



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

www.mcminnvilleoregon.gov

MEMORANDUM

DATE: September 19, 2019
TO: Planning Commission Members
FROM: Chuck Darnell, Senior Planner
SUBJECT: Proposed Amendments to CU 3-19 (Conditional Use) and TML 2-19 (Three Mile Lane Development Review) Decision Documents

Since the time of issuance of the Planning Commission packet, the Planning Department has been in conversations with the applicant of the Conditional Use (CU 3-19) and Three Mile Lane Design Review (TML 2-19) applications in regards to some potential amendments to the draft Decision Documents that were prepared by staff.

The first potential amendment is in regards to suggested Condition #1 on the Conditional Use (CU 3-19) application and Condition #1 on the Three Mile Lane Design Review (TML 2-19) application, which was suggested by staff to be as follows:

1. Prior to the issuance of any building or development permits for the project, the subject site shall be partitioned as approved by the tentative partition recently reviewed under docket number MP 4-19. All applicable conditions of approval from docket number MP 4-19 shall be satisfied.

The applicant has expressed an interest in moving forward with both the memory care building construction and the construction of the street, utility, and sidewalk improvements associated with the partition at the same time. This request has been discussed internally, and both the Planning and Engineering Departments are comfortable allowing both components of the project to move forward concurrently. In order to still ensure that the partition improvements (streets, utilities, sidewalks, planter strips, etc.) are completed to City standards and to serve the memory care facility, staff would suggest that the issuance of Certificate of Occupancy for the memory care facility be held until such time as all of the partition improvements are completed and the partition plat is recorded with Yamhill County. Therefore, staff is recommending that Condition #1 be amended as follows:

1. Prior to the issuance of any **Certificate of Occupancy** ~~building or development permits~~ for the **memory care facility** project, the subject site shall be partitioned as approved by the tentative partition recently reviewed under docket number MP 4-19. All applicable conditions of approval from docket number MP 4-19 shall be satisfied.

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The second potential amendment requested by the applicant is related to the illumination of the signage proposed on the memory care facility site. During the Planning Department's staff review of the applications, it was determined that the Three Mile Lane Planned Development Overlay District did not contain any specific regulations for signage in Residential Comprehensive Plan designations or zones. Since there are no regulations within the Three Mile Lane Planned Development Overlay District, the regulations for signage on residentially zoned land, which is the case of the subject site, defer back to the sign standards for residential zones in Section 17.62.070(A) of the McMinnville Municipal Code (MMC). In that section of the MMC, there are signage regulations for particular uses, but not for the proposed use of a memory care facility/nursing home/convalescent home. Therefore, staff had applied the regulations for what was determined to be the most similar use of a multi-family complex, which does not allow for sign illumination. A condition of approval was suggested in the draft Three Mile Lane Design Review Decision Document that did not allow the proposed monument sign to be illuminated.

Section 17.74.040 of the MMC states that "the Planning Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which it finds necessary to avoid a detrimental environmental impact and to otherwise protect the best interest of the surrounding area or the community as a whole." Specifically, Section 17.74.040(G) of the MMC allows for conditions "Limiting or otherwise designating the number, size, location, height and lighting of signs". Based on these allowances, the applicant is requesting that the Planning Commission include a condition to allow their proposed monument sign to be illuminated. The applicant has provided a letter with their proposed findings for Section 17.74.040(G), along with additional drawings that specify the type of lighting that they are proposing for the monument sign.

Given the overall site design and the materials provided by the applicant, staff would suggest that the Planning Commission allow for the monument sign to be illuminated as proposed by the applicant. The proposed monument sign is not of a large size, and is smaller than what would normally be allowed for a multi-family site in the R-4 zone. The sign is also located within a well-landscaped area of the site, and the illumination proposed by the applicant is shown in the attached drawings to not be directed or spill out past the property lines.

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If the Planning Commission supports allowing the illuminated sign, staff suggests that the following condition of approval be included in the Conditional Use (CU 3-19) Decision Document:

“That the monument sign proposed for the memory care facility shall be allowed to be illuminated as proposed by the applicant in the memorandum and drawings dated September 18, 2019.”

If this condition of approval is included, staff would also suggest that the following findings be included in the Decision Documents:

- Conditional Use Decision Document
 - Conditions Section: Include condition of approval listed above
 - Finding for Section 17.74.040(G): Include findings provided by applicant in memo dated September 18, 2019.

- Three Mile Lane Design Review Decision Document
 - Conditions Section: Remove suggested condition of approval related to the nonilluminated sign (current condition #3)
 - Finding for Section 17.62.070(A)(1): Include findings provided by applicant in memo dated September 18, 2019. Include statement in City’s findings that illumination of the sign is allowed based on the condition of approval from the Conditional Use (CU 3-19) review.