



**CITY OF MCMINNVILLE  
PLANNING DEPARTMENT**  
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MCMINNVILLE, OR 97128

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**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF THREE MILE LANE DEVELOPMENT REVIEW FOR NEW DEVELOPMENT AT 235 NE DUNN PLACE**

- DOCKET:** TML 2-19 (Three Mile Lane Development Review)
- REQUEST:** Application for Three Mile Lane Development Review to allow for the development of a memory care facility with 44 beds for residence by elderly individuals who suffer from Alzheimer's dementia, and other age-related mental ailments within the Three Mile Lane Planned Development Overlay District.
- LOCATION:** 235 NE Dunn Place. The property is more specifically described as Parcel 1, Partition Plat 2004-33. The property is also identified as Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M.
- ZONING:** R-4 PD (Multiple Family Residential Planned Development) and F-P (Flood Plain)
- APPLICANT:** Sam Thomas, on behalf of owner McMinnville Senior Living, LLC
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** July 17, 2019
- DECISION MAKING BODY & ACTION:** The McMinnville Planning Commission makes the final decision, unless the Planning Commission's decision is appealed to the City Council.
- DECISION DATE & LOCATION:** September 19, 2019, Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- PROCEDURE:** An application for Three Mile Lane Development Review is processed in accordance with the procedures in Section 17.72.110 of the Zoning Ordinance, which requires Planning Director review with property owner notification. Due to the fact that the Three Mile Lane Development Review application was submitted concurrently with another land use application, the Three Mile Lane Development Review application is subject to the hearing procedure that affords the most opportunity for public hearing and notice, per Section 17.72.070 of the McMinnville Municipal Code. The other land use applications require review by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the Zoning Ordinance. Therefore, the Planning Commission will take final action on the Three Mile Lane Development Review request.

**CRITERIA:** The applicable criteria are specified in Section 4 (Policies) and Section 5 (Signs) of Ordinance 4131 - Three Mile Lane Planned Development Overlay as amended by Ordinance 4572. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

**APPEAL:** As specified in Section 17.72.180 of the Zoning Ordinance, the Planning Commission's decision may be appealed to the City Council within 15 calendar days of the date the written notice of decision is mailed. The City's final decision is subject to the 120 day processing timeline, including resolution of any local appeal.

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

**DECISION**

Based on the findings and conclusionary findings, the Planning Commission finds the applicable criteria are satisfied with conditions and **APPROVES** the Three Mile Lane Development Review (TML 2-19), **subject to the conditions of approval provided in Section II of this document.**

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**DECISION: APPROVAL WITH CONDITIONS**  
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Planning Commission: Roger A. Hall Date: 09/19/19  
Roger Hall, Chair of the McMinnville Planning Commission

Planning Department: [Signature] Date: 9/23/19  
Heather Richards, Planning Director

**I. APPLICATION SUMMARY:*****Subject Property & Request***

The proposal is an application for Three Mile Lane Development Review to allow for the construction of a new memory care residential facility on a property within the Three Mile Lane Planned Development Overlay district. The memory care facility would be a single story building containing 44 resident beds, and would provide residential facilities for elderly individuals who suffer from Alzheimer's, dementia, and other age-related mental ailments. The subject site is located at 235 NE Dunn Place and is more specifically described as Parcel 1, Partition Plat 2004-33. The property is also identified as Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M. The property is located within Zone 1 of the Three Mile Lane Planned Development Overlay district.

The subject property is located on the west side of NE Dunn Place between NE Cumulus Avenue and NE Aaron Drive. The subject property is zoned R-4 PD (Multiple Family Residential Planned Development), and is subject to a Planned Development Overlay District adopted by Ordinance 4956. A portion of the property is also zoned F-P (Flood Plain). The surrounding properties have a variety of zoning designations, including R-2 PD (Single Family Residential Planned Development) to the west, C-3 PD (General Commercial Planned Development) to the south, and R-1 PD (Single Family Residential Planned Development) to the north and east. The areas to the west and south are subject to a Planned Development Overlay District adopted by Ordinance 4719, which also included the subject site before it was included in a later Planned Development Overlay District adopted by Ordinance 4956. Uses on the surrounding properties include single family residential to the west, office and medical uses to the south, and single family residential to the north and east.

***See Vicinity Map (Figure 1), Zoning Map (Figure 2), and Applicant's Proposed Site Plan & Rendering (Figure 3) below.***

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Attachments:

Attachment 1 – Application and Attachments

Figure 1. Vicinity Map

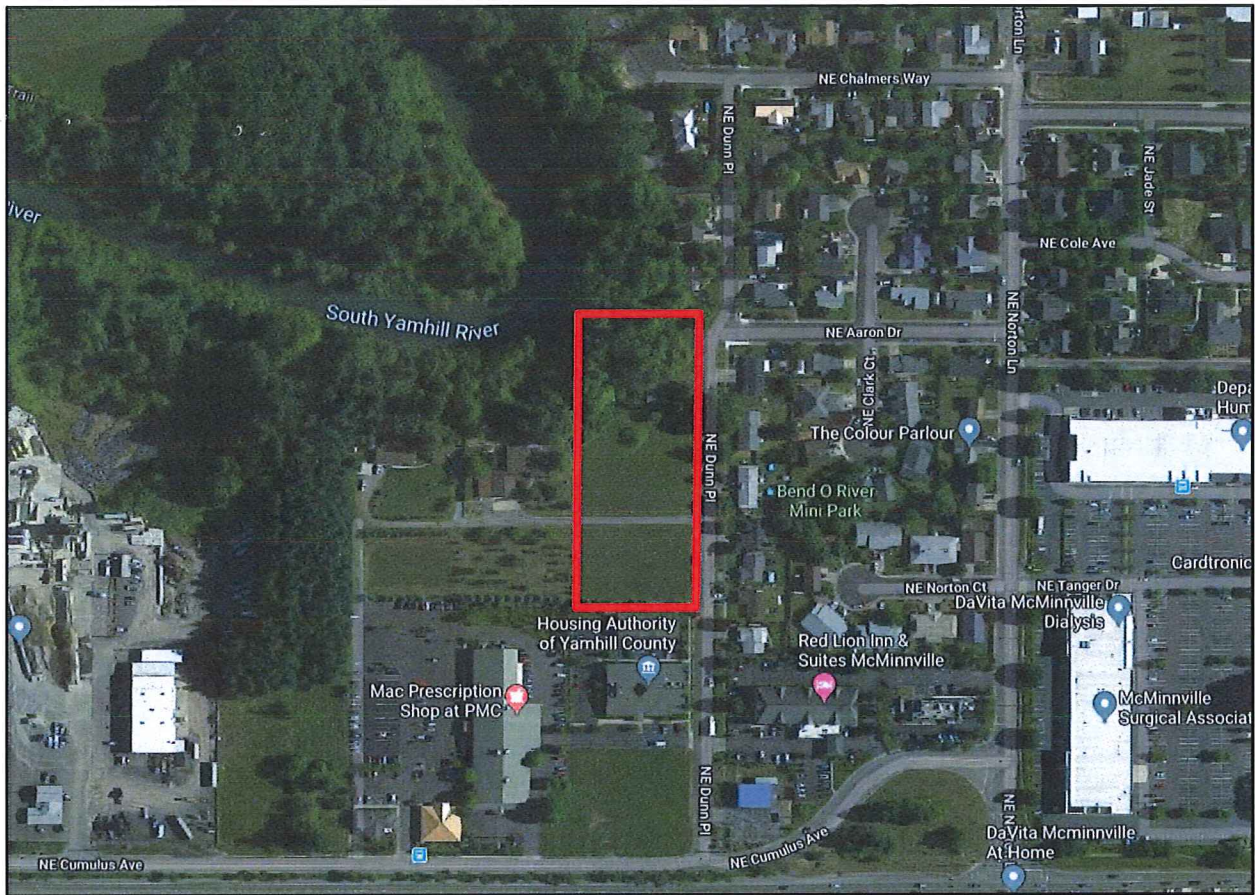


Figure 2. Zoning Map

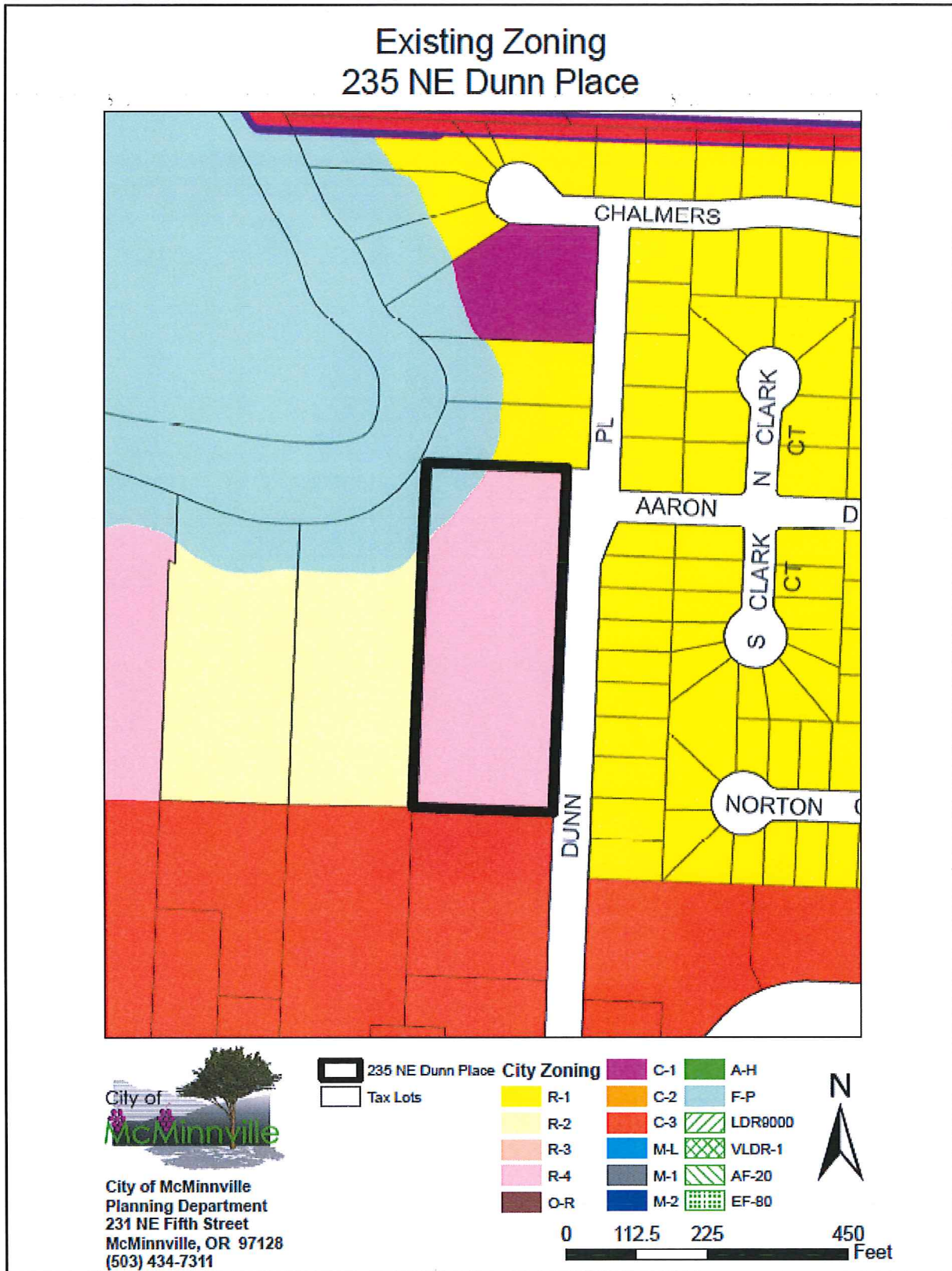
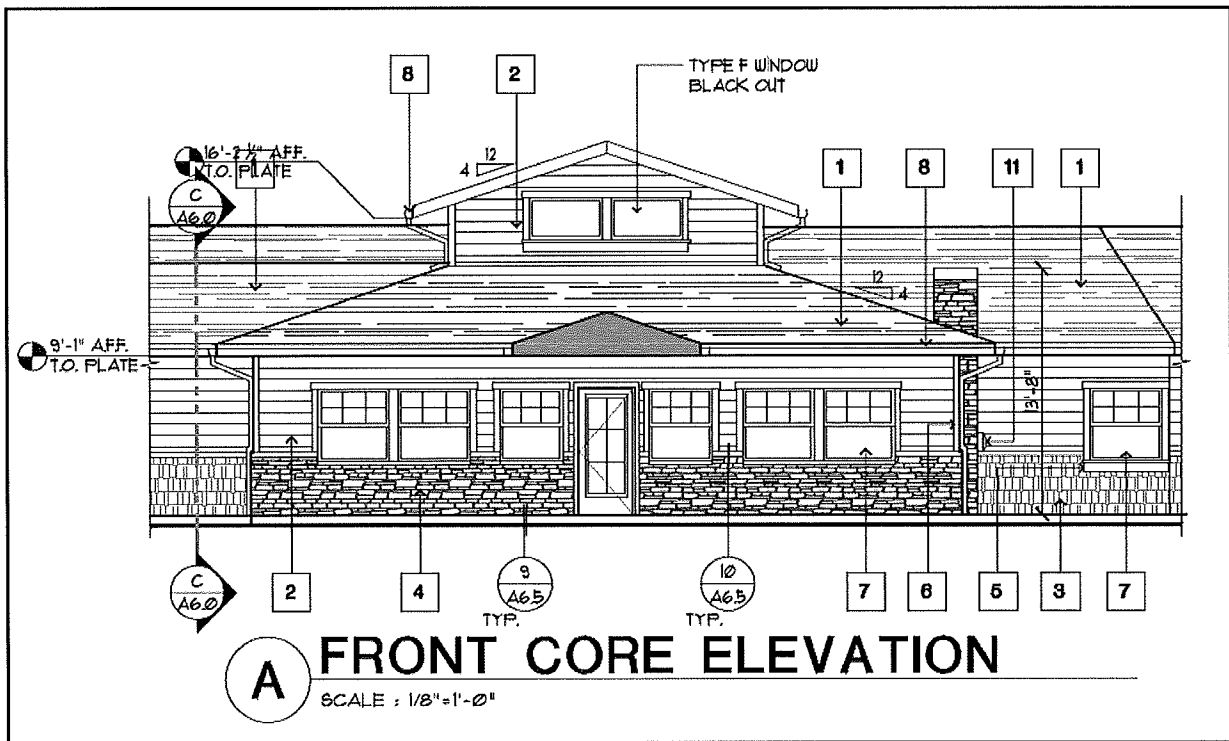
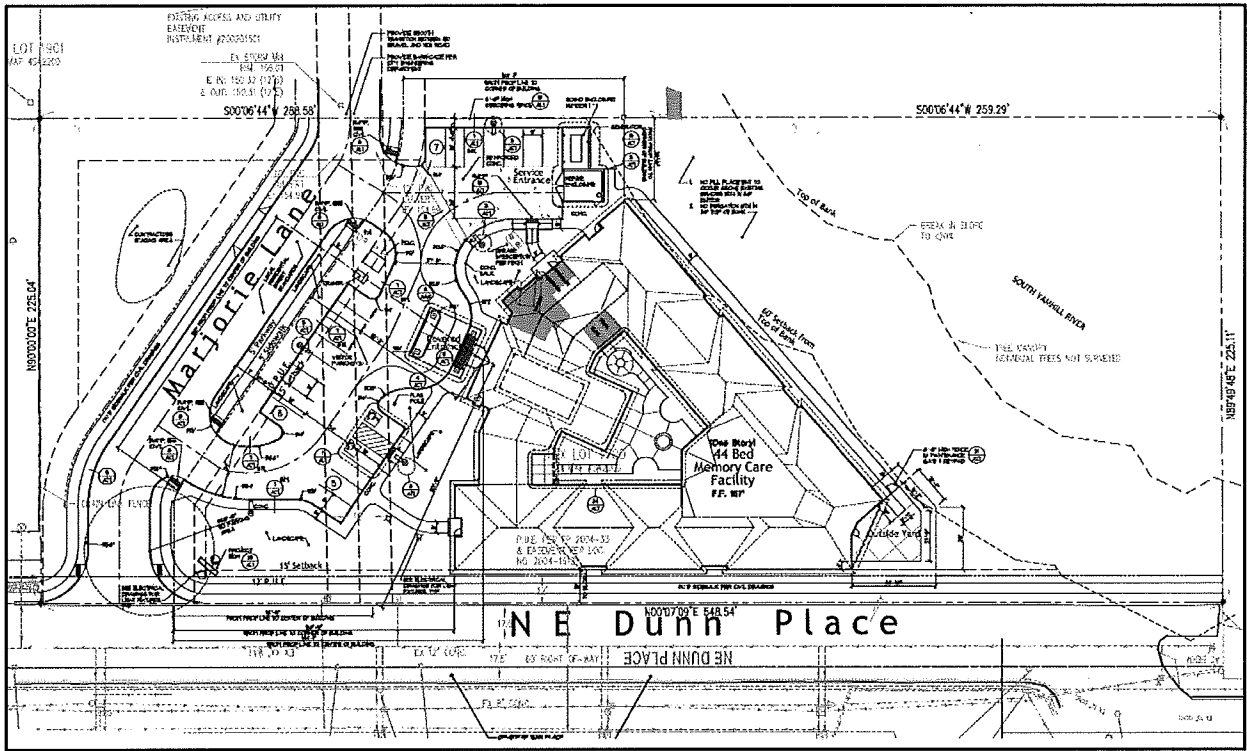
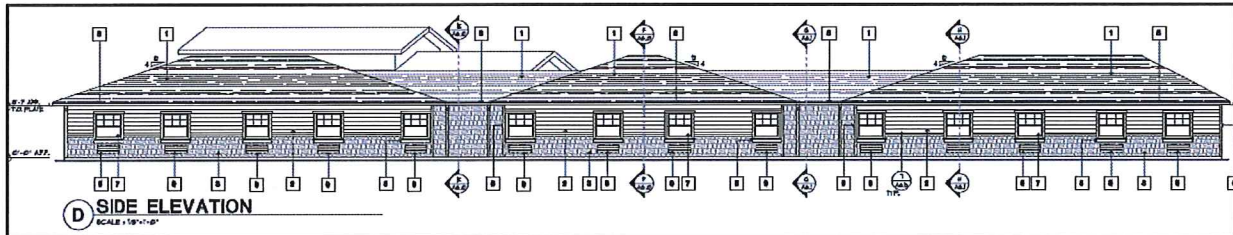
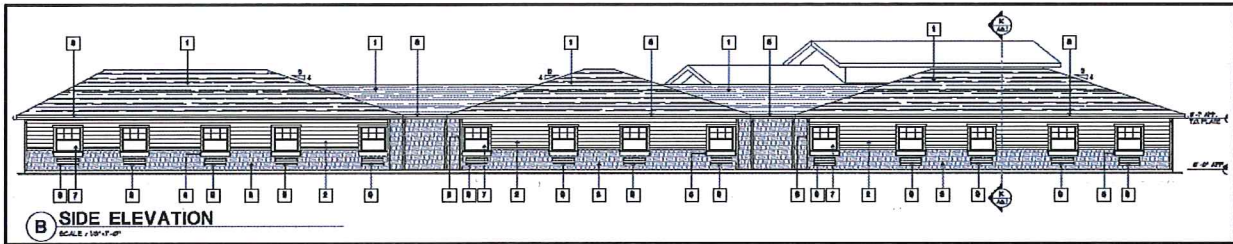


Figure 3. Applicant's Proposed Site Plan, Elevations & Rendering



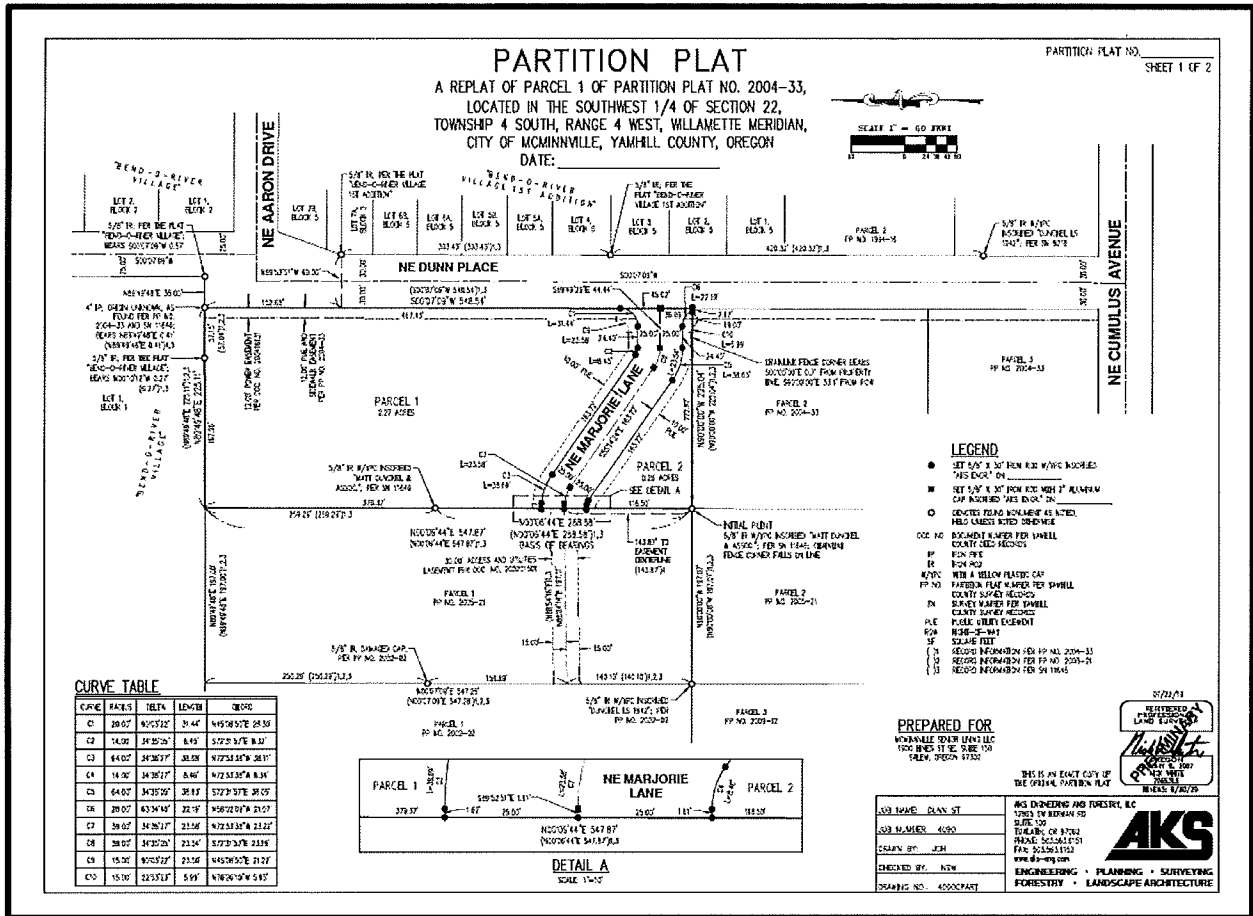


In August 2012, Ordinance 4956 was approved, establishing the Planned Development Overlay for subject property and rezoning the property to R-4 PD (Multiple Family Residential Planned Development). Condition #2 of Ordinance 4956 approved a master plan for the subject site, which included the partition of the subject site and the dedication of new public right-of-way between two new parcels as shown on the Three Mile Lane Development Review plans. The same condition of approval from Ordinance 4956 required that the master plan become binding on the site. Therefore, much of the development of the site is controlled by that previously approved master plan that is binding on the site, such as the street alignment and building placement. The site plan proposed for the new memory care facility building and other site improvements is consistent with that binding master plan from the 2012 review and approval of the Planned Development Overlay District.

More recently, the property owners also submitted a tentative partition application to complete the partition and right-of-way dedication that are shown on the master plan that is binding on the site. The application was reviewed as docket number MP 4-19 in accordance with the procedures in Section 17.72.110 of the Zoning Ordinance, and was approved by the Planning Director with conditions. Most of the conditions of approval relate to required public infrastructure improvements and also that the site development comply with recommendations from a geotechnical report that was completed for the development of the site due to the steep slope and soil stability of the property. Some of the conditions of approval from the tentative partition will be discussed in more detail in the Conclusionary Findings in Section VII below, as they impact the development of the proposed memory care building on the subject site.

See MP 4-19 Tentative Partition Plan (Figure 4) below.

Figure 4. MP 4-19 Tentative Partition Plan



Summary of Criteria & Issues

The application is subject to the policies and procedures of the Three Mile Lane Planned Development Overlay district, which was originally adopted by Ordinance 4131 and later amended by Ordinance 4572. Section 4 of Ordinance 4572 includes the following policies that regulate development within the Three Mile Lane Planned Development Overlay district:

- A. The goals and policies of the McMinnville Comprehensive Plan, Volume II, and applicable regulations and standards in Volume III, and other City codes shall be adhered to.
- B. A one hundred twenty (120) foot setback from the centerline of Highway 18 shall be established both north and south of the highway.
- C. Access requirements adopted hereafter in an access plan for this area shall be adhered to. Provisions of the plan shall include:
  - 1. The minimization of entrances onto Three Mile Lane;
  - 2. The development of on-site circulation systems, connecting to adjoining properties, including public frontage roads;
  - 3. The provisions of acceleration-deceleration lanes and left-turn refuges when and where necessary and practicable.



4. The provision of bikeways along frontage roads or on-site circulation systems. Bikeway connections accessing Three Mile Lane shall be provided so that the frontage road or on-site circulation system can serve as an alternative route for cyclists traveling along Three Mile Lane.
- D. Landscaping and buffer strips along the highway frontage may be required including noise buffering methods, such as berms and/or plantings.
  - E. Mixed housing-type residential developments shall be allowed and encouraged in those areas designated as residential.
  - F. Temporary signage shall be allowed as per Section 17.62.060(B)(3) of the McMinnville Zoning Ordinance (No. 3380).

In addition, Section 5 of Ordinance 4572 includes standards for permanent signage within the Three Mile Lane Planned Development Overlay district. These standards will be described in more detail in Section VII (Conclusionary Findings) below.

The applicant has provided findings to support the request for Three Mile Lane Development Review. These will be discussed in detail in Section VII (Conclusionary Findings) below.

## **II. CONDITIONS:**

1. Prior to the issuance of any Certificate of Occupancy for the memory care facility, 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.
2. That the development and use of the site shall be consistent with the Conditional Use permit approved for the site under docket number CU 3-19. All applicable conditions of approval from docket number CU 3-19 shall be satisfied.

## **III. ATTACHMENTS:**

1. TML 2-19 Application and Attachments (on file with the Planning Department)
2. Public Testimony Received (on file with the Planning Department)
  - a. Nanette and Julia Pirisky, 262 NE Dunn Place and 135 NE Dunn Place, Email received on August 16, 2019 (on file with the Planning Department)

## **IV. COMMENTS:**

### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Frontier Communications; Comcast; Recology; Oregon Department of State Lands; and Northwest Natural Gas. The following comments were received:

- McMinnville Engineering Department

These conditions will apply to the project. They were included in the prior conditional use approval letter, and have been updated as appropriate. (Note – the conditions suggested by the Engineering Department are included in the conditions in Section II above.)

- McMinnville Water and Light

Street tree spacing on “Planting Plan” (A1.3) may need to be revisited to ensure that street trees comply with required spacing from streetlights. This project will require an Extension Agreement between McMinnville Water & Light and the owner of the property. Please contact McMinnville Water & Light for details.

### Public Comments

Notice of this request was mailed to property owners located within 100 feet of the subject site. One item of public testimony was received by the Planning Department.

- Nanette and Julia Pirisky, 262 NE Dunn Place and 135 NE Dunn Place,
  1. Email received on August 16, 2019 – expressing opposition to the development of the subject site with an assisted living facility, traffic impacts on the surrounding neighborhood, and loss of natural area and wildlife habitat.

### V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Sam Thomas, on behalf of owner McMinnville Senior Living, LLC, held a neighborhood meeting on June 11, 2019.
2. The applicant submitted the Three Mile Lane Development Review application (TML 2-19) on June 12, 2019.
3. The application was deemed incomplete on July 1, 2019. A revised application submittal, including items that were requested by the Planning Department to deem the application complete, was provided on July 15, 2019.
4. The application was deemed complete on July 17, 2019. Based on that date, the 120 day land use decision time limit expires on November 14, 2019.
5. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Frontier Communications; Comcast; Recology; Oregon Department of State Lands; and Northwest Natural Gas.

Comments received from agencies are addressed in Section IV of the Decision Document.

6. Notice of the application and the September 19, 2019 Planning Commission public hearing was mailed to property owners within 200 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance.
7. Notice of the application and the September 19, 2019 Planning Commission public hearing was published in the News Register on Tuesday, September 10, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance.

One item of public testimony was submitted to the Planning Department prior to the Planning Commission public hearing. That item of testimony is provided in the Attachments in Section III and discussed in Comments in Section IV.

8. On September 19, 2019, the Planning Commission held a duly noticed public hearing to consider the request.

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Attachments:

Attachment 1 – Application and Attachments

## VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 235 NE Dunn Place (Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M.)
2. **Size:** 2.83 acres (total existing site); 2.27 acres (Parcel 1 from recently reviewed (Docket Number MP 4-19) tentative partition) will be the site of the memory care facility
3. **Comprehensive Plan Map Designation:** Residential
4. **Zoning:** R-4 PD (Multiple Family Residential Planned Development) and F-P (Flood Plain)
5. **Overlay Zones/Special Districts:** Planned Development Overlay Ordinance 4956, Planned Development Overlay Ordinance 4719, Three Mile Lane Planned Development Overlay District (Ordinances 4131 and 4572)
6. **Current Use:** Existing vacant single-family dwelling
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** The northwest portion of the site is located within Zone AE of the floodway and 100-year floodplain of the South Yamhill River, as identified on the FEMA Flood Insurance Rate Map (FIRM) panels.
8. **Other Features:**
  - a. **Slopes:** A majority of the site is relatively flat, but a steep slope exists in the northwest portion of the site. The property slopes steeply at approximately 60 percent, dropping approximately 25 vertical feet from the flat portion of the site downward toward the edge of the South Yamhill River.
  - b. **Easements and Utilities:** Partition Plat 2004-33 identifies a 30 foot wide access and utility easement (identified as Instrument #200201501) that is improved with an existing gravel driveway providing access to the two existing parcels to the west. The existing conditions plan also identifies an existing storm sewer line and sanitary sewer line that run through the easement area, likely providing utilities to properties to the west.
9. **Utilities:**
  - a. **Water:** The property is served by a water main in NE Dunn Place. A recently reviewed tentative partition includes the dedication of a public right-of-way for a new street, which would include an extension of a water main within the new public right-of-way. The treatment plant has sufficient treatment capacity.
  - b. **Sewer:** The property is served by an 8" sewer main in NE Dunn Place. A recently reviewed tentative partition includes the dedication of a public right-of-way for a new street, which would include an extension of a sanitary sewer main within the new public right-of-way. A private utility plan for the development of the site identifies that the sanitary sewer main extension would serve the two new parcels created by the partition. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
  - c. **Stormwater:** Storm water in NE Dunn Place is conveyed by curb and gutter to catch basins and storm drains in NE Dunn Place. A recently reviewed tentative partition includes the dedication of a public right-of-way for a new street, which would include an extension of a storm sewer main within the new public right-of-way. A private utility plan for the development of the site identifies that the storm sewer main extension would serve the two new parcels created by the partition.

- d. **Other Services:** Other services are available to the property. No overhead utilities are present on either side of NE Dunn Place.

10. **Transportation:** NE Dunn Place is classified as a Local Residential Street in the Transportation System Plan (TSP). The existing right-of-way is 60 feet wide, with improved street surface of approximately 36 feet in width that is not centered within the right-of-way. No sidewalks exist on the west side of NE Dunn Place along the subject site's frontage. To accommodate public sidewalk improvements, a 12 foot wide sidewalk easement along the subject site's frontage on NE Dunn Place was recorded on Partition Plat 2004-33 for the purposes of providing sidewalks, planter strips, and curbs. The east side of NE Dunn Place is improved with curb and gutter, sidewalk and planter strip. The street has two travel lanes and has on-street parking on both sides of the street, with no bike lanes.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for Three Mile Lane Development Review are specified in Ordinance 4131 and more specifically in Ordinance 4572 which amended Ordinance 4131.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

### **Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

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

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

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The process for a Three Mile Lane Development Review request provides an opportunity for citizen involvement throughout the process through the neighborhood meeting provisions, the public notice, and the public hearing process. Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the 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 Zoning Ordinance**

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Attachments:

Attachment 1 – Application and Attachments

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

### **Chapter 17.03. General Provisions**

**17.03.020 Purpose.** The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

**17.62.070 Permanent Sign Regulations.** Permanent signs may be erected and maintained only in compliance with the following specific provisions:

A. Residential (R-1, R-2, R-3, and R-4) zones.

1. Each subdivision or multi-family complex is permitted one permanent monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area. The sign shall be nonilluminated.

**APPLICANT'S RESPONSE:** The proposed monument sign for the Memory Care residence is found on Sheet A1.7, detail 10. The sign height would be 3 feet, 6 inches and the width is 8 feet, 6 inches for a total area of approximately 30 square feet, which is under the maximum height and sign area per the above criterion. The materials of the sign will match and complement the proposed main building.

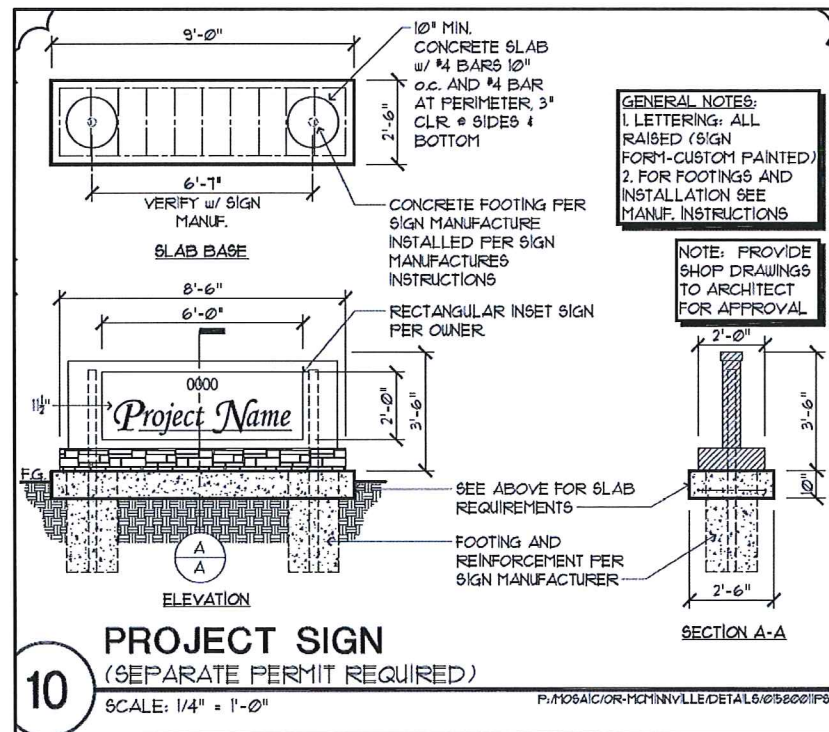
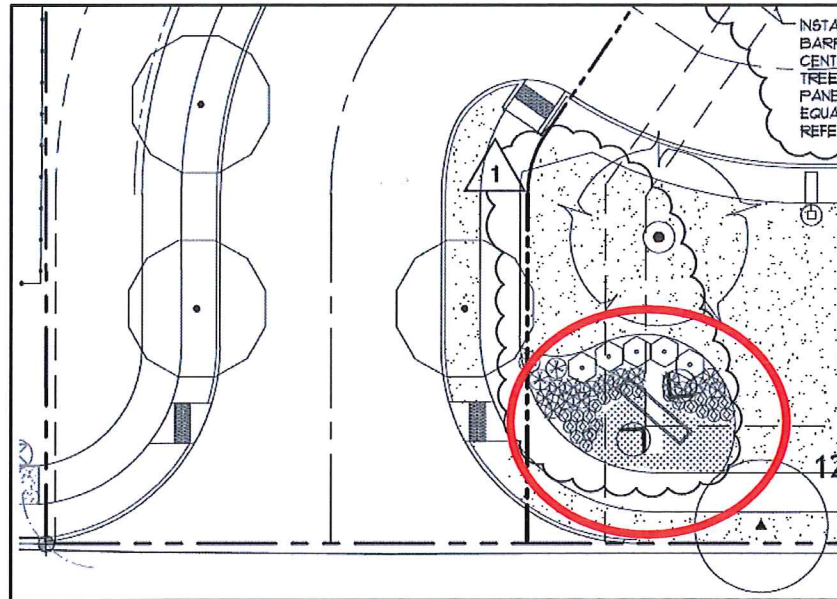
**FINDING: SATISFIED.** The City concurs with the applicant's findings. The City also adds that there is a discrepancy in the code between the Signs chapter (Chapter 17.62) and the Three Mile Lane Planned Development Overlay district Ordinance regulations. In the "Scope" section of the Signs chapter, in Section 17.62.020, it is stated that "this chapter does not apply to lands within the areas described in ... the Three Mile Lane Ordinances 4572 and 4131." However, the sign regulations in Section 5 of Ordinance 4572 only provide provisions for commercial and industrial designated properties. With no regulations for residentially designated properties in the Three Mile Lane Planned Development Overlay district Ordinance, the most applicable residential sign regulations from Chapter 17.62 of the Zoning Ordinance were applied.

The sign is proposed to be located near the corner of NE Dunn Place and the new street to be constructed south of the facility, and is proposed to be surrounded with landscaping. The location, design, and size of the sign can be seen below:

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Attachments:

Attachment 1 – Application and Attachments



During the concurrent review of the Conditional Use application (CU 3-19) to allow for the construction and use of the site as a memory care facility, the Planning Commission included a condition of approval to allow for the sign to be illuminated. The details of the illumination are included in the Conditional Use application materials on file with the Planning Department.

**Planned Development Ordinances**

The following Sections of the Three Mile Lane Planned Development Overlay district adopted by Ordinance 4131 provide criteria applicable to the request:

- Attachments:  
 Attachment 1 – Application and Attachments

**Section 1. Statement of Purpose.** *The City of McMinnville finds that the development of lands on the north and south sides of Three Mile Lane (Oregon Highway 18) is acceptable if provisions are made to integrate the dual functions of the highway as a bypass around the City and a land service arterial for adjacent properties. The City also finds that development along Three Mile Lane is desirable if it is of good quality and design, if the living and working environments developed are compatible with each other, and if the living environment includes open spaces, parks, and features buffering of residential uses from the highway. The City recognized, during the comprehensive planning process, that to insure that these concerns are met, proper designations on the McMinnville Comprehensive Plan and Zoning Maps must be made, and, further, that a planned development overlay must be placed over the area establishing specific conditions for development.*

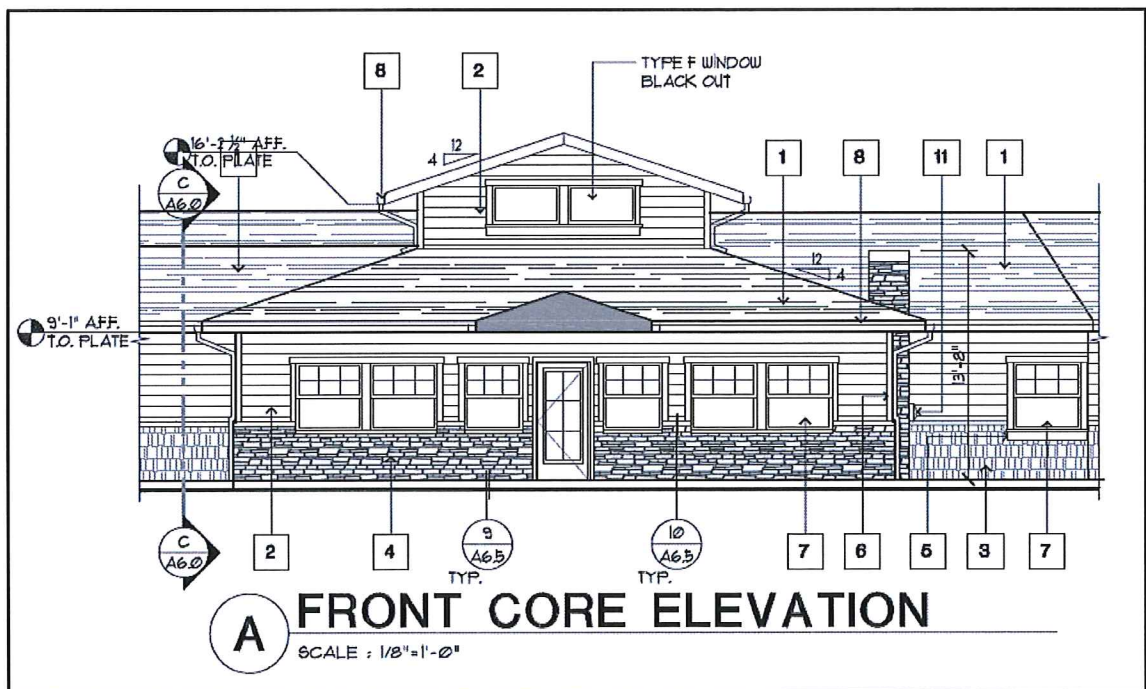
**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION #1 AND #2.** The proposed development of the site is found to be acceptable for the Three Mile Lane Planned Development Overlay district. The proposed use of the site was reviewed as a Conditional Use under docket number CU 3-19. Elements of the project design were found through that review process to meet the criteria of a conditional use, particularly the compatibility of the proposed use with the surrounding area and the incorporation of site development features that preserved significant natural features on the site. Some of these design elements will be ensured through conditions of approval on the Conditional Use permit, and the Three Mile Lane Development Review therefore requires that those conditions of approval be satisfied.

Overall, the proposed development is of a quality and design that is suitable for the proposed site, compatible with the surrounding area and land uses, and includes the preservation of natural features on the site such as mature trees, steep slope, floodplain areas, and the South Yamhill River. A condition of approval from a recently reviewed partition (reviewed under docket number MP 4-19) required that a public trail easement be dedicated on the final partition plat, which will provide for park and open spaces on the subject site to improve the living environment and carry out the recommendations of the City of McMinnville Parks, Open Space, and Recreation Master Plan.

The proposed building design incorporates features that are similar to the architecture and form of other prominent buildings in the Three Mile Lane Planned Development Overlay district, but at a scale that is compatible with the existing development and land uses in the surrounding area. Specifically, the proposed building includes a taller roof feature centered above the main entrance of the building, with a similar canopy structure providing covered loading and unloading in front of the main entrance of the building. The roof features on these structures are the only true gable ends on the building, with the other portions of the building having hipped roofs. The hipped roofs are oriented more toward the side property lines, which provides for a softening in the massing of the building and breaks up the longer building facades that orient towards surrounding single story residential development. The taller and more prominent gable end roof structures are similar to the architecture of other significant buildings in the overlay district including the Evergreen Aviation Museum campus buildings north of Highway 18 and the Jackson Family Winery building south of Highway 18.

These taller roof structures can be seen in the renderings and elevations below:



The following Sections of Ordinance 4572, which amended the Three Mile Lane Planned Development Overlay district, provide criteria applicable to the request:

**Section 4. Policies.** *The following policies shall apply to the property described on the map in Exhibit "A":*

- A. The goals and policies of the McMinnville Comprehensive Plan, Volume II, and applicable regulations and standards in Volume III, and other City codes shall be adhered to.

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The proposal is consistent with the applicable Comprehensive Plan goals and policies, as well as Zoning Ordinance requirements, as described in the findings for those policies above.

- B. A one hundred twenty (120) foot setback from the centerline of Highway 18 shall be established both north and south of the highway.



**APPLICANT’S RESPONSE:** The subject property is located approximately 540 feet from the centerline of Highway 18.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

- C. Access requirements adopted hereafter in an access plan for this area shall be adhered to. Provisions of the plan shall include:

1. The minimization of entrances onto Three Mile Lane;
2. The development of on-site circulation systems, connecting to adjoining properties, including public frontage roads;
3. The provisions of acceleration-deceleration lanes and left-turn refuges when and where necessary and practicable.
4. The provision of bikeways along frontage roads or on-site circulation systems. Bikeway connections accessing Three Mile Lane shall be provided so that the frontage road or on-site circulation system can serve as an alternative route for cyclists traveling along Three Mile Lane.

**APPLICANT’S RESPONSE:** The proposed development would be accessed most directly from Highway 18 via NE Norton Ln and NE Cumulus Ave, and NE Dunn Place. There are no driveways proposed directly to Highway 18. As a part of the development, a new public road tentatively named “Marjorie Lane” would be constructed to provide access to two adjacent properties to the west of the project site which will provide for potential for future connections.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

- D. Landscaping and buffer strips along the highway frontage may be required including noise buffering methods, such as berms and/or plantings.

**APPLICANT’S RESPONSE:** The subject property is not located along the frontage of Highway 18.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

- E. Mixed housing-type residential developments shall be allowed and encouraged in those areas designated as residential.

**APPLICANT’S RESPONSE:** The proposed memory care residence provides a needed housing option for elderly residents in and around the City of McMinnville.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and adds that the proposed use is allowed as a conditional use in the underlying R-4 (Multiple Family Residential) zone. The property owners have submitted a concurrent Conditional Use application to allow for the proposed use to operate.

- F. Temporary signage shall be allowed as per Section 17.62.060(B)(3) of the McMinnville Zoning Ordinance (No. 3380).

**APPLICANT’S RESPONSE:** The subject property will comply with temporary signage regulations per the above criterion.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and adds that no temporary signage is currently proposed by the applicant.

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Attachments:

Attachment 1 – Application and Attachments

**Section 5. Signs.** *The following regulations apply to those properties designated as either industrial or commercial on the McMinnville Comprehensive Plan Map and which are located within the area described in Exhibit “A.” All signage must be approved by the Three Mile Lane Design Review Committee and may not exceed the maximums established in this section. The Three Mile Lane Design Review Committee may take into account color selection; sign material; relationship to site and building design; size, form, mass, height, and scale of sign; the sign’s location and proximity to existing signs on adjacent parcels; and other sign design elements appropriate to ensuring that the proposed sign is compatible with the objectives of this ordinance. The Three Mile Lane Design Review Committee may require a proposed sign to be redesigned as necessary to make it consistent with the objectives of this ordinance including, but not limited to, restricting the size and height of the sign, its location, form, color, and material.*

- A. Zone 1. The following regulations apply to commercially or industrially designated properties which fall within zone 1:
1. That only one free-standing sign shall be allowed per parcel as they exist at the time of the passage of this ordinance and as they are represented on Exhibit “B”, subject to the following:
    - a) The maximum height of any free-standing sign shall be 15 feet.
    - b) The maximum square footage per sign face is 24 square feet and there shall be a maximum of two sign faces per free-standing sign.
    - c) A free-standing sign is allowed only on properties with frontage on the Highway 18 frontage road.
  2. In lieu of a free-standing sign as listed in subsection 1 above, one monument-type sign shall be allowed per parcel as they exist at the time of the passage of this ordinance and as they are represented on Exhibit “B”, subject to the following:
    - a) Maximum square footage per sign face shall be 50 square feet, and there shall be a maximum of two sign faces per monument sign.
    - b) Maximum sign height shall be six feet, and the top of the sign shall not be more than eight feet above the center line grade of the Three Mile Lane frontage road.
    - c) Monument signs shall be non-illuminated, indirectly illuminated, neon, or may have individually back-lit letters, providing that no plastic sign cabinets are allowed.
  3. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than 12 inches from the building face, subject to the following:
    - a) Total area of building signage may not exceed eight percent of the total area of the face of the building which is most closely parallel to Highway 18 or the frontage road and may not exceed four percent on the other sides.
    - b) The area of building signs shall be measured as the area around or enclosing each sign cabinet, or where sign cabinets are not used, the area shall be that within a single continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message.
  4. If a parcel is divided after the date of the adoption of this ordinance, the sign allowances established in subsections 1. and 2 above will apply only to the original parcel or what remains of it and newly created parcels are limited to the sign allowances established in subsection 3 above except as provided in subsection (A) (5) below.
  5. The Three Mile Lane Design Review Committee may allow the sharing of a single free-standing sign by an original parcel or what remains of it and parcels divided after the date of the adoption of this ordinance. The total sign size shall not exceed that allowed for the original parcel.
  6. Portable signs and signs with flashing or moving parts are prohibited.

**APPLICANT’S RESPONSE:** None.

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**FINDING: NOT APPLICABLE.** The subject site is not commercially or industrially designated, so the above sign regulations do not apply. Therefore, the most applicable residential sign regulations from Chapter 17.62 of the Zoning Ordinance were applied, as described in the findings for those regulations above.

**Section 6. Procedures for Review:**

- A. *No development or signage may take place within the Three Mile Lane Planned Development Overlay without such development or signage gaining the approval of the Three Mile Lane Design Review Committee.*

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The applicant submitted an application for Three Mile Lane Development Review, which was reviewed and processed prior to any development or signage taking place on the subject site.

CD:sjs