municipal water and power can adequately serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
- D. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. No comments in opposition were provided to the Planning Department.
- E. Notice of the application was provided by the City of McMinnville to property owners within 300 feet of the subject site, as required by the process described in Section 17.72.120 (Applications–Public Hearings) of the McMinnville Zoning Ordinance. Notice of the public hearing was also provided in the News Register on Tuesday, December 11, 2018. No public testimony was provided to the Planning Department prior to the Planning Commission public hearing.

F. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

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 II 1: TO PRESERVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES WITHIN THE PLANNING AREA.

Policy 2.00 The City of McMinnville shall continue to enforce appropriate development controls on lands with identified building constraints, including, but not limited to, excessive slope, limiting soil characteristics, and natural hazards.

Policy 9.00 The City of McMinnville shall continue to designate appropriate lands within its corporate limits as "floodplain" to prevent flood induced property damages and to retain and protect natural drainage ways from encroachment by inappropriate uses.

Finding: Goal II 1 and Policies 2.00 and 9.00 are satisfied. The applicant has stated that they have no plans to develop the portion of the property that is located in the Cozine Creek floodplain. Based on wetland, flood plain and topographic maps, it is estimated that approximately 50% of the site is usable (124,575 SF / 2.86 acres). The areas of the subject site that are currently designated on the Comprehensive Plan Map as Flood Plain would keep that designation, and only the portions of the subject site outside of the Flood Plan designation would be subject to the proposed Comprehensive Plan Map Amendment. The applicant has further stated that they are aware that Linfield College, in conjunction with the Greater Yamhill Watershed Council, has plans to restore the Cozine Creek property between the Linfield campus and this property to its original, native plant species. The applicant has stated that it is their intent to fully cooperate with this restoration.

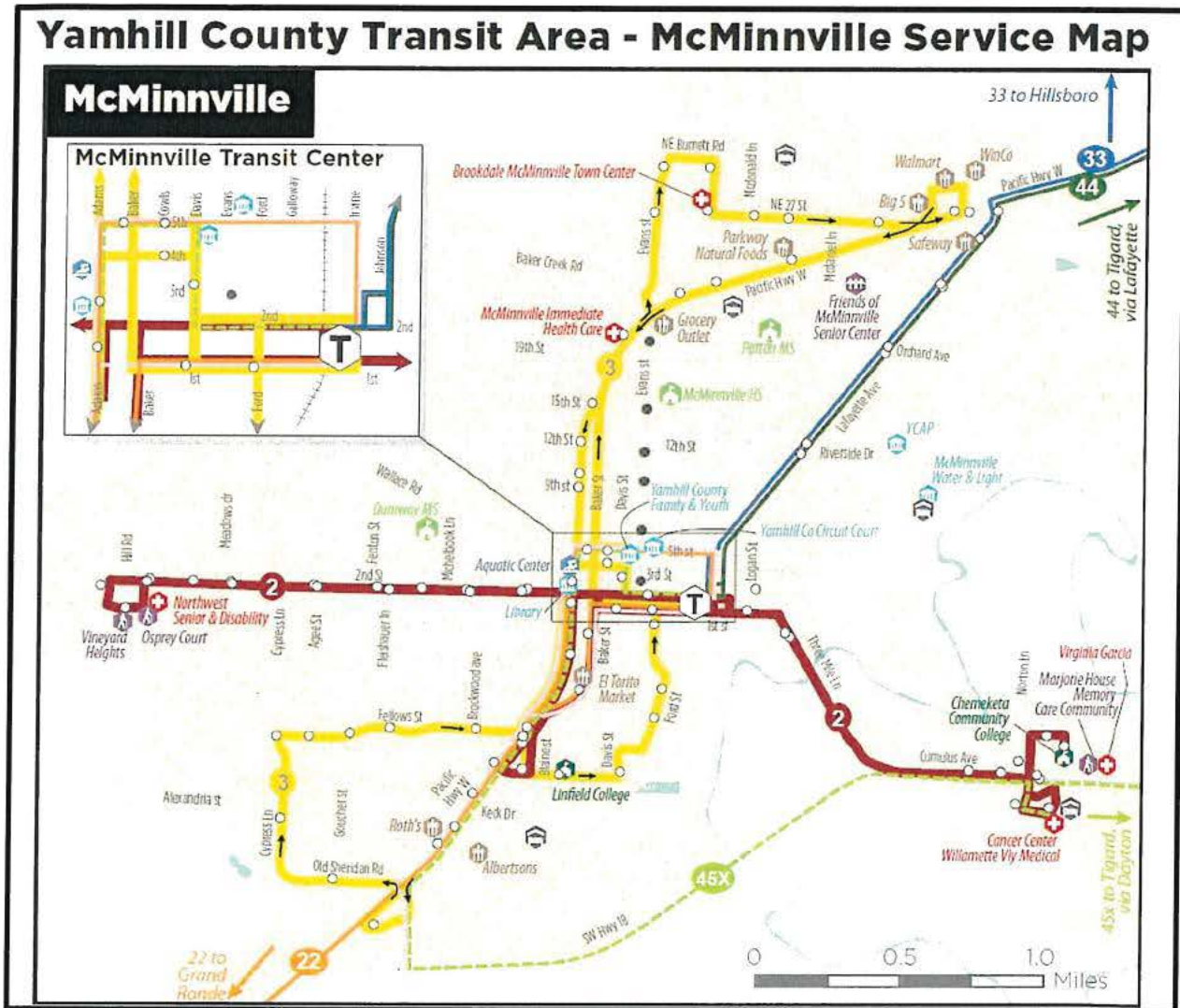
GOAL III 1: TO PROVIDE CULTURAL AND SOCIAL SERVICES AND FACILITIES COMMENSURATE WITH THE NEEDS OF OUR EXPANDING POPULATION, PROPERLY LOCATED TO SERVICE THE COMMUNITY AND TO PROVIDE POSITIVE IMPACTS ON SURROUNDING AREAS.

Policy 13.00 The City of McMinnville shall allow future community center type facilities, both public and private, to locate in appropriate areas based on impacts on the surrounding land uses and the community as a whole, and the functions, land needs, and service area of the proposed facility.

Policy 14.00 The City of McMinnville shall strive to insure that future public community facilities, where possible and appropriate, are consolidated by locating the new structures in close proximity to other public buildings. This will be done in order to realize financial benefits, centralize services, and positively impact future urban development.

Finding: Goal III 1 and Policies 13.00 and 14.00 are satisfied. The applicant, MV Advancements, is an organization that provides social services to individuals who experience disabilities. The proposed Comprehensive Plan Map Amendment from Residential to Commercial will allow the applicant to locate office uses on the subject site, thereby providing their services in a location that is properly located to service the community. They have selected the subject site due to its location, being in close proximity to other community services that their clients would need to access. The proximity to downtown McMinnville and the other social service providers in that area allows for the MV Advancements site to

still easily provide its services to the community. The site is located on a public transit route, an important locational factor for this social service use as many of their clients rely on public transit for transportation services. Both local routes (Route 2 and Route 3) serve the subject site, with northbound Route 2 passing immediately adjacent to the site, and southbound Route 3 passing close to the site on Adams Street just west of the subject site before Adams Street connects back with SE Baker Street heading southwest. Both of those routes run at regular 10-minute intervals throughout the day on all weekdays, providing connections throughout the city and also to the transit center where connections can be made with other routes.



GOAL IV 1: TO ENCOURAGE THE CONTINUED GROWTH AND DIVERSIFICATION OF McMINNVILLE'S ECONOMY IN ORDER TO ENHANCE THE GENERAL WELL-BEING OF THE COMMUNITY AND PROVIDE EMPLOYMENT OPPORTUNITIES FOR ITS CITIZENS.

GOAL IV 2: TO ENCOURAGE THE CONTINUED GROWTH OF McMINNVILLE AS THE COMMERCIAL CENTER OF YAMHILL COUNTY IN ORDER TO PROVIDE EMPLOYMENT OPPORTUNITIES, GOODS, AND SERVICES FOR THE CITY AND COUNTY RESIDENTS.

Policy 21.01 *The City shall periodically update its economic opportunities analysis to ensure that it has within its urban growth boundary (UGB) a 20-year supply of lands designated for commercial and industrial uses. The City shall provide an adequate number of suitable, serviceable sites in appropriate locations within its UGB. If it should find that it does not have an adequate supply of lands designated for commercial or industrial use it shall take corrective actions which may include, but are not limited to, redesignation of lands for such purposes, or amending the UGB to include lands appropriate for industrial or commercial use. (Ord.4796, October 14, 2003)*

Policy 21.03 *The City shall support existing businesses and industries and the establishment of locally owned, managed, or controlled small businesses. (Ord.4796, October 14, 2003)*

Finding: Goal IV 1, Goal IV 2, and Policies 21.01 and 21.03 are satisfied.

The most recently acknowledged Economic Opportunities Analysis for the City of McMinnville, which was acknowledged in 2013, identified a deficit of commercial land within the McMinnville Urban Growth Boundary. The deficit was identified at an amount of 35.8 acres, as shown in Figure 26 from the Economic Opportunities Analysis below:

Figure 26. Comparison of Land Demand to Supply (2013-33)

Acres by Plan Designation			
	Commercial	Industrial	Total Comments
Vacant Land Demand			Based on 2013-33 jobs forecast
Commercial	164.6	-	164.6 Commercial retail & service need
Industrial	-	145.1	145.1 Manufacturing & related sectors
Institutional	2.2	8.0	10.2 62% of need w/ per job method
Totals	166.8	153.2	319.9 Employment land demand
Available Land Supply			Fully & partially vacant sites
2013 BLI Update	130.9	389.1	520.0 Revised per BLI update 7/13
Surplus/(Deficit)	(35.8)	235.9	200.1 As of 2033 forecast year

Notes: All acreage figures are rounded to nearest 1/10th of an acre.
 Source: E. D. Hovee & Company, LLC.

The proposed Comprehensive Plan map amendment would address the commercial land deficit identified in the Economic Opportunities Analysis, as approximately 2.86 acres of additional commercial land would be provided for commercial use.

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

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

Policy 25.00 *Commercial uses will be located in areas where conflicts with adjacent land uses can be minimized and where city services commensurate with the scale of development are or can be made available prior to development.*

Finding: Goal IV 3 and Policies 24.00 and 25.00 are satisfied. The development pattern in the area surrounding the subject site includes both residential and commercial land uses. The properties to the

west and north along Baker Street are currently designated as Commercial on the Comprehensive Plan Map. The subject site, similar to those other commercially designated properties, is located immediately adjacent to Baker Street/Highway 99W, a higher volume roadway that is generally more compatible with commercial uses than residential uses. While land adjacent to the subject site to the east and further northeast along Cows Street is designated as Residential on the Comprehensive Plan, the change of the subject site to Commercial is not inconsistent with the treatment of other areas along the Highway 99W corridor, both to the south and north of the subject site. In both directions along the Highway 99W corridor, the properties fronting and immediately adjacent to Highway 99W are designated as Commercial, with the lands on the other side of those properties being designated as Residential, showing a transition from Commercial to Residential as properties are located further from the major roadway.

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

Finding: Policy 30.00 is satisfied. The applicant has proposed an access location for the commercial development that is not located on the adjacent arterial roadway, but that is in close proximity to the major arterial. The applicant has provided a traffic analysis that estimated that only 5% of the trips generated from the site will use the adjacent local residential street of Cows Street. The other 95% of trips will use Baker Street (see Appendix F, Figure 5). Applying that 5% to the numbers of Table 1 of the TIA, the full impact of a 49,835 square foot office building, which is the reasonable worst case in the proposed zone, Cows would see an increase of 4 weekday AM peak hour trips and 3 weekday PM peak hour trips. Based upon the trip difference between the existing zone (R-4) and the proposed zone, Cows would see an increase in 4 weekday daily trips, 2 weekday AM peak hour trips and 1 PM peak hour trip.

The traffic impact analysis concluded that the surrounding street network has the capacity to accommodate the number of trips that would result from the applicant's request to amend the Comprehensive Plan Map designation and complete a zone change to allow the development of office and residential uses on the subject site. The Engineering Department and the Oregon Department of Transportation reviewed the traffic impact analysis, and neither had any concerns with the analysis or the findings.

Policy 31.00 Commercial developments shall be designed in a manner which minimizes bicycle/pedestrian conflicts and provides pedestrian connections to adjacent residential development through pathways, grid street systems, or other appropriate mechanisms.

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

Policy 33.00 Encourage efficient use of land for parking; small parking lots and/or parking lots that are broken up with landscaping and pervious surfaces for water quality filtration areas. Large parking lots shall be minimized where possible. All parking lots shall be interspersed with landscaping islands to provide a visual break and to provide energy savings by lowering the air temperature outside commercial structures on hot days, thereby lessening the need for inside cooling.

Finding: Policies 31.00, 32.00, and 33.00 are satisfied. At the time of building permits, all required pedestrian connections, landscaping, and other requirements of the eventual underlying zoning district will apply.

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 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.

Policy 119.00 The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.

Policy 120.00 The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.

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

2. Major, Minor arterials.

- a. Access should be controlled, especially on heavy traffic-generating developments.*
- b. Designs should minimize impacts on existing neighborhoods.*
- c. Sufficient street rights-of-way should be obtained prior to development of adjacent lands.*
- d. On-street parking should be limited wherever necessary.*
- e. Landscaping should be required along public rights-of-way.*

Finding: Goal VI 1 and Policies 117.00, 119.00, 120.00 and 122.00 are satisfied by this proposal.

The subject site is currently adjacent to the SE Baker Street public right-of-way and street. SE Baker Street/Highway 99W is identified in the Transportation System Plan as a major arterial street. The applicant provided a traffic impact analysis that analyzed the proposed access to the site off of the major arterial but still in close proximity to allow for trips generated from the site to enter the arterial at an existing major intersection. The traffic impact analysis also analyzed the change in trips and the impacts of a reasonable worst case development that could be allowed under an eventual zoning designation, and found that there were no significant impacts to the functionality of the surrounding street network. Any right-of-way improvements required for the subject site will be required at the time of development.

Policy 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

Policy 127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and right-of-ways as transportation routes.

Finding: Policies 126.00 and 127.00 are satisfied. Off-street parking will be required based on the type of development proposed and allowed under the eventual zoning of the subject site.

Policy 130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connect residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities.

Policy 132.15 The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.

Finding: Policies 130.00 and 132.15 are satisfied. If it is determined that the existing public sidewalks are not sufficient at the time of development, they will be required to be upgraded to Public Right-of-Way Accessibility Guidelines (PROWAG) as a condition of building permit approval, which will enhance pedestrian connections between the site and the surrounding area.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMINNVILLE URBAN GROWTH BOUNDARY.

Policy 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines with the framework outlined below:

- 1. Sufficient municipal treatment capacities exist to handle maximum flows of effluents.*
- 2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*
- 3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized*
- 4. Extensions will implement applicable goals and policies of the comprehensive plan.*

Policy 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00 The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00 The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

- 1. Facilities are placed in locations and in such manner as to insure compatibility with surrounding land uses.*
- 2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
- 3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized;*
- 4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

Policy 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 1. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
- 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 4. Federal, state, and local water and waste water quality standards can be adhered to.*
- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 139.00, 142.00, 143.00, 144.00, 145.00, 147.00 and 151.00 are satisfied by the proposal.

Based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 153.00 The City of McMinnville shall continue coordination between the planning and fire departments in evaluating major land use decisions.

Policy 155.00 The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

Finding: Policies 153.00 and 155.00 are satisfied. Emergency services departments have reviewed this request and no concerns were raised. Any requirements of the Oregon Fire Code or Building Code will be required at the time of development.

GOAL VII 3: TO PROVIDE PARKS AND RECREATION FACILITIES, OPEN SPACES, AND SCENIC AREAS FOR THE USE AND ENJOUMENT OF ALL CITIZENS OF THE COMMUNITY.

Policy 163.00 The City of McMinnville shall continue to require land, or money in lieu of land, from new residential developments for the acquisition and/or development of parklands, natural areas, and open spaces.

Finding: Goal VII 3 and Policy 163.00 are satisfied. Park fees shall be paid for each housing unit at the time of building permit application as required by McMinnville Ordinance 4282, as amended.

GOAL VIII 1: TO PROVIDE ADEQUATE ENERGY SUPPLIES, AND THE SYSTEMS NECESSARY TO DISTRIBUTE THAT ENERGY, TO SERVICE THE COMMUNITY AS IT EXPANDS.

Policy 173.00 The City of McMinnville shall coordinate with McMinnville Water and Light and the various private suppliers of energy in this area in making future land use decisions.

Policy 177.00 The City of McMinnville shall coordinate with natural gas utilities for the extension of transmission lines and the supplying of this energy resource.

Finding: Policies 173.00 and 177.00 are satisfied. McMinnville Water and Light and Northwest Natural Gas were provided opportunity to review and comment regarding this proposal and no concerns were raised.

GOAL X1: 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 X1 and Policy 188.00 are satisfied. McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the holding of advertised public hearing(s). 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:

17.74.020 Comprehensive Plan Map Amendment and Zone Change - Review Criteria. An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;
- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;
- C. Utilities and services can be efficiently provided to service the proposed uses or other potential uses in the proposed zoning district.

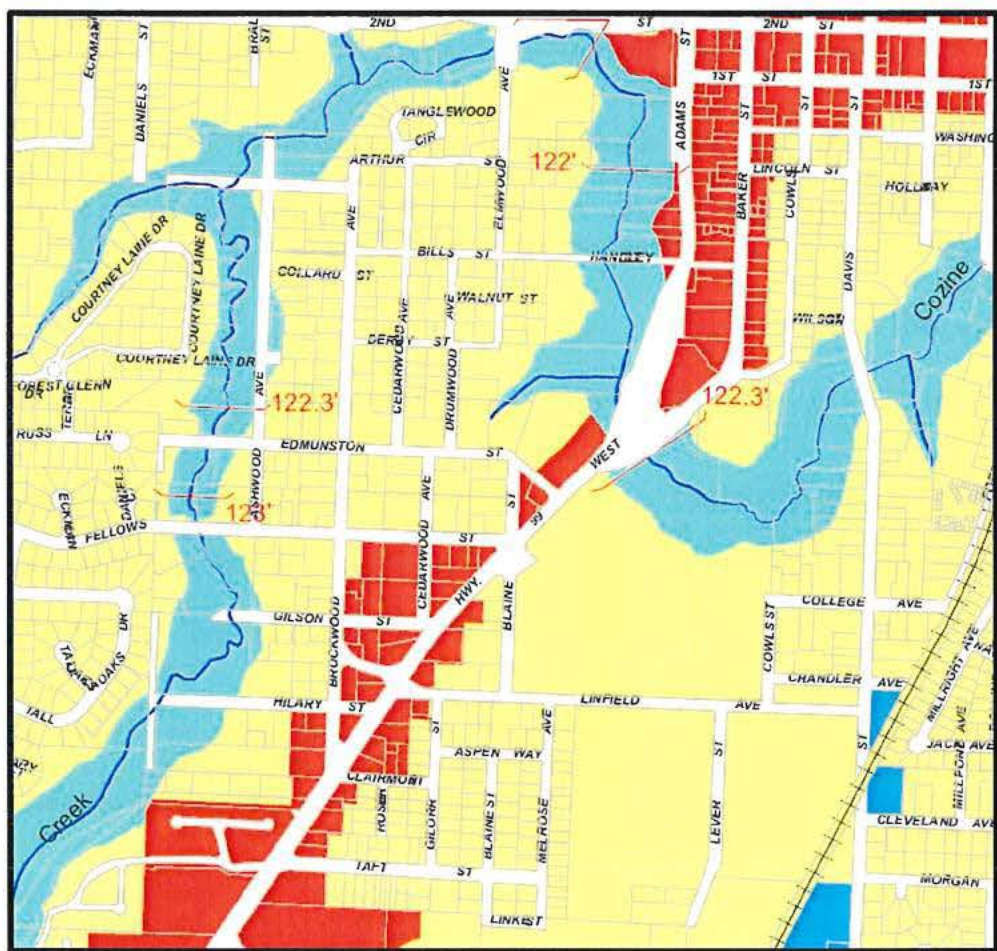
When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statutes), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

Finding: Section 17.74.020 is satisfied by this proposal.

The proposed Comprehensive Plan Map amendment is consistent with the goals and policies of the Comprehensive Plan, as described in more detail above in the specific findings for each Comprehensive Plan goal and policy.

The development pattern in the area surrounding the subject site includes both residential and commercial land uses. The properties to the west and north along Baker Street are currently designated as Commercial on the Comprehensive Plan Map. The subject site, similar to those other commercially designated properties, is located immediately adjacent to Baker Street/Highway 99W, a higher volume roadway that is generally more compatible with commercial uses than residential uses. While land adjacent to the subject site to the east and further northeast along Cowsls Street is designated as Residential on the Comprehensive Plan, the change of the subject site to Commercial is not inconsistent with the treatment of other areas along the Highway 99W corridor, both to the south and north of the subject site. In both directions along the Highway 99W corridor, the properties fronting and immediately adjacent to Highway 99W are designated as Commercial, with the lands on the other side of those properties being designated as Residential, showing a transition from Commercial to Residential as properties are located further from the major roadway. That pattern of land use designation can be seen below:



Given the surrounding land uses and development pattern, the proposed amendment of the Comprehensive Plan Map designation from Residential to Commercial is orderly and timely. The commercial land use will complement the other commercial lands surrounding the subject site, and are not inconsistent with

Utility and Service Provision: This area is well served by existing sanitary and storm sewer systems as well as other public utilities. The Engineering Department has reviewed this proposal and has offered

no concerns with providing adequate services to this site to support development at the subject site. At the time of development of the site, all necessary utilities and improvements will be required to be completed along with the building permit activities.

Street System: The applicant has provided a traffic impact analysis that concluded that the surrounding street network has the capacity to accommodate the number of trips that would result from the applicant's request to amend the Comprehensive Plan Map designation and complete a zone change to allow the development of office and residential uses on the subject site.

The traffic impact analysis included an analysis of the impacts of development of the site on three intersections near the subject site, at Baker Street and SE Handley Street, Baker Street and Cowsl Street, and Baker Street and the Adams Street U-turn. The analysis also considered the worst case trip generation within the existing Comprehensive Plan Map designation and zone, compared to the reasonable worst case trip generation within the proposed Comprehensive Plan Map designation and zone. The existing zoning of R-4 PD (Multiple Family Residential Planned Development) includes a Planned Development that actually does not specify any particular use on the subject site, only showing it as vacant and noting that future use of the property needed to be determined by Linfield College. Therefore, the applicants assumed the worst case trip generation in the existing zone to be a maximum build out of the number of apartment units that would be allowed in the underlying R-4 zone (83 units based on the lot size). The worst case trip generation was assumed based on the type of development that would be allowed in the zoning district being proposed, should the Comprehensive Plan Map amendment be approved.

The Engineering Department and the Oregon Department of Transportation reviewed the traffic impact analysis, and neither had any concerns with the analysis or the findings. There were some changes in the number of trips and the operation of the intersections included in the traffic impact analysis, which will be reviewed and analyzed during the findings for the eventual zone change proposed for the subject site, as the specific findings of the traffic impact analysis are more directly related to the allowable development of the underlying zone.

CD:sjs

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

503-434-7311

www.mcminnvilleoregon.gov



DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A ZONE CHANGE FROM R-4 PD (MULTIPLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT) TO O-R (OFFICE/RESIDENTIAL) AT 600 SE BAKER STREET

- DOCKET:** ZC 4-18 (Zone Change)
- REQUEST:** Approval to change the zoning classification of a property from R-4 PD (Multiple-Family Residential Planned Development) to O-R (Office/Residential) to allow for the development of office residential uses on the subject site.
- LOCATION:** The subject site is located at 600 SE Baker Street, and is more specifically described as Tax Lots 101 and 200, Section 20DD, T. 4 S., R. 4 W., W.M., respectively.
- ZONING:** The subject site's current zoning is R-4 PD (Multiple Family Residential Planned Development)
- APPLICANT:** MV Advancements, on behalf of property owner Linfield College
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** November 15, 2018
- HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME:** December 20, 2018. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- HEARINGS BODY:** McMinnville City Council
- DATE & TIME:** January 22, 2019 and February 12, 2019. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- PROCEDURE:** A request to change the zoning of a property requires an application to be reviewed by the Planning Commission during a public hearing, as described in Section 17.72.120 of the McMinnville City Code.
- CRITERIA:** The applicable criteria are specified in Section 17.74.020 of the McMinnville City Code.
- APPEAL:** The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.72.180 of the McMinnville City Code.

COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION

Based on the findings and conclusions, the City Council **APPROVES** the Zone Change (ZC 4-18), **subject to the conditions of approval provided in this document.**

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

City Council: Scott Hill
Scott Hill, Mayor of McMinnville

Date: 2/19/2019

Planning Commission: Roger Hall
Roger Hall, Chair of the McMinnville Planning Commission

Date: Feb 19, 2019

Planning Department: Heather Richards
Heather Richards, Planning Director

Date: 2/19/19

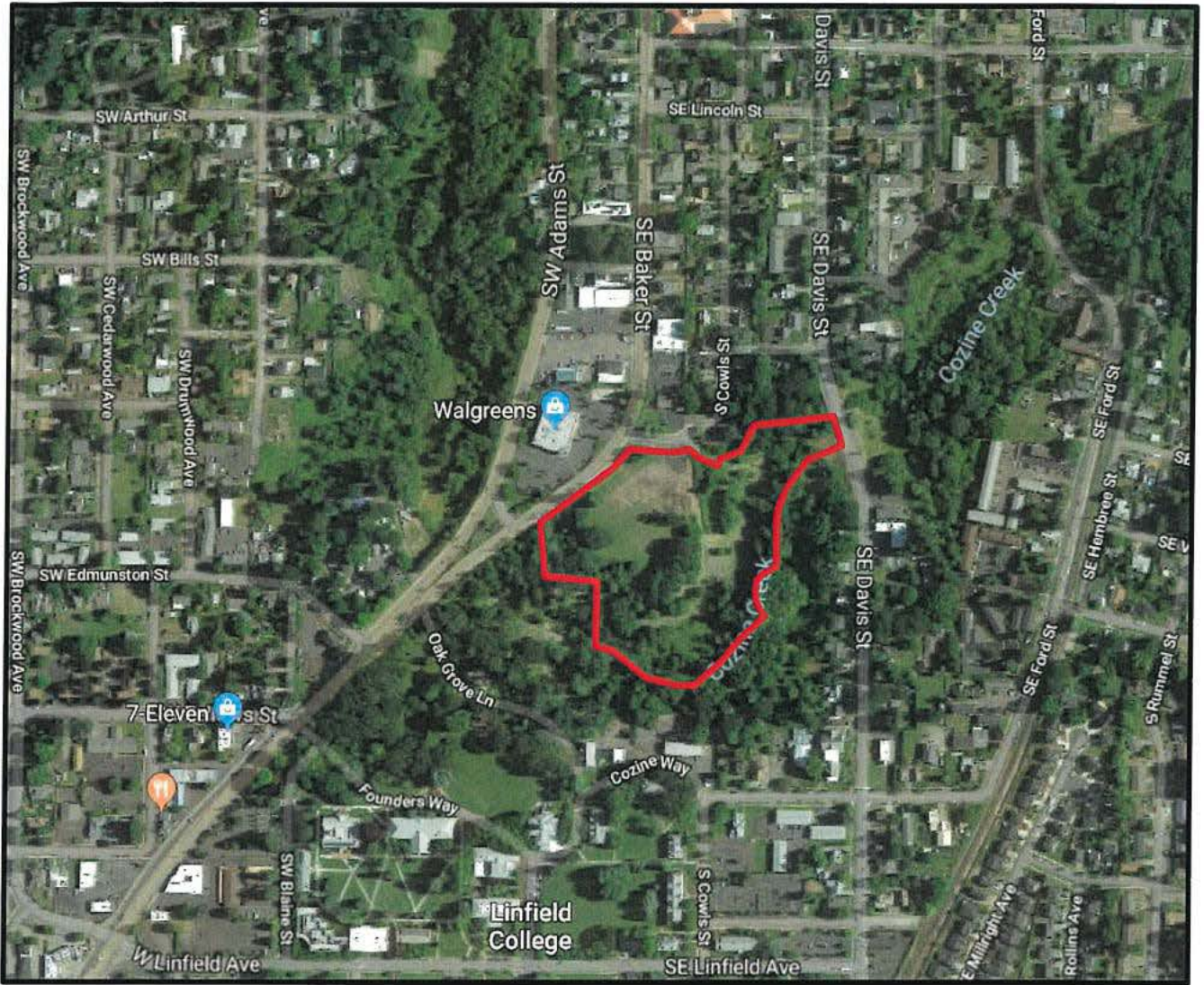
APPLICATION SUMMARY:

The application is a request to change the zoning classification of the property at 600 SE Baker Street from R-4 PD (Multiple-Family Residential Planned Development) to O-R (Office/Residential) to allow for the development of office and residential uses on the subject site.

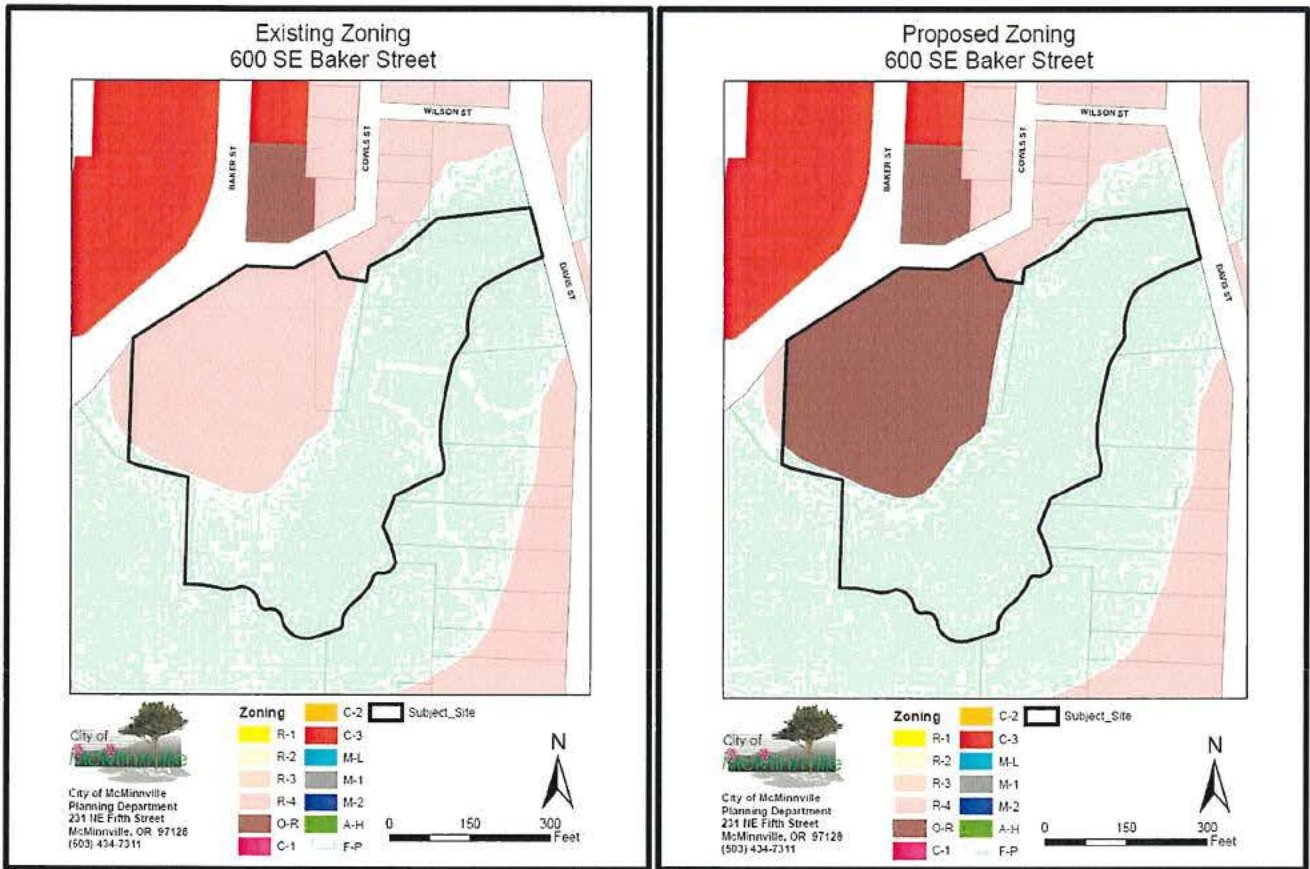
The subject site is currently vacant, other than some older pavement and gravel areas from the site's previous use. The site was the former location of the Columbus Elementary School, which existed upon the site until 1994. The Columbus Elementary School was demolished in 1994 following structural damage that occurred to the building during an earthquake in the spring of 1993. Linfield College has since acquired the property from the McMinnville School District, and has retained ownership of the property since that time. The applicant, MV Advancements, is under contract to purchase the property from Linfield College.

The site is bounded on the north by Cows Street, on the west by Baker Street (Highway 99W), and on the south and east mainly by the Cozine Creek. The property to the north and across Cows Street is zoned O-R (Office/Residential) and the existing uses are salon and office businesses. The property to the west and across Baker Street is zoned C-3 (General Commercial) and the existing use is retail (Walgreens). The property to the east is zoned R-4 (Multiple Family Residential) and is the existing use is a small, four-unit multiple family building. Property further to the northeast along Cows Street is also zoned R-4 (Multiple Family Residential), and consists of various residential uses (multiple family, duplex, and single family dwellings). The property to the south and across Cozine Creek is zoned R-4 PD (Multiple Family Planned Development), and is the north end of the Linfield College campus.

The subject site is identified below (boundary shown below is approximate):

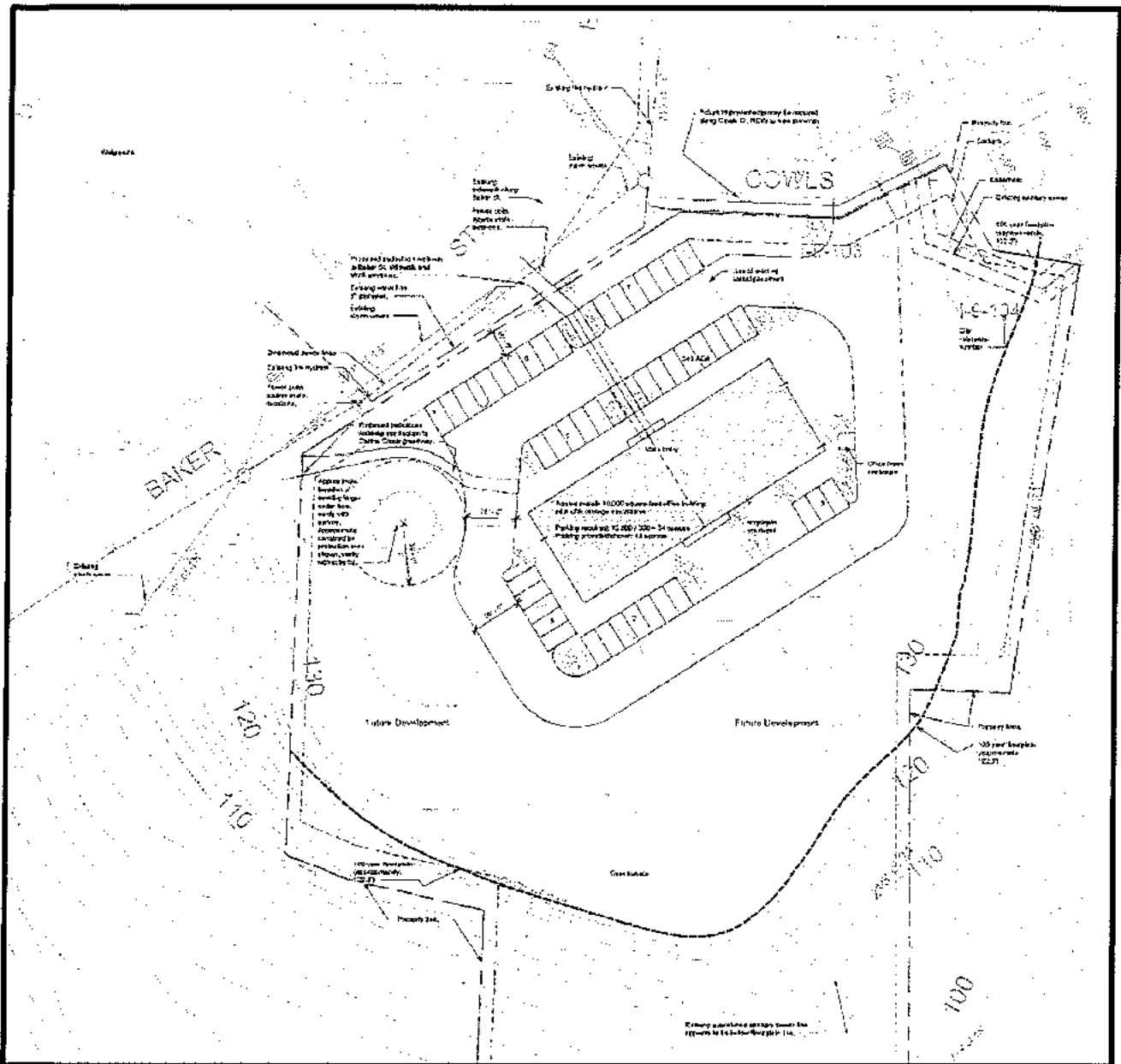


Reference maps showing the existing and proposed zoning designations of the subject site and the surrounding properties are provided below:



The applicant has submitted a conceptual development plan for the site, which they have specifically requested to not be binding on the site in any way, to depict the potential office and multiple-family residential uses they anticipate to construct on the site. The concept plan shows the development of an approximately 10,000 square foot office building, and identifies areas to the south of the office building as “future development” areas where up to 24 multiple family dwelling units could be constructed.

The concept plan, *which again is not proposed to be binding on the site and is not subject to site or design review as part of the proposed zone change*, is identified below:



CONDITIONS:

1. That if the site is developed as multiple-family residential, an additional area equivalent to 7 percent of the gross area of the site shall be reserved for usable open space for residents of the multiple-family development site. The usable open space area shall be a contiguous area, shall be located outside of the front yard setback area, and may be counted towards the minimum percent of the total area of the site required to be landscaped by Section 17.57.070(A) of the McMinnville City Code. The 7 percent usable open space area shall be calculated based on the area of the site outside of the floodplain zone.

2. That the large coniferous tree on the western portion of the site, identified as an "existing large cedar tree" on the concept plan provided in the application materials, as well as the large oak tree immediately southwest of the large coniferous tree described above, are preserved during the development of the site.

ATTACHMENTS:

1. CPA 2-18 Application and Attachments (on file with the Planning Department)
2. Oregon Department of Transportation Review Documents and Comments (on file with the Planning Department)

COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The following comments had been received:

- **McMinnville Engineering Department**

The application demonstrates that the transportation and sanitary sewer infrastructure is adequate to support the proposal. At the time of building permits, the appropriate infrastructure improvements will be required.

Thus, no comments or suggested conditions of approval.

- **Oregon Department of Transportation**

Attached are ODOT's comments on the subject TIA*. Specific questions on these comments should be directed to Keith Blair. Based on this review, we have no comments or objection to the proposed comprehensive plan amendment and zone change. Please include ODOT in any future notifications on this project including findings and conditions of approval.

*Note – Full ODOT comments referenced above are listed as an attachment and are on file with the Planning Department.

Public Comments

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, December 11, 2018. As of the date of the Planning Commission public hearing on December 20, 2018, no public testimony had been received by the Planning Department.

FINDINGS OF FACT

- A. MV Advancements, on behalf of property owner Linfield College, requested a zone change on a property from R-4 PD (Multiple Family Residential Planned Development) to O-R (Office/Residential) to allow for the development of office and residential uses on the subject site. The subject site is located at 600 SE Baker Street, and is more specifically described as Tax Lots 101 and 200, Section 20DD, T. 4 S., R. 4 W., W.M.
- B. The site is currently designated as Residential on the McMinnville Comprehensive Plan Map, 1980. The site is currently zoned R-4 PD (Multiple Family Residential Planned Development) on the McMinnville Zoning Map.

- C. Sanitary sewer and municipal water and power can adequately serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
- D. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. No comments in opposition were provided to the Planning Department.
- E. Notice of the application was provided by the City of McMinnville to property owners within 300 feet of the subject site, as required by the process described in Section 17.72.120 (Applications–Public Hearings) of the McMinnville Zoning Ordinance. Notice of the public hearing was also provided in the News Register on Tuesday, December 11, 2018. No public testimony was provided to the Planning Department prior to the Planning Commission public hearing.
- F. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

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 II 1: TO PRESERVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES WITHIN THE PLANNING AREA.

Policy 2.00 The City of McMinnville shall continue to enforce appropriate development controls on lands with identified building constraints, including, but not limited to, excessive slope, limiting soil characteristics, and natural hazards.

Policy 9.00 The City of McMinnville shall continue to designate appropriate lands within its corporate limits as “floodplain” to prevent flood induced property damages and to retain and protect natural drainage ways from encroachment by inappropriate uses.

Finding: Goal II 1 and Policies 2.00 and 9.00 are satisfied. The applicant has stated that they have no plans to develop the portion of the property that is located in the Cozine Creek floodplain. Based on wetland, flood plain and topographic maps, it is estimated that approximately 50% of the site is usable (124,575 SF / 2.86 acres). The areas of the subject site that are currently designated on the Zoning Map as F-P (Flood Plain) would keep that zoning district, and only the portions of the subject site outside of the Flood Plan zone would be subject to the proposed Zone Change. The applicant has further stated that they are aware that Linfield College, in conjunction with the Greater Yamhill Watershed Council, has plans to restore the Cozine Creek property between the Linfield campus and this property to its original, native plant species. The applicant has stated that it is their intent to fully cooperate with this restoration.

GOAL III 1: TO PROVIDE CULTURAL AND SOCIAL SERVICES AND FACILITIES COMMENSURATE WITH THE NEEDS OF OUR EXPANDING POPULATION, PROPERLY LOCATED TO SERVICE THE COMMUNITY AND TO PROVIDE POSITIVE IMPACTS ON SURROUNDING AREAS.

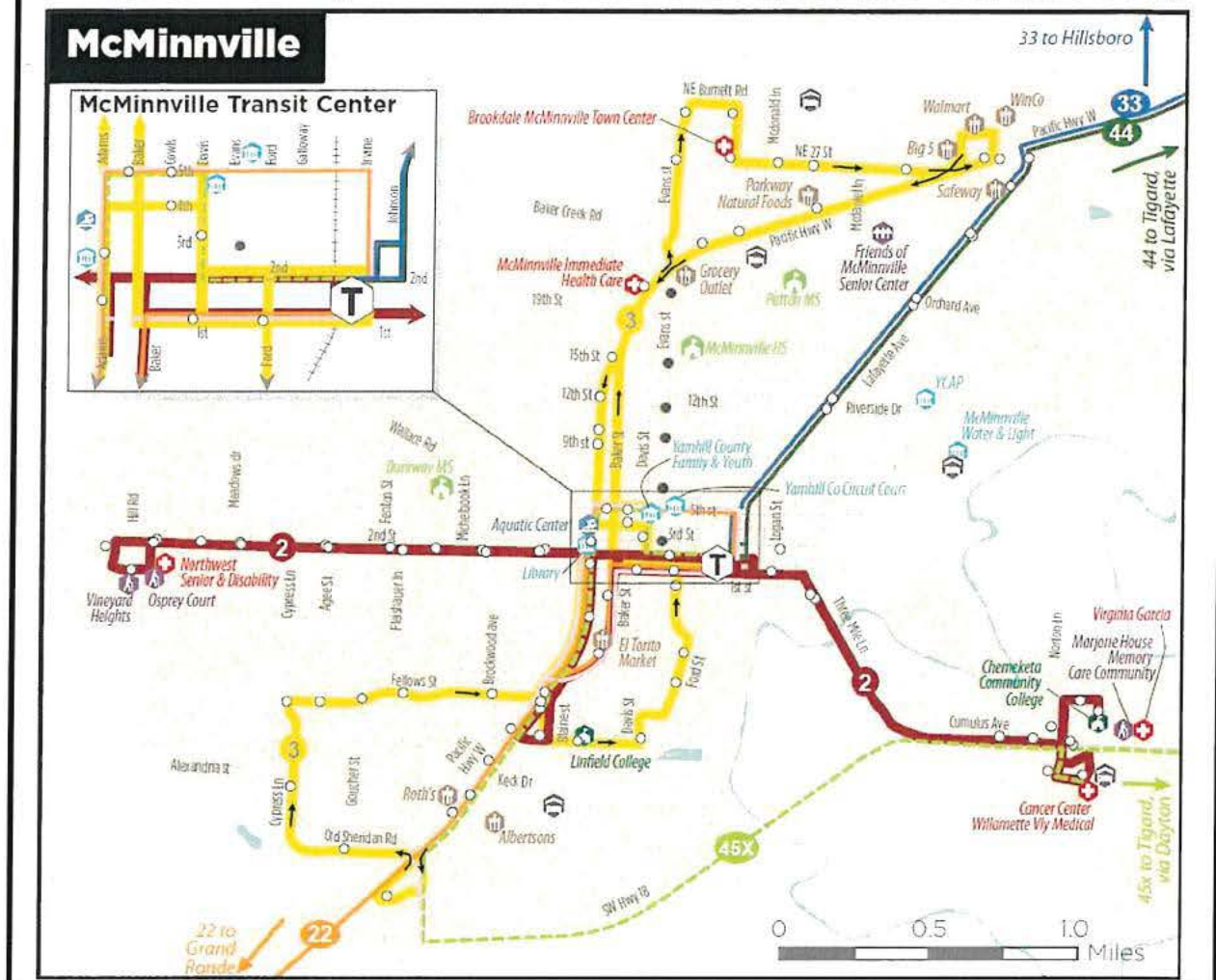
Policy 13.00 The City of McMinnville shall allow future community center type facilities, both public and private, to locate in appropriate areas based on impacts on the surrounding land uses and

the community as a whole, and the functions, land needs, and service area of the proposed facility.

Policy 14.00 The City of McMinnville shall strive to insure that future public community facilities, where possible and appropriate, are consolidated by locating the new structures in close proximity to other public buildings. This will be done in order to realize financial benefits, centralize services, and positively impact future urban development.

Finding: Goal III 1 and Policies 13.00 and 14.00 are satisfied. The applicant, MV Advancements, is an organization that provides social services to individuals who experience disabilities. The proposed Zone Change will allow the applicant to locate office uses on the subject site, thereby providing their services in a location that is properly located to service the community. They have selected the subject site due to its location, being in close proximity to other community services that their clients would need to access. The proximity to downtown McMinnville and the other social service providers in that area allows for the MV Advancements site to still easily provide its services to the community. The site is located on a public transit route, an important locational factor for this social service use as many of their clients rely on public transit for transportation services. Both local routes (Route 2 and Route 3) serve the subject site, with northbound Route 2 passing immediately adjacent to the site, and southbound Route 3 passing close to the site on Adams Street just west of the subject site before Adams Street connects back with SE Baker Street heading southwest. Both of those routes run at regular 10-minute intervals throughout the day on all weekdays, providing connections throughout the city and also to the transit center where connections can be made with other routes.

Yamhill County Transit Area - McMinnville Service Map



GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

Policy 58.00 City land development ordinances shall provide opportunities for development of a variety of housing types and densities.

Policy 59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.

Policy 64.00 The City of McMinnville shall work in cooperation with other governmental agencies, including the Mid-Willamette Valley Council of Governments and the Yamhill County Housing Authority, and private groups to determine housing needs, provide better housing opportunities and improve housing conditions for low and moderate income families.

Finding: Goal V 1 and Policies 58.00, 59.00, and 64.00 are satisfied by this proposal.

The most recently acknowledged Economic Opportunities Analysis for the City of McMinnville, which was acknowledged in 2013, identified a deficit of commercial land within the McMinnville Urban Growth Boundary. The deficit was identified at an amount of 35.8 acres, as shown in Figure 26 from the Economic Opportunities Analysis below:

Figure 26. Comparison of Land Demand to Supply (2013-33)

Acres by Plan Designation				
	Commercial	Industrial	Total	Comments
Vacant Land Demand				Based on 2013-33 jobs forecast
Commercial	164.6	-	164.6	Commercial retail & service need
Industrial	-	145.1	145.1	Manufacturing & related sectors
Institutional	2.2	8.0	10.2	62% of need w/ per job method
Totals	166.8	153.2	319.9	Employment land demand
Available Land Supply				Fully & partially vacant sites
2013 BLI Update	130.9	389.1	520.0	Revised per BLI update 7/13
Surplus/(Deficit)	(35.8)	235.9	200.1	As of 2033 forecast year

Notes: All acreage figures are rounded to nearest 1/10th of an acre
 Source: E. D. Hovee & Company, LLC.

The proposed Comprehensive Plan map amendment would address the commercial land deficit identified in the Economic Opportunities Analysis, as approximately 2.86 acres of additional commercial land would be provided for commercial use. However, the proposal would result in the loss of 2.86 acres of land currently designated as Residential on the Comprehensive Plan Map. In the most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, a need for additional land for housing and residential uses was identified. That inventory, which was titled the McMinnville Buildable Land Needs Analysis and Growth Management Plan, identified a deficit of over 1,000 acres of land for housing in Table B-11 of Appendix B.

Therefore, both commercial and residential lands were identified as needed land types in the Economic Opportunities Analysis and Residential Buildable Lands Inventory. The need for residential land was much higher than the need for additional commercial land (over 1,000 acres of residential land compared to 35.8 acres of commercial land). However, the applicant has argued that their proposed zone change will still address the residential land need, as they are proposing to change the zoning to the O-R (Office/Residential) zone that allows for both commercial and residential uses. The applicant has expressed an intent to construct up to 24 residential uses on the subject site in the future.

In regards to the existing status of the subject site, the applicant has argued that the residentially zoned land was not actually available for development of residential uses. The applicant has stated that this land, because it was owned by Linfield College, was not considered as buildable in the last Residential Buildable Lands Inventory. In the Linfield College Master Plan (as approved and adopted under a Planned Development Overlay District by Ordinance 4739), the subject site was shown as vacant land with no specific future land use identified. There were statements in the Master Plan that Linfield College still needed to determine what the future use of the subject site would be. The applicant has provided a letter of support from Linfield College, who currently owns the subject site, providing evidence of their support for the applicant's intended use of the site and the ability to construct up to 24 residential units in conjunction with MV Advancements services or for senior housing. The letter of support states that the sale of the property will include a restrictive covenant to limit the number of residential dwelling units to 24 units, and also states that Linfield College had never considered the sale of the property to allow for the development of the maximum number of dwelling units that the underlying zoning might allow. This supports the applicants arguments that the current site was actually not available for the development of

residential uses, and that it will now be available for up to 24 dwelling units, along with the commercial office space.

The proposed zone change to O-R results in the establishment of a commercial zone on the property. However, it is a zone that allows for mixed use and both commercial and residential uses. The ability to have a mix of uses on the subject site will allow for unique and innovative development techniques in the establishment of both office and residential units on the subject site. The applicant has also provided evidence (in the form of a letter of support) that restrictive covenants will be placed on the site to limit the residential uses of the site to those types that would be in conjunction with MV Advancements services (which are provided to individuals with disabilities) or for senior housing. The provision of this type of housing will provide a variety of housing types and potentially lower-cost housing, and also ensures cooperation with a private group (MV Advancements) to provide better housing opportunities and improve housing conditions for low and moderate income families

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND-INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

Policy 69.00 The City of McMinnville shall explore the utilization of innovative land use regulatory ordinances which seek to integrate the functions of housing, commercial, and industrial developments into a compatible framework within the city.

Finding: Goal V 2 and Policies 68.00 and 69.00 are satisfied by this proposal. The zone change will allow for residential, as well as commercial, development in an area of the city that is already developed and has urban level services available to serve the site. As noted in the finding for Goal V 1 and Policies 58.00 and 59.00 above, the proposed zone change is justified, given that the zone change will provide for commercial land identified as a needed land type in the Economic Opportunities Analysis, but as a mixed use zone, will also provide an opportunity for the development of residential uses, which are also identified as needed land type in the 2001 McMinnville Buildable Land Needs Analysis and Growth Management Plan. This mixed use zone allows for the utilization of the City's only innovative mixed use zone to integrate the functions of both housing and commercial uses on the subject site.

Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development:

- 1. Areas which are not committed to low or medium density development;*
- 2. Areas which can be buffered by topography, landscaping, collector or arterial streets, or intervening land uses from low density residential areas in order to maximize the privacy of established low density residential areas;*
- 3. Areas which have direct access from a major collector or arterial street;*
- 4. Areas which are not subject to development limitations;*
- 5. Areas where the existing facilities have the capacity for additional development;*
- 6. Areas within a one-half mile wide corridor centered on existing or planned public transit routes;*
- 7. Areas within one-quarter mile from neighborhood and general commercial shopping centers; and*

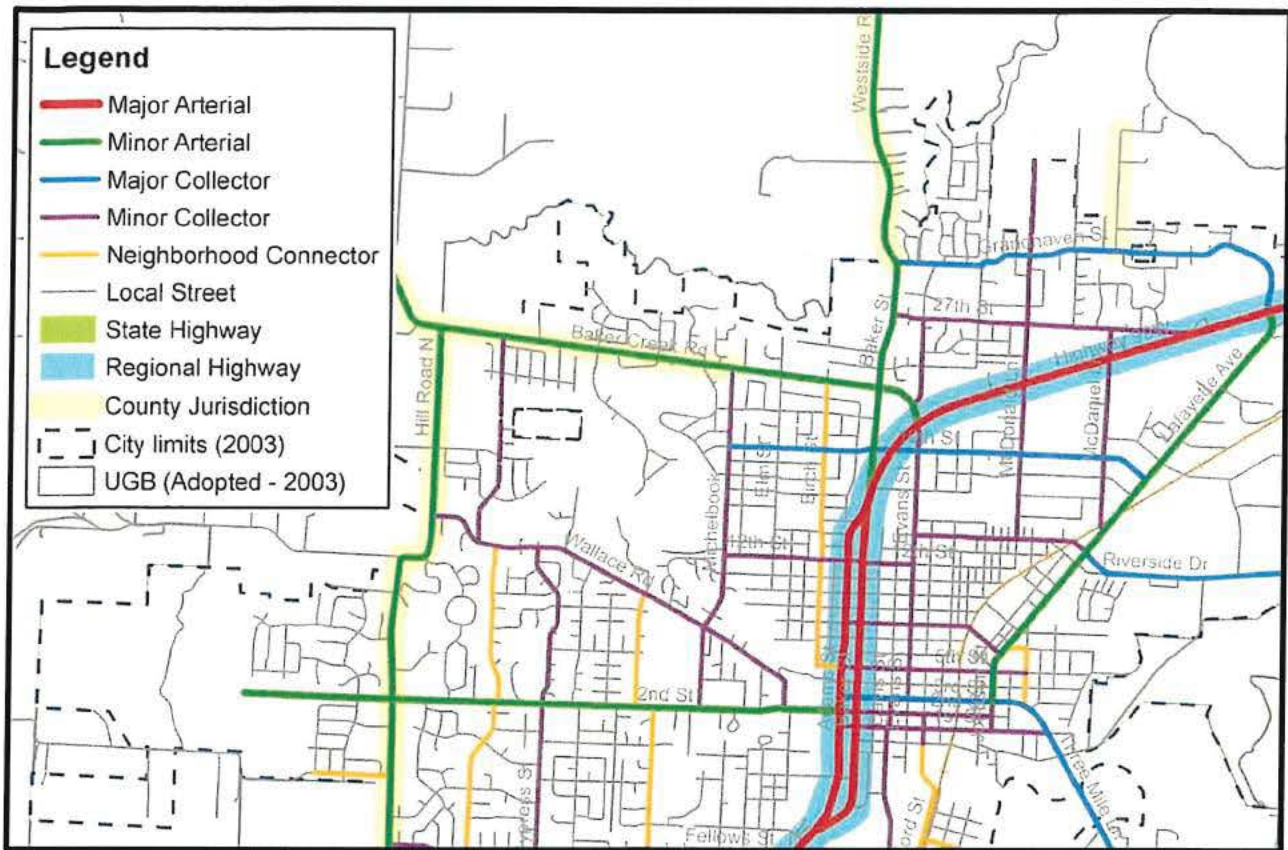
8. *Areas adjacent to either private or public permanent open space.*

Finding: Policy 71.13 is satisfied by this proposal, and a condition of approval is included to ensure that the policy is satisfied.

As stated above, the zone change request satisfies multiple Comprehensive Plan goals and policies by providing for additional commercially zoned land, which is identified as a needed land type, while still providing opportunities for multiple family residential housing. While the proposed zone change results in a commercial zoning designation (in the Office/Residential zone), the policies related to the siting of higher density residential development apply to the zone change request, as that type of use is permitted in the O-R (Office/Residential) zone.

The subject site is not committed to low or medium density development, as the current underlying zoning is technically R-4 (Multiple Family Residential), but is overlaid by a Planned Development Overlay District that does not specify any future land use type. The subject site is bounded on the west by an arterial street (SE Baker Street/Highway 99W), and to the south and southeast by topography and the Cozine Creek, providing buffering and privacy between the subject site and adjacent properties. The only property immediately adjacent to the subject site, located immediately east along Cowls Street, is zoned R-4 (Multiple Family Residential) so therefore is not low density residential. While the Comprehensive Plan policies do not require locational factors to buffer from other adjacent high density residential areas, the proposed O-R (Office/Residential) zone includes some yard requirements that will provide setbacks and spacing between buildings and property lines, as well as a limitation on building height to no more than 35 feet, which is the maximum building height in lower density residential zones. These standards will provide some buffering from adjacent residential areas, even though they are also high density zones.

The site does have frontage on an arterial street. As shown in the Transportation System Plan street functional classification system map below, SE Baker Street/Highway 99W is classified as a major arterial street. However, the applicant is proposing to only provide access to the site from Cowls Street, given the traffic and safety concerns with having a new access directly onto SE Baker Street in this location near the connection of Adams and Baker Streets, and with its proximity to the existing intersection at Baker Street and Cowls Street. The applicant submitted a traffic impact analysis showing that the site's access onto Cowls Street can be accommodated without any significant impacts on the surrounding street network. More detail on the traffic impact analysis is provided in the findings for the zone change review criteria below. Comprehensive Plan Policy 91.00 does provide some additional flexibility in the type of street that a multiple-family residential development should be accessed from. Specifically, Policy 91.00 states that "Multiple-family housing developments shall be required to access off of arterials or collectors or streets determined by the City to have sufficient carrying capacities to accommodate the proposed development." Given the findings of the traffic impact analysis, it can be found that the site has appropriate access for higher density development that would be allowed in the O-R (Office/Residential) zone.

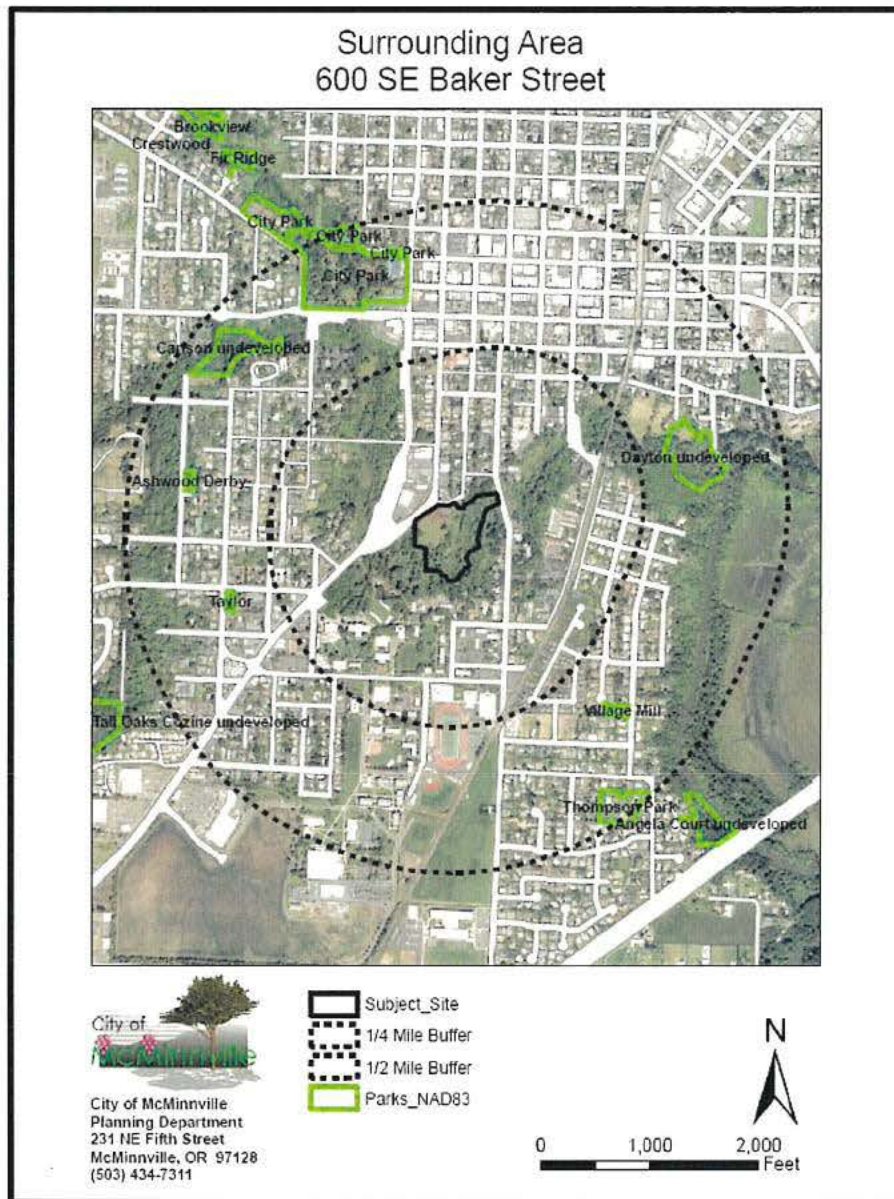


There are not any major development limitations with the subject site, and the Engineering Department has not identified any issues with providing services and infrastructure to the subject site to support higher density residential development.

As discussed in more detail above, existing transit service is located in close proximity to the site. Routes 2 and 3 along Adams and Baker Streets are well within one-half mile of the subject site. The subject site is also located well within one-quarter mile of commercially zoned property, with commercially zoned property immediately across Baker Street from the subject site and other O-R zoned property located north of the subject site across Cows Street. These commercially zoned properties currently provide retail uses and other commercial services (professional office, medical, salon, etc.) in close proximity to the subject site.

In regards to private or public open space, there is some private open space on the subject site in the areas that are designated as floodplain. These areas are protected in the McMinnville City Code, as development in the floodplain areas is very limited. In addition, the applicant is proposing to maintain this area as natural open space, with statements in the application that they will be partnering with Linfield College and the Greater Yamhill Watershed Council in their efforts to restore the Cozine Creek property between the subject site and the Linfield College campus by re-establishing native plant species. However, the floodplain area was not found to meet the required private open space requirement due to its inaccessibility and that it would be flooded or unusable at certain times. Because there are no other public open spaces adjacent to the site, a condition of approval is included to require that, if the site is eventually developed with multiple family residential uses, an area equivalent to 7 percent of the gross area of the site be reserved for usable open space for residents of the multiple family development site.

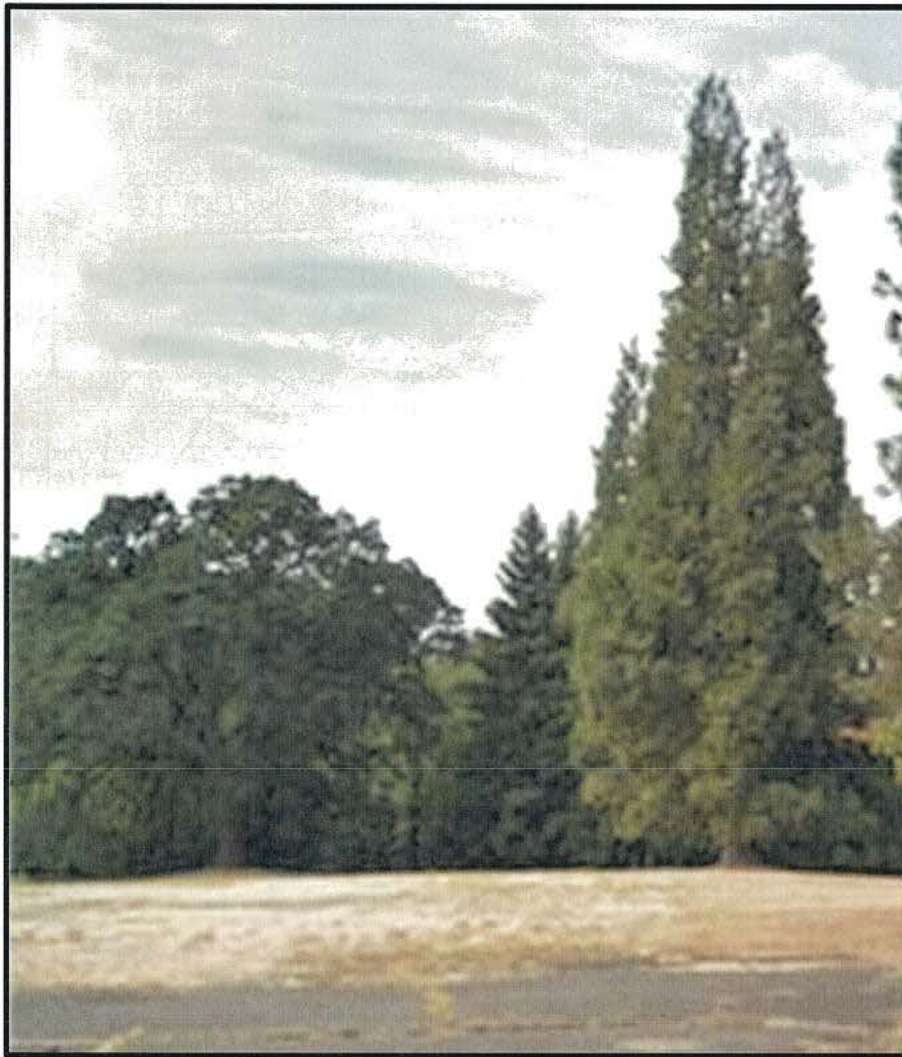
A map showing the locations of amenities surrounding the subject site is provided below:



Policy 80.00 In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.

Finding: Policy 80.00 is satisfied by this proposal and a condition of approval is included to ensure that the policy is satisfied.

The subject site contains two large, significant trees, both of which are preservable and isolated on the site. The applicant's concept plan, while conceptual in nature and in no way binding on the site, identifies clearly one of these trees. This tree, and its location on the concept plan, is identified below:



In order to ensure that these large, mature, and distinctive trees are retained during the site development, a condition of approval is included to require that these two trees be preserved on the site.

Policy 84.00 Multiple-family, low-cost housing (subsidized) shall be dispersed throughout the community by appropriate zoning to avoid inundating any one area with a concentration of this type of housing.

Policy 86.00 Dispersal of new multiple-family housing development will be encouraged throughout the residentially designated areas in the City to avoid a concentration of people, traffic congestion, and noise. The dispersal policy will not apply to areas on the fringes of the downtown "core," and surrounding Linfield College where multiple-family developments shall still be allowed in properly designated areas.

Finding: **Policy 84.00 and Policy 86.00 are satisfied by this proposal.** The subject site is not specifically intended to provide subsidized housing, and the site is within the fringes of Linfield College. Therefore, neither of these policies are applicable.

Policy 89.00 Zoning standards shall require that all multiple-family housing developments provide landscaped grounds.

Finding: Policy 89.00 is satisfied by this proposal. Landscaping will be required for any future proposed multiple-family housing development at the time of development.

Policy 90.00 Greater residential densities shall be encouraged to locate along major and minor arterials, within one-quarter mile from neighborhood and general commercial shopping centers, and within a one-half mile wide corridor centered on existing or planned public transit routes. (Ord. 4840, January 11, 2006; Ord. 4796, October 14, 2003)

Policy 91.00 Multiple-family housing developments, including condominiums, boarding houses, lodging houses, rooming houses but excluding campus living quarters, shall be required to access off of arterials or collectors or streets determined by the City to have sufficient traffic carrying capacities to accommodate the proposed development. (Ord. 4573, November 8, 1994)

Policy 92.00 High-density housing developments shall be encouraged to locate along existing or potential public transit routes.

Policy 92.01 High-density housing shall not be located in undesirable places such as near railroad lines, heavy industrial uses, or other potential nuisance areas unless design factors are included to buffer the development from the incompatible use. (Ord. 4796, October 14, 2003)

Policy 92.02 High-density housing developments shall, as far as possible, locate within reasonable walking distance to shopping, schools, and parks, or have access, if possible, to public transportation. (Ord. 4796, October 14, 2003)

Finding: Policies 90.00, 91.00, 92.00, 92.01 and 92.02 are satisfied by this proposal.

As discussed in more detail above, the subject site is located well within one-quarter mile of areas zoned for commercial uses, is located immediately adjacent to existing public transit routes, and is accessed off of a roadway with sufficient traffic carrying capacities to accommodate the development of the site in the proposed zone. The applicant has submitted a traffic impact analysis that shows that the zone change on the subject site would not have any significant or adverse impacts on the surrounding street system. Given the findings of the traffic impact analysis, it can be found that the site has appropriate access for higher density development. More detail on the traffic impact analysis is provided in the findings for the zone change review criteria below. Findings for the additional locational requirements are also provided in the findings for Policy 71.13 above. The subject site is not located near any of the undesirable places listed in Policy 92.01.

Policy 99.00 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:

- 1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*
- 2. Storm sewer and drainage facilities (as required).*
- 3. Streets within the development and providing access to the development, improved to city standards (as required).*
- 4. Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*
- 5. Deleted as per Ord. 4796, October 14, 2003.*

Finding: Policy 99.00 is satisfied by this proposal. Adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and municipal water distribution systems and supply either

presently serve or can be made available to adequately serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Any necessary or required street improvements shall be required at the time of development of the subject site.

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 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.

Policy 119.00 The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.

Policy 120.00 The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.

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

3. Major, Minor arterials.

- a. Access should be controlled, especially on heavy traffic-generating developments.*
- b. Designs should minimize impacts on existing neighborhoods.*
- c. Sufficient street rights-of-way should be obtained prior to development of adjacent lands.*
- d. On-street parking should be limited wherever necessary.*
- e. Landscaping should be required along public rights-of-way.*

Finding: Goal VI 1 and Policies 117.00, 119.00, 120.00 and 122.00 are satisfied by this proposal.

The subject site is currently adjacent to the SE Baker Street public right-of-way and street. SE Baker Street/Highway 99W is identified in the Transportation System Plan as a major arterial street. The applicant provided a traffic impact analysis that analyzed the proposed access to the site off of the major arterial but still in close proximity to allow for trips generated from the site to enter the arterial at an existing major intersection. The traffic impact analysis also analyzed the change in trips and the impacts of a reasonable worst case development that could be allowed under an eventual zoning designation, and found that there were no significant impacts to the functionality of the surrounding street network. More detail on the traffic impact analysis is provided in the findings for the zone change review criteria below. Any right-of-way improvements required for the subject site will be required at the time of development.

Policy 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

Policy 127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and right-of-ways as transportation routes.

Finding: Policies 126.00 and 127.00 are satisfied. Off-street parking will be required based on the type of development proposed and allowed under the eventual zoning of the subject site.

Policy 130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connect residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities.

Policy 132.15 The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.

Finding: Policies 130.00 and 132.15 are satisfied. If it is determined that the existing public sidewalks are not sufficient at the time of development, they will be required to be upgraded to Public Right-of-Way Accessibility Guidelines (PROWAG) as a condition of building permit approval, which will enhance pedestrian connections between the site and the surrounding area.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMINNVILLE URBAN GROWTH BOUNDARY.

Policy 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines with the framework outlined below:

- 5. Sufficient municipal treatment capacities exist to handle maximum flows of effluents.*
- 6. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*
- 7. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized*
- 8. Extensions will implement applicable goals and policies of the comprehensive plan.*

Policy 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00 The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00 The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

- 5. Facilities are placed in locations and in such manner as to insure compatibility with surrounding land uses.*
- 6. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
- 7. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized;*

8. *Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

Policy 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

6. *Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
7. *Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
8. *Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
9. *Federal, state, and local water and waste water quality standards can be adhered to.*
10. *Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 139.00, 142.00, 143.00, 144.00, 145.00, 147.00 and 151.00 are satisfied by the proposal.

Based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 153.00 The City of McMinnville shall continue coordination between the planning and fire departments in evaluating major land use decisions.

Policy 155.00 The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

Finding: Policies 153.00 and 155.00 are satisfied. Emergency services departments have reviewed this request and no concerns were raised. Any requirements of the Oregon Fire Code or Building Code will be required at the time of development.

GOAL VII 3: TO PROVIDE PARKS AND RECREATION FACILITIES, OPEN SPACES, AND SCENIC AREAS FOR THE USE AND ENJOUMENT OF ALL CITIZENS OF THE COMMUNITY.

Policy 163.00 The City of McMinnville shall continue to require land, or money in lieu of land, from new residential developments for the acquisition and/or development of parklands, natural areas, and open spaces.

Finding: Goal VII 3 and Policy 163.00 are satisfied. Park fees shall be paid for each housing unit at the time of building permit application as required by McMinnville Ordinance 4282, as amended.

GOAL VIII 1: TO PROVIDE ADEQUATE ENERGY SUPPLIES, AND THE SYSTEMS NECESSARY TO DISTRIBUTE THAT ENERGY, TO SERVICE THE COMMUNITY AS IT EXPANDS.

Policy 173.00 The City of McMinnville shall coordinate with McMinnville Water and Light and the various private suppliers of energy in this area in making future land use decisions.

Policy 177.00 The City of McMinnville shall coordinate with natural gas utilities for the extension of transmission lines and the supplying of this energy resource.

Finding: Policies 173.00 and 177.00 are satisfied. McMinnville Water and Light and Northwest Natural Gas were provided opportunity to review and comment regarding this proposal and no concerns were raised.

Policy 178.00 The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.

Finding: Policy 178.00 is satisfied. The applicant is proposing to amend the current zoning designations of this site to O-R (Office/Residential) to allow for both office and multiple family housing uses on the subject site, thereby achieving a more compact form of urban development and energy conservation in an area of the city that is already fully developed and provided with urban services.

GOAL X1: 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 X1 and Policy 188.00 are satisfied. McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the holding of advertised public hearing(s). 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:

17.74.020 Comprehensive Plan Map Amendment and Zone Change - Review Criteria. An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- D. The proposed amendment is consistent with the goals and policies of the comprehensive plan;

- E. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;
- F. Utilities and services can be efficiently provided to service the proposed uses or other potential uses in the proposed zoning district.

When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statutes), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

Finding: Section 17.74.020 is satisfied by this proposal.

The proposed Zone Change is consistent with the goals and policies of the Comprehensive Plan, as described in more detail above in the specific findings for each Comprehensive Plan goal and policy.

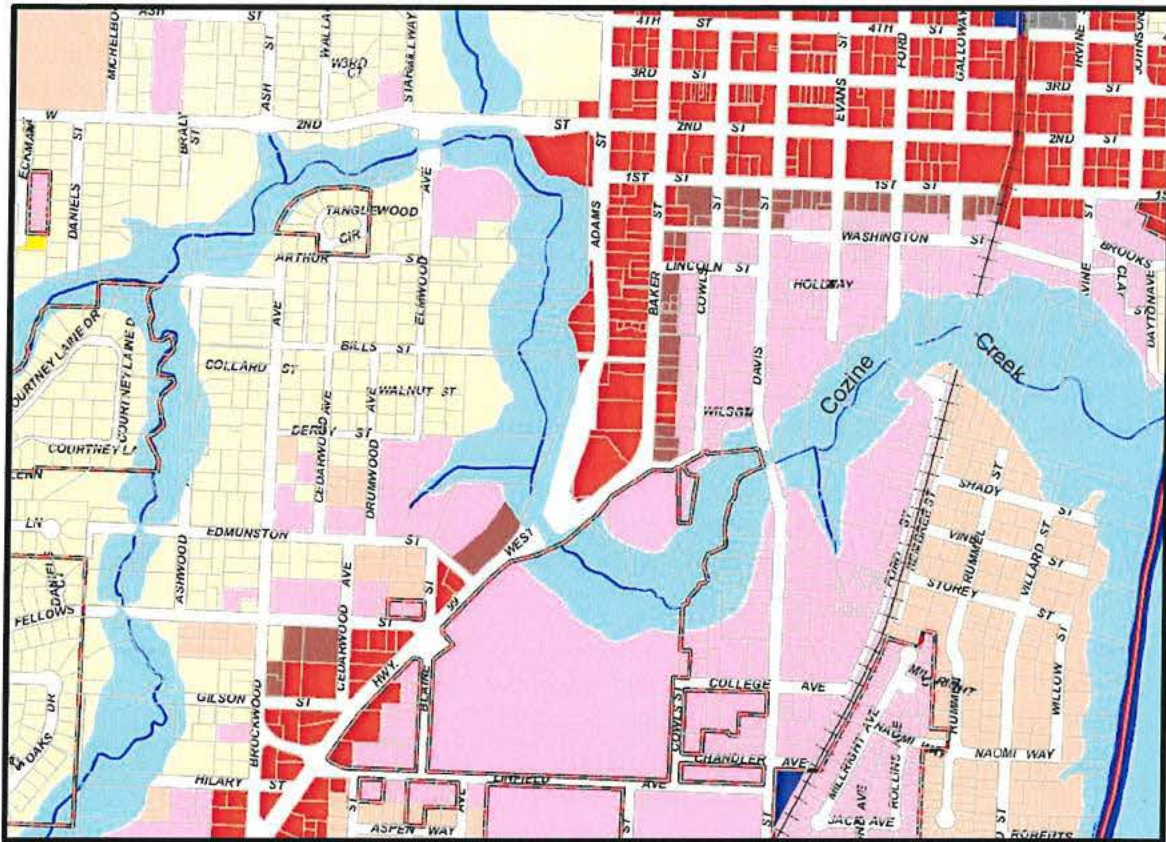
The development pattern in the area surrounding the subject site includes both residential and commercial land uses and zones. The properties to the west and north between Adams Street and Baker Street are currently zoned C-3 (General Commercial). Properties immediately to the north of the subject site, but also fronting Baker Street are currently zoned O-R (Office/Residential), the same zone the applicant is proposing for the subject site. The subject site, similar to those other commercially zoned properties, is located immediately adjacent to Baker Street/Highway 99W, a higher volume roadway that is generally more compatible with commercial uses than residential uses. While land adjacent to the subject site to the east and further northeast along Cowls Street is zoned R-4 (Multiple Family Residential), the change of the subject site to the O-R (Office/Residential) zone is not inconsistent with the treatment of other areas along this portion of the Highway 99W corridor.

Also, the proposed O-R (Office/Residential) zone at this location meets multiple other goals or intended uses for the O-R zone. Specifically, the purpose statement for the O-R (Office/Residential) zone in Section 17.24.010 of the McMinnville City Code states:

The purpose and intent of this zone is at least two-fold. One, it may be used to provide a transition and buffer area between commercially zoned and residentially zoned areas; and two, it is intended to provide an incentive for the preservation of old and historical structures. It may also serve as a buffer zone along major arterials between the roadway and the interior residential areas. Therefore, the requirements set forth herein should be interpreted in relationship to the protection of abutting residential areas. Implementation and interpretation should take into consideration those factors conducive to a healthy place to live, and improvements should be in scale and relationship to surrounding property uses.

The proposed zone change would be consistent with the purpose of the O-R (Office/Residential) zone, as the subject site is located between commercially zoned property across Baker Street to the west and residentially zoned property along Cowls Street to the east. The change to the O-R zone would provide a transition between commercial and residential zones, and also would serve as a buffer zone along the major arterial roadway, that being Baker Street/Highway 99W, and the interior residential areas further east and northeast along Cowls Street. The O-R (Office/Residential) zone also includes some yard requirements that will provide setbacks and spacing between buildings and property lines, as well as a limitation on building height to no more than 35 feet, which is the maximum building height in lower density residential zones. These standards would not apply if the request was to change to another commercial zone such as C-3 (General Commercial, and will provide some buffering from the adjacent residential areas.

The zoning map in the area surrounding the subject site can be seen below, showing other properties in the vicinity that are currently zoned O-R (Office/Residential) that provide for a transition between commercial and residential zones.



Given the surrounding land uses and development pattern, the proposed zone change is orderly and timely. The change to the O-R (Office/Residential) zone will complement the other commercially zoned lands surrounding the subject site, and will ensure a transition from commercial to residential use.

Utility and Service Provision: This area is well served by existing sanitary and storm sewer systems as well as other public utilities. The Engineering Department has reviewed this proposal and has offered no concerns with providing adequate services to this site to support development at the subject site. At the time of development of the site, all necessary utilities and improvements will be required to be completed along with the building permit activities.

Street System: The applicant has provided a traffic impact analysis that concluded that the surrounding street network has the capacity to accommodate the number of trips that would result from the applicant's request to amend the Comprehensive Plan Map designation and complete a zone change to O-R (Office/Residential) to allow the development of office and residential uses on the subject site.

The traffic impact analysis included an analysis of the impacts of development of the site on three intersections near the subject site, at Baker Street and SE Handley Street, Baker Street and Cows Street, and Baker Street and the Adams Street U-turn. In determining site generated traffic and trip distribution, it was determined that a majority of the traffic to and from the site would come to and from Highway 99W, with 45% of the trips to and from Adams Street and 50% of the trips to and from Baker Street. Only 5% of the trips were determined to travel to and from Cows Street, so no intersections on Cows Street were included in the traffic impact analysis.

The analysis also considered the Oregon Transportation Planning Rule (TPR) to ensure that the proposed development would not have any significant effect on any existing or planned transportation facility. To analyze the potential effects of the proposed development, the worst case trip generation within the existing Comprehensive Plan Map designation and zone was compared to the reasonable worst case trip generation within the proposed Comprehensive Plan Map designation and zone. The existing zoning of R-4 PD (Multiple Family Residential Planned Development) includes a Planned Development Overlay District that actually does not specify any particular use on the subject site, only showing it as vacant and noting that future use of the property needed to be determined by Linfield College. Therefore, the applicants assumed the worst case trip generation in the existing zone to be a maximum build out of the number of apartment units that would be allowed in the underlying R-4 zone (83 units based on the lot size). The worst case trip generation for the proposed O-R (Office/Residential) zone was assumed based on the type of development that would be allowed in that zone. Specifically, it was assumed that worst case trip generation in the proposed zone would result from the buildout of only office uses on the site. An assumption was made that 40% of the buildable portion of the subject site (that area being outside of the floodplain) would be developed with a building, allowing for the rest of the area to be used for landscaping, parking, setbacks, and other associated improvements. This resulted in an assumed 49,835 square foot office building.

The traffic impact analysis determined that the proposed zone change could result in a net increase in trips from what could be developed in the existing, underlying R-4 zone. Again, this is based on the buildout of a 49,835 square foot office building. The net change in trips under the existing and proposed zoning is provided below:

Table 1. Trip Generation of Existing Zoning vs. Proposed Zoning

Existing Zoning Description & ITE Code	Units	Daily	Weekday AM Peak Hour			Weekday PM Peak Hour		
			Total	In	Out	Total	In	Out
Multifamily Housing (Mid-Rise) (ITE #221)	83	451	29	7	22	37	23	14
Proposed Zoning Description & ITE Code	KSF	Daily	Weekday AM Peak Hour			Weekday PM Peak Hour		
			Total	In	Out	Total	In	Out
General Office (ITE #710)	49,835	540	73	63	10	59	9	50
Net Increase in Trips		+89	+44	+56	-12	+22	+14	+36

Source: ITE Trip Generation Manual, 10th Edition
 Fitted curve equations used
 KSF = 1000 square feet

After identifying trip generation, those trips were then entered into a traffic model to determine impacts and functionality of the surrounding street network. The traffic analysis showed that all of the intersections included in the analysis would continue to function under the mobility standard for Oregon Department of Transportation highways, which is an intersection V/C ratio of 0.90. The intersection V/C ratios were all well under that 0.90 level, and therefore found acceptable by Oregon Department of Transportation and the City of McMinnville. The overall intersection V/C, which is a calculation of volume to capacity, increase only slightly between the 2023 background traffic and 2023 traffic including the development of the subject site. Those slight increases occurred at Baker/Handley and Baker/Cowls in the PM peak hour, and at Baker/Adams U-Turn during the AM peak hour. However, it should be noted that intersection V/C actually improved in a few situations, including at Baker/Cowls in the AM peak hour and at Baker/Adams U-Turn in the PM peak hour.

Table 2. SE Baker Street (Highway 99W)/SE Handley Street

Traffic Scenario	2010 HCM Methodology	
	Weekday AM Peak Hour	Weekday PM Peak Hour
	Intersection V/C	Intersection V/C
2018 Existing Traffic	0.03	0.05
2023 Background Traffic	0.03	0.08
2023 Total Traffic	0.03	0.11

Note: 2010 Highway Capacity Manual methodology used in analysis.

Table 3. SE Baker Street (Highway 99W)/SE Cows Street

Traffic Scenario	2010 HCM Methodology	
	Weekday AM Peak Hour	Weekday PM Peak Hour
	Intersection V/C	Intersection V/C
2018 Existing Traffic	0.06	0.16
2023 Background Traffic	0.16	0.38
2023 Total Traffic	0.10	0.40

Note: 2010 Highway Capacity Manual methodology used in analysis.

Table 4. SE Baker Street (Highway 99W)/Adams U-turn

Traffic Scenario	2010 HCM Methodology	
	Weekday AM Peak Hour	Weekday PM Peak Hour
	Intersection V/C	Intersection V/C
2018 Existing Traffic	0.06	0.06
2023 Background Traffic	0.08	0.14
2023 Total Traffic	0.13	0.09

Note: 2010 Highway Capacity Manual methodology used in analysis.

More detailed analysis of the operations of each movement at each intersection were provided in Appendix G of the Traffic Impact Analysis (Synchro Intersection Capacity Analysis Report Outputs). A summary of the worst movements at each intersection are provided below. Again, only minor changes occurred in the delay times and level of service (LOS) of specific lanes or movements between the 2023 background traffic and 2023 traffic including the development of the subject site.

2018 AM Peak				
	Worst Mvmt	V/C	Delay (s/veh)	LOS
Baker & Adams U-Turn	EB Lane 1	.055	13.4	B
Baker & Handley	EB Lane 1	.025	13.2	B
Baker & Cowls	WB Lane 1	.058	17.4	C

2018 PM Peak				
	Worst Mvmt	V/C	Delay (s/veh)	LOS
Baker & Adams U-Turn	EB Lane 1	.064	14.8	B
Baker & Handley	EB Lane 1	.046	15.8	C
Baker & Cowls	EB Lane 1	.164	20.9	C

2023 No Build AM Peak				
	Worst Mvmt	V/C	Delay (s/veh)	LOS
Baker & Adams U-Turn	EB Lane 1	.075	12.7	B
Baker & Handley	EB Lane 1	.027	13	B
Baker & Cowls	WB Lane 1	.155	16.2	C

2023 No Build PM Peak				
	Worst Mvmt	V/C	Delay (s/veh)	LOS
Baker & Adams U-Turn	EB Lane 1	.144	17.7	C
Baker & Handley	EB Lane 1	.093	21	C
Baker & Cowls	EB Lane 1	.188	42.3	E

2023 Build AM Peak				
	Worst Mvmt	V/C	Delay (s/veh)	LOS
Baker & Adams U-Turn	EB Lane 1	.134	13.4	B
Baker & Handley	EB Lane 1	.026	12.7	B
Baker & Cowls	WB Lane 1	.103	17.9	C

2023 Build PM Peak				
	Worst Mvmt	V/C	Delay (s/veh)	LOS
Baker & Adams U-Turn	EB Lane 1	.09	16.9	C
Baker & Handley	EB Lane 1	.108	23.9	C
Baker & Cowls	EB Lane 1	.396	44.7	E

Based on those figures, the traffic impact analysis concluded that the surrounding street network has the capacity to accommodate the number of trips that would result from the applicant's request to amend the Comprehensive Plan Map designation and complete a zone change to O-R (Office/Residential), even with the assumed maximum buildout of the subject site. The proposed development was also found to meet the Transportation Planning Rule (TPR), as the proposal did not change any functional classification of street, and did not result in any levels of traffic delay or other degradation of street functionality below the acceptable standards of the agency with jurisdiction, which in this case is the Oregon Department of Transportation. The Engineering Department and the Oregon Department of Transportation reviewed the traffic impact analysis, and neither had any concerns with the analysis or the findings.

CD:sjs

EXHIBIT C



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

503-434-7311

www.mcminnvilleoregon.gov

DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A PLANNED DEVELOPMENT AMENDMENT TO REMOVE PROPERTIES FROM AN EXISTING PLANNED DEVELOPMENT OVERLAY DISTRICT AT 600 SE BAKER STREET

DOCKET: PDA 1-18 (Planned Development Amendment)

REQUEST: Approval to amend the existing Planned Development Overlay District and Linfield College Master Plan boundary to remove properties from the Overlay District and Master Plan boundary. The original Planned Development Overlay District was adopted in 2000 by Ordinance 4739.

LOCATION: The subject site is located at 600 SE Baker Street, and is more specifically described as Tax Lots 101 and 200, Section 20DD, T. 4 S., R. 4 W., W.M., respectively.

ZONING: The subject site's current zoning is R-4 PD (Multiple Family Residential Planned Development)

APPLICANT: MV Advancements, on behalf of property owner Linfield College

STAFF: Chuck Darnell, Senior Planner

DATE DEEMED COMPLETE: November 15, 2018

HEARINGS BODY: McMinnville Planning Commission

DATE & TIME: December 20, 2018. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

HEARINGS BODY: McMinnville City Council

DATE & TIME: January 22, 2019 and February 12, 2019. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

PROCEDURE: A request to amend an existing Planned Development requires an application to be reviewed by the Planning Commission during a public hearing, as described in Section 17.72.120 of the McMinnville City Code.

CRITERIA: The applicable criteria are specified in Section 17.74.070 of the McMinnville City Code.

APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.72.180 of the McMinnville City Code.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION

Based on the findings and conclusions, the City Council **APPROVES** the Planned Development Amendment (PDA 1-18), **subject to the conditions of approval provided in this document.**

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DECISION: APPROVAL WITH CONDITIONS
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City Council: Scott Hill
Scott Hill, Mayor of McMinnville

Date: 2/19/2019

Planning Commission: Roger Hall
Roger Hall, Chair of the McMinnville Planning Commission

Date: Feb. 19, 2019

Planning Department: Heather Richards
Heather Richards, Planning Director

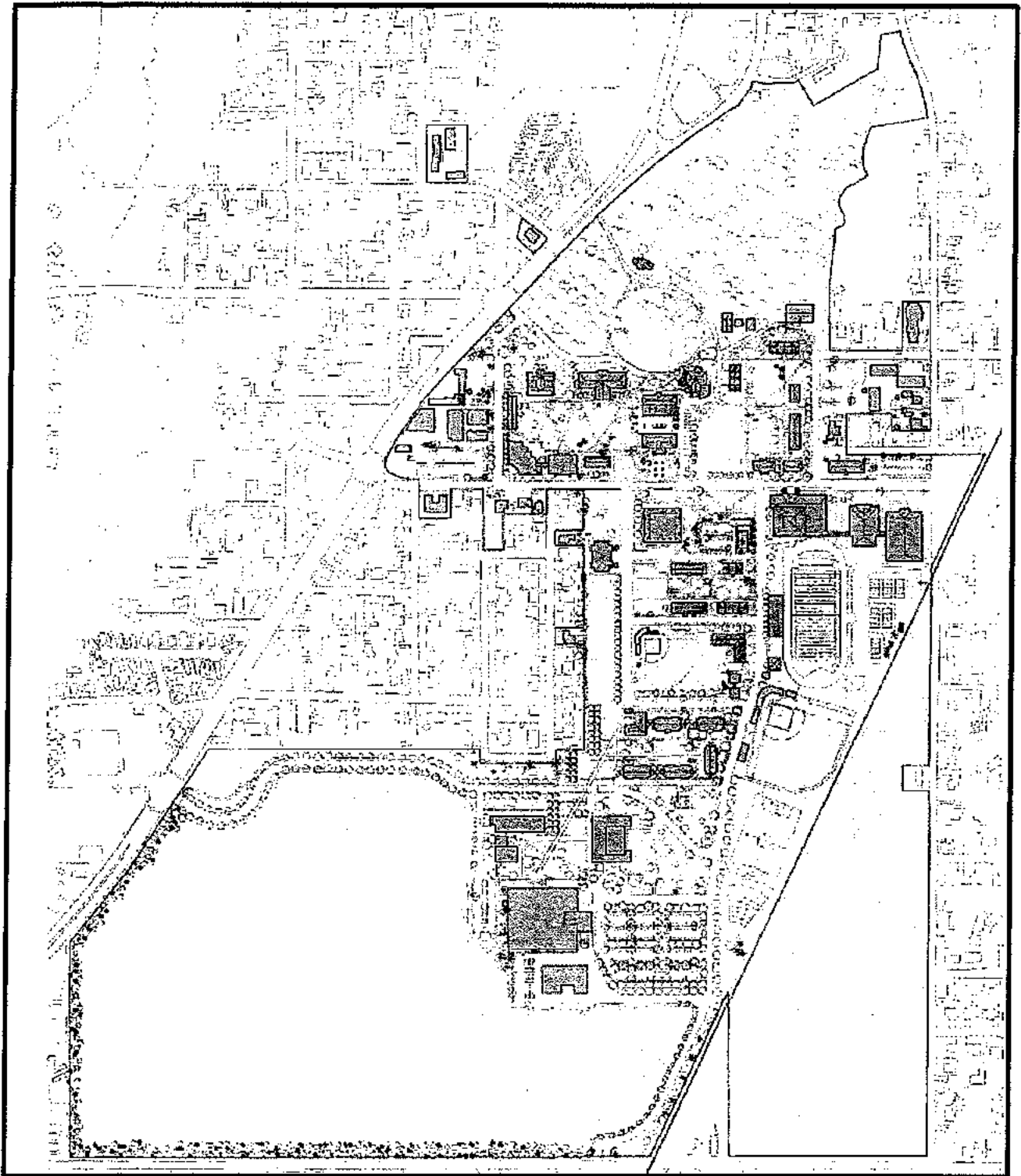
Date: 2/19/19

APPLICATION SUMMARY:

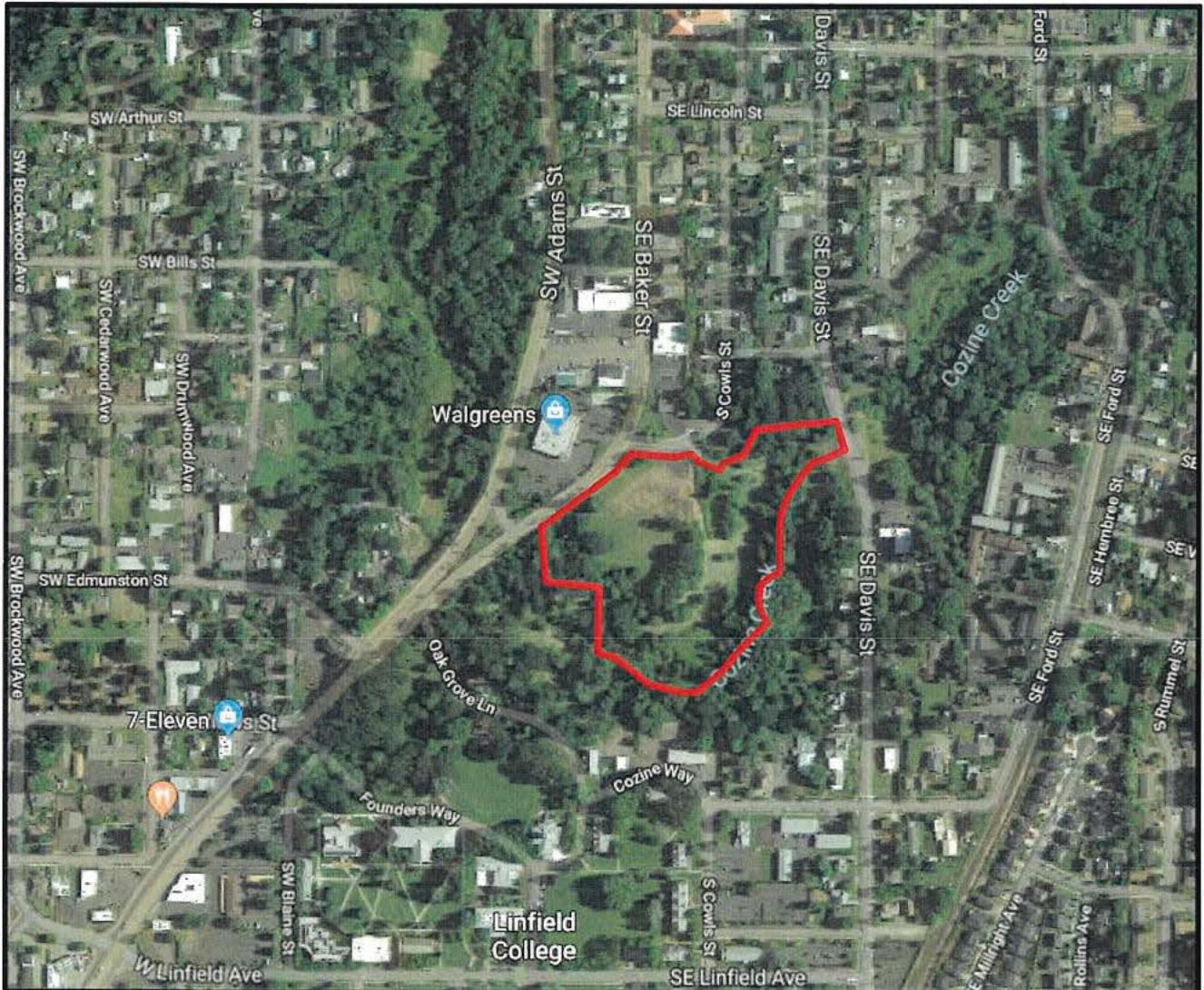
Preceding the proposed Planned Development Amendment were two related requests on the same properties and subject site. Those requests were to amend the Comprehensive Plan Map designation on a portion of the site from Residential to Commercial, and to rezone a portion of the site from R-4 PD (Multiple Family Residential Planned Development) to O-R (Office/Residential) to allow for development of an office use and future multiple-family residential uses on the subject site.

The Planned Development Amendment is necessary due to the type of zone change that was requested. The existing properties are included in the Linfield College Master Plan and Planned Development Overlay District, which were approved and adopted in 2000 by Ordinance 4739. The requested zone change would result in the properties being rezoned to O-R (Office/Residential), and no Planned Development is being requested. The properties would also no longer be owned by Linfield College, and would have no direct relationship to the operations of the campus, other than being located immediately to the north of the campus grounds. Therefore, the specific request is for a Planned Development Amendment to remove the subject site from the Linfield College Master Plan area and Planned Development Overlay District, effectively adjusting the boundary of the Planned Development Overlay District.

The Linfield College Master Plan included all properties owned by the college, and identified current and future uses for most areas of the campus. The overall master plan map adopted with the Linfield College Master Plan by Ordinance 4739 is provided below:



The subject site is identified below (boundary shown below is approximate):



The applicant has submitted a conceptual development plan for the site, which they have specifically requested to not be binding on the site in any way, to depict the potential office and multiple-family residential uses they anticipate to construct on the site. The concept plan shows the development of an approximately 10,000 square foot office building, and identifies areas to the south of the office building as “future development” areas where up to 24 multiple family dwelling units could be constructed.

The concept plan, *which again is not proposed to be binding on the site and is not subject to site or design review as part of the proposed Planned Development Amendment*, is identified below:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The following comments had been received:

- McMinnville Engineering Department

The application demonstrates that the transportation and sanitary sewer infrastructure is adequate to support the proposal. At the time of building permits, the appropriate infrastructure improvements will be required.

Thus, no comments or suggested conditions of approval.

- Oregon Department of Transportation

Attached are ODOT's comments on the subject TIA*. Specific questions on these comments should be directed to Keith Blair. Based on this review, we have no comments or objection to the proposed comprehensive plan amendment and zone change. Please include ODOT in any future notifications on this project including findings and conditions of approval.

*Note – Full ODOT comments referenced above are listed as an attachment and are on file with the Planning Department.

Public Comments

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, December 11, 2018. As of the date of the Planning Commission public hearing on December 20, 2018, no public testimony had been received by the Planning Department.

FINDINGS OF FACT

- A. MV Advancements, on behalf of property owner Linfield College, requested a Planned Development Amendment to remove properties from an existing Planned Development Overlay District. The subject site is located at 600 SE Baker Street, and is more specifically described as Tax Lots 101 and 200, Section 20DD, T. 4 S., R. 4 W., W.M.
- B. The site was designated as Residential on the McMinnville Comprehensive Plan Map, 1980. The site was zoned R-4 PD (Multiple Family Residential Planned Development) on the McMinnville Zoning Map. Prior to the proposed Planned Development Amendment, the Comprehensive Plan Map designation was amended to Commercial, and the site was rezoned to O-R (Office/Residential), creating the need for the proposed Planned Development Amendment.
- C. Sanitary sewer and municipal water and power can adequately serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
- D. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building

Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. No comments in opposition were provided to the Planning Department.

- E. Notice of the application was provided by the City of McMinnville to property owners within 300 feet of the subject site, as required by the process described in Section 17.72.120 (Applications–Public Hearings) of the McMinnville Zoning Ordinance. Notice of the public hearing was also provided in the News Register on Tuesday, December 11, 2018. No public testimony was provided to the Planning Department prior to the Planning Commission public hearing.
- F. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

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 II 1: TO PRESERVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES WITHIN THE PLANNING AREA.

Policy 2.00 The City of McMinnville shall continue to enforce appropriate development controls on lands with identified building constraints, including, but not limited to, excessive slope, limiting soil characteristics, and natural hazards.

Policy 9.00 The City of McMinnville shall continue to designate appropriate lands within its corporate limits as "floodplain" to prevent flood induced property damages and to retain and protect natural drainage ways from encroachment by inappropriate uses.

Finding: Goal II 1 and Policies 2.00 and 9.00 are satisfied. The applicant has stated that they have no plans to develop the portion of the property that is located in the Cozine Creek floodplain. Based on wetland, flood plain and topographic maps, it is estimated that approximately 50% of the site is usable (124,575 SF / 2.86 acres). The areas of the subject site that are currently designated on the Comprehensive Plan Map as Flood Plain would keep that designation, and only the portions of the subject site outside of the Flood Plan designation would be subject to the proposed Comprehensive Plan Map Amendment. The applicant has further stated that they are aware that Linfield College, in conjunction with the Greater Yamhill Watershed Council, has plans to restore the Cozine Creek property between the Linfield campus and this property to its original, native plant species. The applicant has stated that it is their intent to fully cooperate with this restoration.

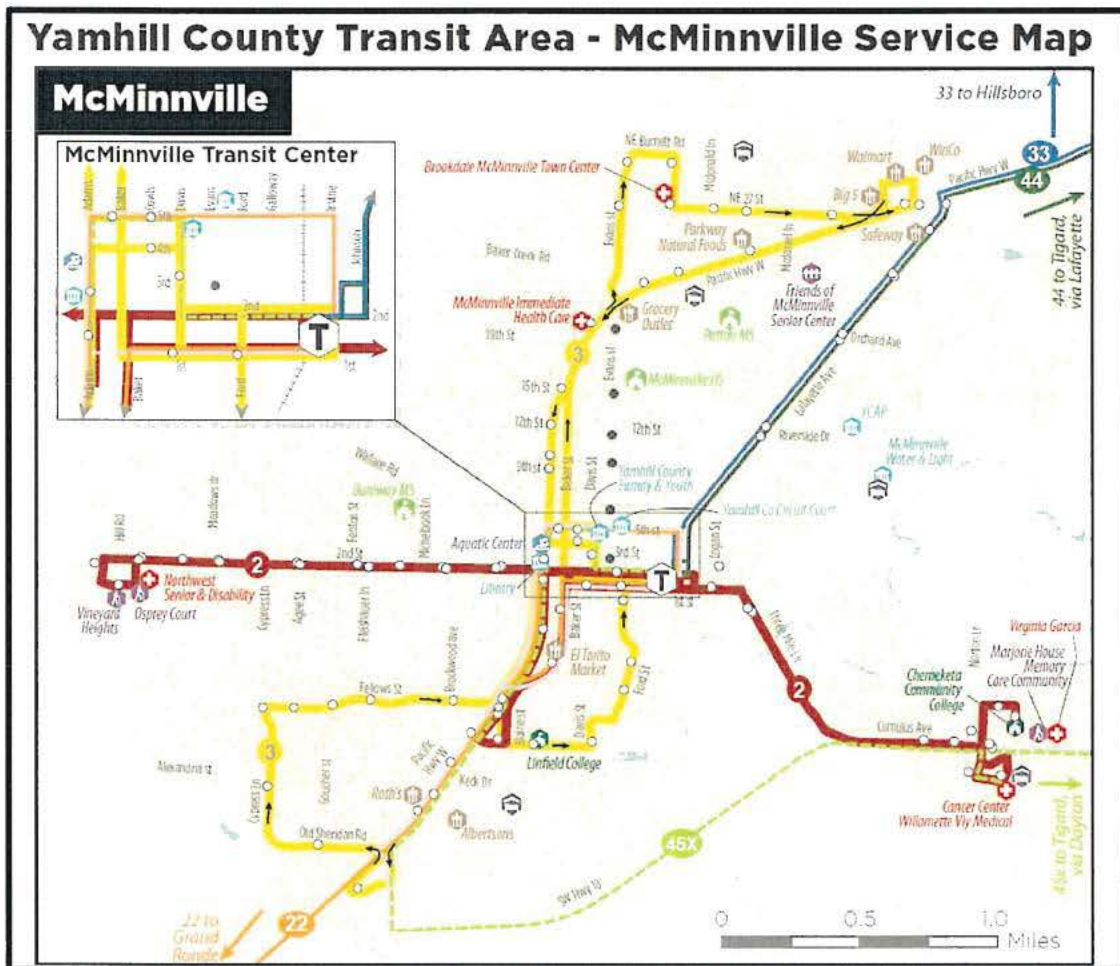
GOAL III 1: TO PROVIDE CULTURAL AND SOCIAL SERVICES AND FACILITIES COMMENSURATE WITH THE NEEDS OF OUR EXPANDING POPULATION, PROPERLY LOCATED TO SERVICE THE COMMUNITY AND TO PROVIDE POSITIVE IMPACTS ON SURROUNDING AREAS.

Policy 13.00 The City of McMinnville shall allow future community center type facilities, both public and private, to locate in appropriate areas based on impacts on the surrounding land uses and the community as a whole, and the functions, land needs, and service area of the proposed facility.

Policy 14.00 The City of McMinnville shall strive to insure that future public community facilities, where possible and appropriate, are consolidated by locating the new structures in close

proximity to other public buildings. This will be done in order to realize financial benefits, centralize services, and positively impact future urban development.

Finding: Goal III 1 and Policies 13.00 and 14.00 are satisfied. The applicant, MV Advancements, is an organization that provides social services to individuals who experience disabilities. The proposed Comprehensive Plan Map Amendment from Residential to Commercial will allow the applicant to locate office uses on the subject site, thereby providing their services in a location that is properly located to service the community. They have selected the subject site due to its location, being in close proximity to other community services that their clients would need to access. The proximity to downtown McMinnville and the other social service providers in that area allows for the MV Advancements site to still easily provide its services to the community. The site is located on a public transit route, an important locational factor for this social service use as many of their clients rely on public transit for transportation services. Both local routes (Route 2 and Route 3) serve the subject site, with northbound Route 2 passing immediately adjacent to the site, and southbound Route 3 passing close to the site on Adams Street just west of the subject site before Adams Street connects back with SE Baker Street heading southwest. Both of those routes run at regular 10-minute intervals throughout the day on all weekdays, providing connections throughout the city and also to the transit center where connections can be made with other routes.



Policy 72.00 Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.

- Policy 73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.*
- Policy 74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.*
- Policy 75.00 Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.*
- Policy 76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.*
- Policy 77.00 The internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways.*
- Policy 78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.*

Finding: Policies 72.00, 73.00, 74.00, 75.00, 76.00, 77.00, and 78.00 are satisfied by this proposal.

The proposed Planned Development Amendment results in the removal of the subject site from the Planned Development Overlay District and Linfield College Master Plan area. The removal of the property is necessary due to the approval of a Comprehensive Plan Map amendment and Zone Change on the subject sites that were found to meet all applicable Comprehensive Plan goals, policies, and review criteria. The Planned Development Amendment, as it is solely the removal of the subject site from a much larger Overlay District, does not result in any change to the remainder of the Planned Development Overlay District. Specifically, a condition of approval is included to ensure that all other standards and conditions of approval adopted by Ordinance 4739 in the approval of the original Planned Development Overlay District would remain in effect.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMINNVILLE URBAN GROWTH BOUNDARY.

Policy 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines with the framework outlined below:

- 9. Sufficient municipal treatment capacities exist to handle maximum flows of effluents.*
- 10. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*
- 11. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized*
- 12. Extensions will implement applicable goals and policies of the comprehensive plan.*

Policy 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00 The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00 The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

- 9. Facilities are placed in locations and in such manner as to insure compatibility with surrounding land uses.*
- 10. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
- 11. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized;*
- 12. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

Policy 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 11. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
- 12. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
- 13. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 14. Federal, state, and local water and waste water quality standards can be adhered to.*
- 15. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 139.00, 142.00, 143.00, 144.00, 145.00, 147.00 and 151.00 are satisfied by the proposal.

Based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 153.00 The City of McMinnville shall continue coordination between the planning and fire departments in evaluating major land use decisions.

Policy 155.00 The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

Finding: Policies 153.00 and 155.00 are satisfied. Emergency services departments have reviewed this request and no concerns were raised. Any requirements of the Oregon Fire Code or Building Code will be required at the time of development.

GOAL VII 3: TO PROVIDE PARKS AND RECREATION FACILITIES, OPEN SPACES, AND SCENIC AREAS FOR THE USE AND ENJOUMENT OF ALL CITIZENS OF THE COMMUNITY.

Policy 163.00 The City of McMinnville shall continue to require land, or money in lieu of land, from new residential developments for the acquisition and/or development of parklands, natural areas, and open spaces.

Finding: Goal VII 3 and Policy 163.00 are satisfied. Park fees shall be paid for each housing unit at the time of building permit application as required by McMinnville Ordinance 4282, as amended.

GOAL VIII 1: TO PROVIDE ADEQUATE ENERGY SUPPLIES, AND THE SYSTEMS NECESSARY TO DISTRIBUTE THAT ENERGY, TO SERVICE THE COMMUNITY AS IT EXPANDS.

Policy 173.00 The City of McMinnville shall coordinate with McMinnville Water and Light and the various private suppliers of energy in this area in making future land use decisions.

Policy 177.00 The City of McMinnville shall coordinate with natural gas utilities for the extension of transmission lines and the supplying of this energy resource.

Finding: Policies 173.00 and 177.00 are satisfied. McMinnville Water and Light and Northwest Natural Gas were provided opportunity to review and comment regarding this proposal and no concerns were raised.

GOAL X1: 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 X1 and Policy 188.00 are satisfied. McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to

the holding of advertised public hearing(s). 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:

17.74.070 Planned Development Amendment - Review Criteria. An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:

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

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

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
- D. The plan can be completed within a reasonable period of time;
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

Finding: Section 17.74.070 is satisfied by this proposal.

The request is to remove the subject site and properties from the Planned Development Overlay District, so no other changes would be made to the existing Planned Development or changes to any of the regulations or conditions of approval contained within the Planned Development. Specifically, a condition of approval is included to ensure that all other standards and conditions of approval adopted by Ordinance 4739 in the approval of the original Planned Development Overlay District would remain in effect.

The subject site is currently included within the Planned Development Overlay District, but there are no specific future land uses identified in the Linfield College Master Plan for the subject site. More specifically, on Page 19 of the Master Plan, the Cozine Creek and surrounding areas (including the subject site north of the creek and southeast of Baker Street) are identified as a "Cozine Creek programmatic zone". However, on Page 18, the Master Plan identifies the northern boundary of the campus as the Cozine Creek. The Master Plan Goals, on Page 21, continue with a statement that "The College should decide whether to keep outlying parcels including the Columbus School Site...". Campus open spaces are discussed in more detail on Page 36, but the "Open Spaces" map shows a

"Cozine Creek Park" that is more focused on the creek corridor and does not include the property in question to the north. Given that the Master Plan Goals consider the possibility of the property in question being released by the college, the fact that the application was submitted for removal of the properties from the Planned Development Overlay District is evidence that Linfield College has considered whether to keep control of the parcel, and decided not to and allow it to be sold and developed. This is further evidenced by the letter of support provided by the applicant from Linfield College, showing that the college is in support of the applicant's intended use of the properties.

Based on these descriptions of the subject site in the Linfield Master Plan, there are special objectives of the proposed development (that being the Comprehensive Plan Map amendment and zone change because a final site and development plan has not been submitted) that warrant the amendment of the Planned Development Overlay District to remove the subject site and properties. The resulting development, again being the Comprehensive Plan Map amendment and zone change, would not be inconsistent with the Comprehensive Plan goals, policies, and objectives, as described in the findings of fact in the Decision Documents for those land use requests. The applicant has provided a traffic impact analysis, which was also described in the findings of fact in the Decision Documents for the two prior land use requests, to show that future construction will not significantly impact the street network in the surrounding area. Also, the future build out of the site will be required to provide all required infrastructure, utilities, and drainage to support the buildings that are proposed at that time.

CD:sjs