



**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 OF THE MCMINNVILLE HISTORIC LANDMARKS COMMITTEE FOR THE APPROVAL OF A NEW BUILDING AT 118 NE THIRD STREET WITHIN THE DOWNTOWN DESIGN AREA

DOCKET: DDR 4-19 (Downtown Design Review for New Construction including Waiver Requests)

REQUEST: Approval of the exterior design of a new building to be constructed on the subject property. The proposal includes the demolition of the two existing First Federal buildings that are located on the property today, the construction of a new building oriented towards the corner of Baker and Third Street, and the reconstruction and reconfiguration of all of the parking lots and drive aisles on the property. As part of the review of the building design, the applicant is requesting waivers from the following 5 (five) downtown design standards:

1. Reduction in the amount of glazing (i.e. windows and other glass or openings) on the ground floor facades from the required 70 percent to 40 percent on the Third Street façade and 25 percent on the Baker Street façade;
2. Allowance of a new parking lot to be located on Third Street (parking lots are prohibited on Third Street);
3. Allowance of an entrance to the new parking lot proposed to be located on Third Street (vehicular access to parking lots from Third Street is prohibited);
4. Reduction of the landscaping buffer strip between a new parking lot adjacent to Second Street and the sidewalk from the required width of 5 feet down to 3 feet; and
5. Allowance of a steel awning material.

LOCATION: 118 NE 3rd Street. The property is identified as Tax Lots 8600, 8700 and 9200, Section 20AD, T. 4 S., R. 4 W., W.M.

ZONING: C-3 (General Commercial)

APPLICANT: Kelley Wilson, on behalf of property owner First Federal Savings & Loan

STAFF: Chuck Darnell, Senior Planner

DATE DEEMED COMPLETE: August 29, 2019

HEARINGS BODY & ACTION: McMinnville Historic Landmarks Committee

HEARING DATE & LOCATION: September 26, 2019, Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

PROCEDURE: An application for a Downtown Design Review is processed in accordance with the procedures in Section 17.59.030(A) of the McMinnville Municipal Code.

CRITERIA: The applicable criteria for a Downtown Design Review are specified in Section 17.59.040 of the McMinnville Municipal Code. 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 17.59.030(E) of the McMinnville Municipal Code, the Historic Landmarks Committee’s decision may be appealed to the Planning Commission within fifteen (15) days of the date written notice of decision is mailed. The City’s final decision is subject to a 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, 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; Northwest Natural Gas; and Oregon Department of Transportation. Their comments are provided in this document.

RECOMMENDATION

Based on the findings and conclusionary findings, the Historic Landmarks Committee finds the applicable criteria are satisfied with conditions and **APPROVES** the exterior design of the proposed new building at 118 NE 3rd Street (DDR 4-19).

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RECOMMENDATION: APPROVAL WITH CONDITIONS
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Historic Landmarks Committee: *Joan Drabkin* Date: 10.1.19
Joan Drabkin, Chair

Planning Department: *Heather Richards* Date: October 1, 2019
Heather Richards, Planning Director

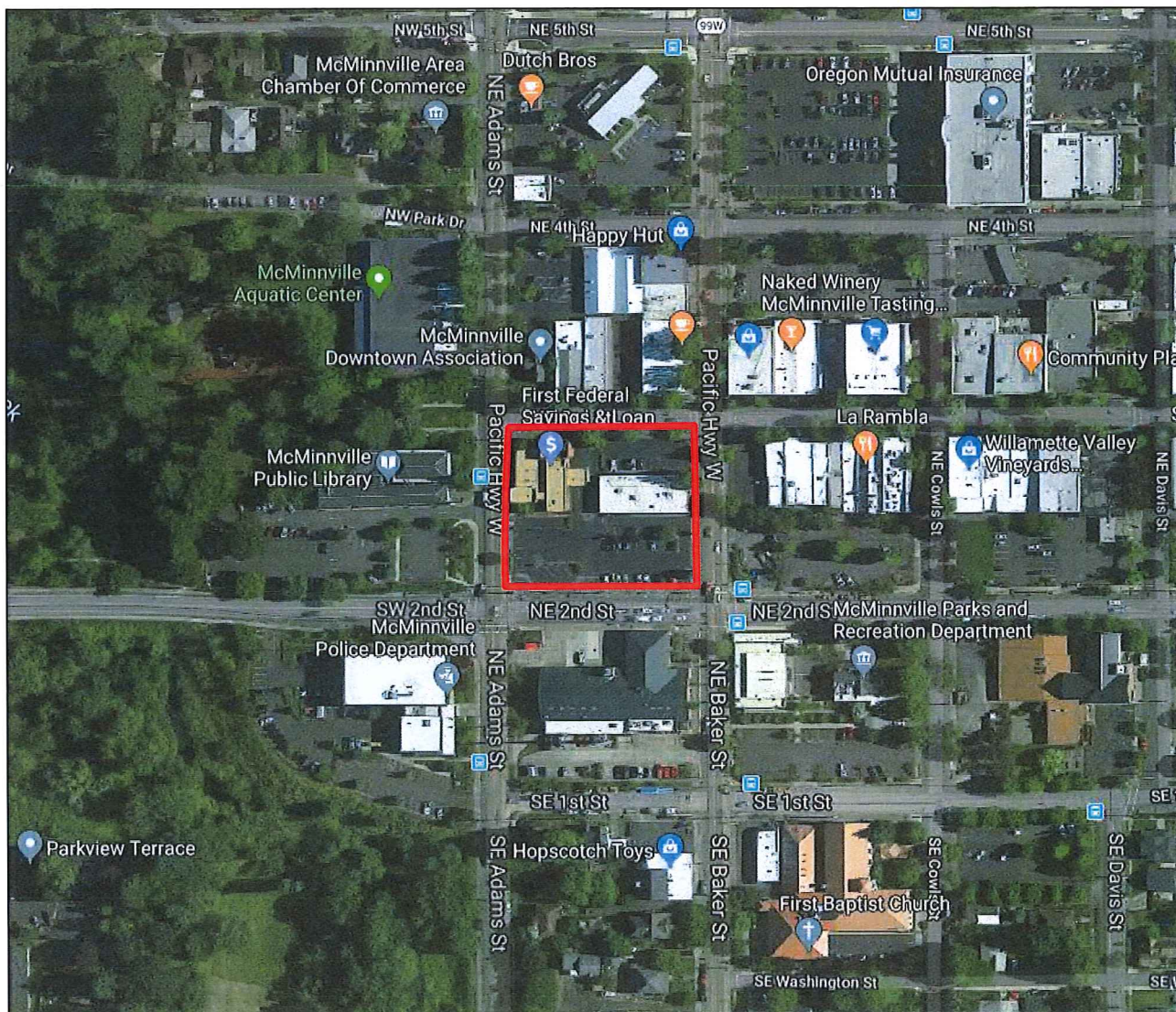
I. APPLICATION SUMMARY:

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the request under consideration. Staff has found the information provided to accurately reflect the current land use request, and excerpted portions are provided below to give context to the request, in addition to staff’s comments.

Subject Property & Request

The subject property is located at 118 NE 3rd Street. The property is identified as Tax Lots 8600, 8700 and 9200, Section 20AD, T. 4 S., R. 4 W., W.M. **See Vicinity Map (Figure 1) below.**

Figure 1. Vicinity Map



The applicant provided an overview of their proposal and project in the application narrative, which is as follows:

“First Federal Savings and Loan is an important financial partner in the local McMinnville economy. They value being a part of the community and would like to expand their presence by constructing a new building that will accommodate their customer service branch as well as provide an integrated and efficient location for all executive personnel and related functions.

First Federal intends to replace the two buildings currently located on the block between NE Adams & NE Baker Streets and Second & Third Streets. The existing main building located at the north-west corner of the site, built in 1974, is very much undersized for their current and future needs but provides an important location for retail branch for banking customers. The second and smaller building located at the north-east corner of the site currently houses their loan department. First Federal also has some functions across Third Street which will be accommodated in the new building.

The new building will provide space for all current functions on and around the site as well as additional space for growth.

After an extensive site and operational analysis, it was determined the placement of the new building must allow the existing branch building to remain in place and operational during the construction of any new building. Demolishing the existing building before a new building is complete, forcing a relocation of the branch services to a temporary location, with a duration of over a year, would result in a permanent loss of customers, a significant inconvenience to the remaining and loyal customers and a long term negative economic consequence for First Federal Savings and Loan.

With this in mind, it was determined the new building would be best located near the corner of NE Baker Street and Third. This location would allow adequate space for the existing building to remain in place. This would also allow the building to front Third Street and Baker Street. First Federal very much wanted to maintain its “front door” on Third Street and provide a strong urban presence and help McMinnville’s Downtown District remain vibrant and cohesive.

To accommodate First Federal’s needs the building will be approximately 32,000 square feet and three stories tall. The ground floor will house the more public areas such as the branch and the loan department. The upper two floors will house a call center, executive offices, a board room and other administrative functions. There will be two primary customer entrances: one at the corner of NE Third and NE Baker and one from the parking area on the south side of the building.

The parking lot, which will accommodate approximately 62 cars will also have two drive through lanes for automobile transactions. The entire parking lot will receive new asphalt paving. New landscape will also be installed that will meet the zoning code and in some areas exceed the zoning minimums.”

Elevations and renderings of the street facing facades of the proposed new building are provided below. Full elevations and additional renderings are provided in the application materials (Attachment 1). **See *Street Facing Elevations (Figure 2) and Building Rendering (Figure 3) below.***

Figure 2. Street Facing Elevations

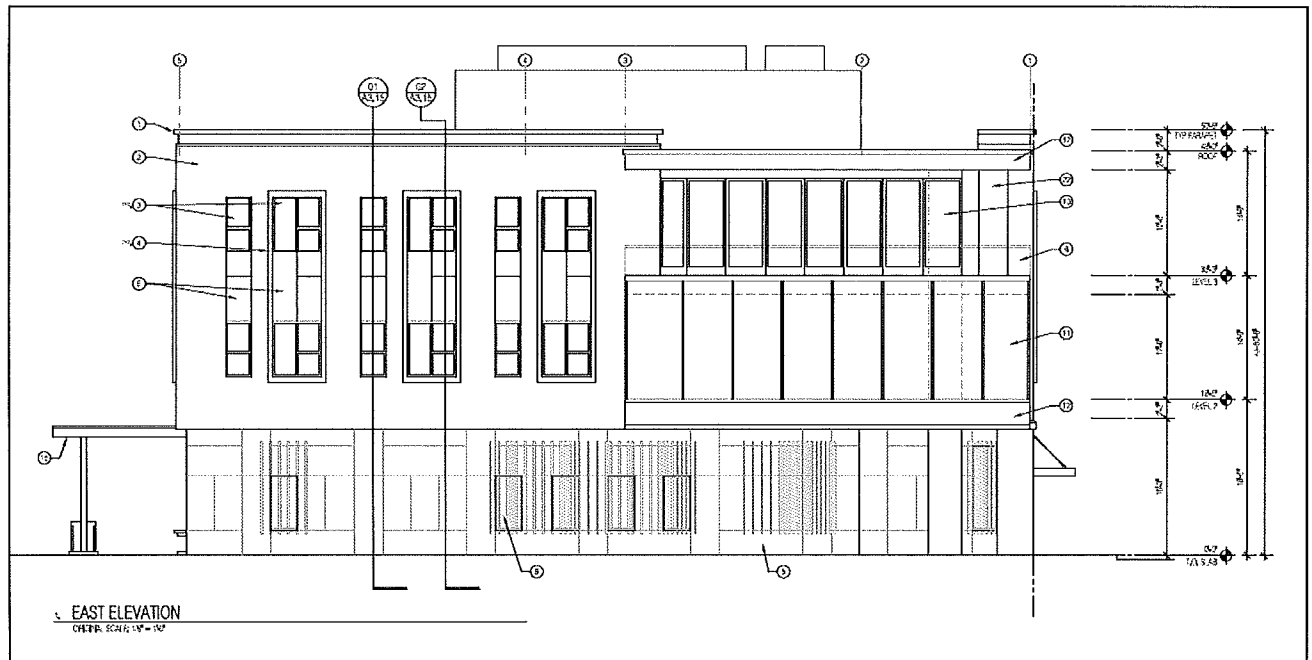


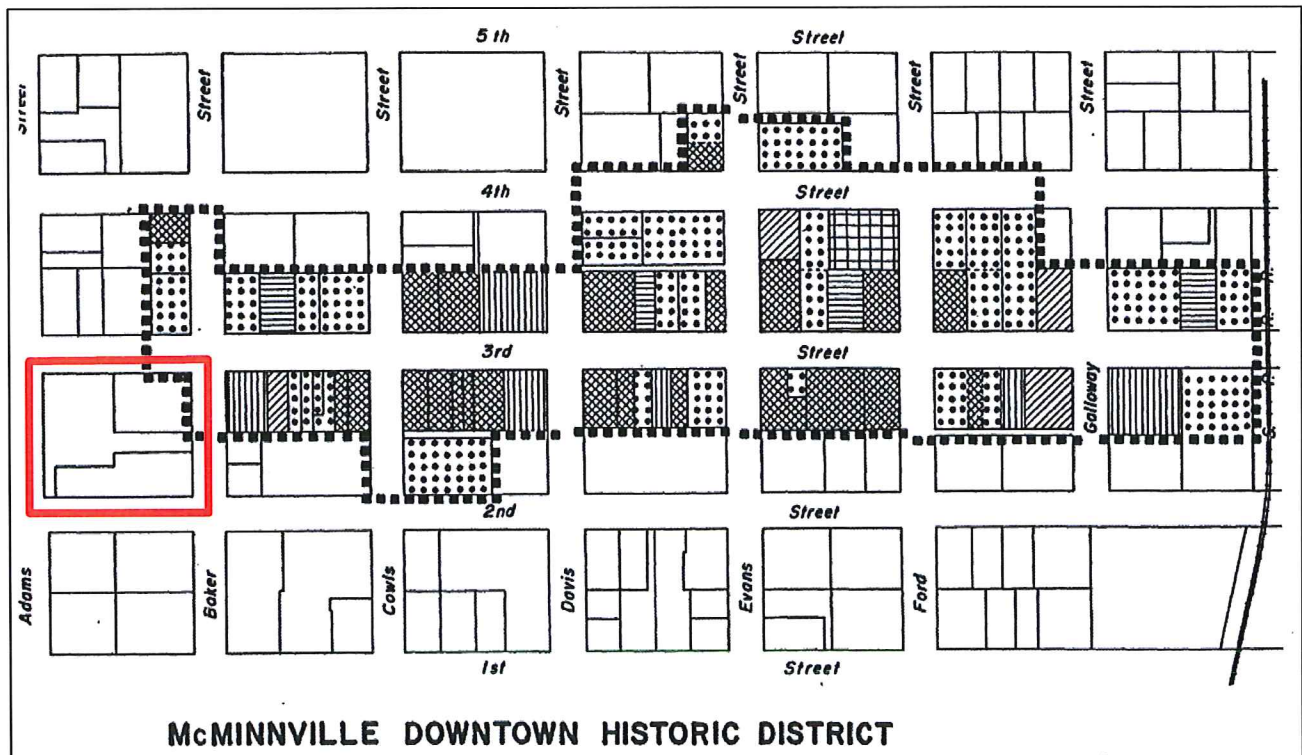
Figure 3. Building Rendering



Background

The property is located within the Downtown Design Standards and Guidelines area described in Chapter 17.59 of the McMinnville Municipal Code. This city block serves as the entry point/gateway and bookend to McMinnville’s downtown Third Street.

The property and the existing buildings are not listed on the local Historic Resources Inventory or the McMinnville Downtown Historic District that is listed on the National Register of Historic Places. However, the property is located on the western edge of the historic district boundary as shown below:



Summary of Criteria & Issues

Decisions and/or recommendations for approval of the land use application is dependent upon whether or not the application meets state regulations, the McMinnville Comprehensive Plan and the McMinnville Municipal Code. The application can either meet these criteria as proposed, or a condition of approval can be provided that either outlines what needs to occur to meet the criteria or when something needs to occur to meet the criteria.

The specific review criteria for Downtown Design Review for New Construction in Section 17.59.040 of the MMC require the proposal to be consistent with the applicable Downtown Design Standards and Guidelines in Chapter 17.59 of the MMC, as well as the following review criteria:

1. The City's historic preservation policies set forth in the Comprehensive Plan;
2. If a structure is designated as a historic landmark on the City's Historic Resources Inventory or is listed on the National Register for Historic Places, the City's historic preservation regulations in Chapter 17.65, and in particular, the standards and guidelines contained in Section 17.65.060(2);

In addition, any request for a waiver from a Downtown Design Standard is subject to the specific review criteria in Section 17.59.040(A)(3) of the MMC as follows:

- a. There is a demonstrable difficulty in meeting the specific requirements of this Chapter due to a unique or unusual aspect of the site, an existing structure, or proposed use of the site;
- b. There is demonstrable evidence that the alternative design accomplishes the purpose of this Chapter in a manner that is equal or superior to a project designed consistent with the standards contained herein; and
- c. The waiver requested is the minimum necessary to alleviate the difficulty of meeting the requirements of this Chapter.

Since this project is new construction in the Downtown Design Review Overlay District it is subject to review criteria in Section 17.59.040 of the McMinnville Municipal Code. The application for the review of the exterior design of the new building includes requests for waivers from five (5) individual downtown design standards. Waiver requests are subject to the specific review criteria in Section 17.59.040(A)(3) of the McMinnville Municipal Code.

The requested waivers from downtown design standards include the following:

- 1) Reduction in the amount of glazing (i.e. windows and other glass or openings) on the ground floor facades from the required 70 percent to 40 percent on the Third Street façade and 25 percent on the Baker Street facade;
- 2) Allowance of a new parking lot to be located on Third Street;
- 3) Allowance of an entrance to the new parking lot proposed to be located on Third Street;
- 4) Reduction of the landscaping buffer strip between a new parking lot adjacent to Second Street and the sidewalk from the required width of 5 feet down to 3 feet; and
- 5) Allowance of a steel awning material.

In addition to the sections of the McMinnville Municipal Code referenced above, the goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

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

Attachments:

Attachment 1 – Application and Attachments

II. CONDITIONS:

1. That the improvements within the proposed “Historic/Art Area” be designed and installed through the collaborative process described by the applicant, which was to design and develop this area through a decision process by Applicant’s Board with input from Planning Department staff, and Steve Rupp, chair of the Downtown Public Arts Committee. The “Historic/Art Area” shall be located on both the west and east sides of the right-turn only egress, and on each side shall be a minimum dimension of 25 feet wide and 15 feet deep, as shown on the submitted site plan. The “Historic/Art Area” shall not simply be an increased landscape planting area, but it shall incorporate some or all of the features described by the applicant such as statues, art, decorative walls, and/or historic district gateway/monument signage that is accessible and uniquely adds value to the pedestrian experience. The “Historic/Art Area” shall also incorporate some feature with verticality to screen the parking lot from view from Third Street. The final design of the “Historic/Art Area” shall be submitted for review and final approval by the Historic Landmarks Committee.
2. That the painting and signage for the right-turn only egress onto NE Third Street from the surface parking lot on the northwest portion of the site be submitted to the City for review and approval prior to installation. The signage shall not interfere or distract from the proposed improvements within the “Historic/Art Area”, and the painting and/or markings on the ground shall enhance pedestrian safety within the sidewalk space and not detract from the pedestrian experience of Third Street. In addition, the surface of the driving area within the “Historic/Art Area” shall be differentiated from the sidewalk through the use of pavers to better define the pedestrian sidewalk space.
3. That the property owner shall enter into an agreement and license with the City to allow for the upper-story portions of the building along NE Baker Street to encroach into the public right-of-way.
4. That the applicant shall include a detail of the proposed brick soldier course along all areas of the façade that do not include a precast concrete belt course in the construction plans submitted for building permit review. The soldier course shall be at the same height as the precast concrete belt course between the first and second stories of the building.
5. That the applicant shall include window details in the construction plans submitted for building permit review that depict that all of the windows on the building will be recessed.
6. That the skim coated exposed foundation wall on the 3rd Street façade be painted a tan color to match the stone panels that will be installed above the exposed foundation wall and beneath the windows. Alternatively, the applicant may install the stone panel material over the foundation wall to encompass the entire area from the bottom of the window to the sidewalk.
7. That the applicant shall submit a landscape plan and Landscape Plan Review application to the McMinnville Landscape Review Committee for their review and approval prior to the issuance of building permits for the new building. All landscaping on the site shall be installed as approved by the Landscape Review Committee prior to final building permit inspections being completed. The landscape plan shall:
 - A. Be consistent with the preliminary landscaping plan submitted with the Downtown Design Review application (DDR 4-19);
 - B. Include details for the decorative trellis fence proposed within the landscape buffer space adjacent to NE 2nd Street. The decorative trellis fence shall be limited to 30 inches in height. The landscape plan shall also identify the proposed spacing, at the time of installation, of the plants that will grow into and cover the decorative trellis fence;

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- C. Include proposed street tree plantings, where possible, within the public right-of-way adjacent to the subject site. This includes the frontages onto the NE Adams Street, NE Third Street, and NE Baker Street right-of-ways. Street trees shall meet the planting standards in Section 17.58.045 and Section 17.58.090 of the McMinnville Municipal Code (MMC).
8. That the applicant shall provide a revised example of the brick material, and the proposed grout color, for review and approval by the Historic Landmarks Committee. The color of the revised example brick material shall be a lighter color than the brick material that was originally proposed.
 9. That the awnings shall be finished with the darker-colored metal material that was proposed and approved for the windows, sunshades, and exposed flashing. The entire awning shall be finished with the metal material, and shall not include the wood material on the soffits as identified in the renderings in Exhibits D3 and D5.
 10. That the wood material proposed for the underside of the soffits of the recessed entry and third story balcony be finished with a darker stain or painted to be consistent with the allowable material of “painted wood” and not appear as a natural wood material.
 11. That one (1) additional window be provided on the ground floor of the Baker Street (east) façade in the work room space that is identified on the Level 1 Floor Plan (Exhibit C5). This additional window shall be included in the construction plans submitted for building permit review.

III. ATTACHMENTS:

1. DDR 4-19 Application and Attachments (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, 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 were received:

- McMinnville Engineering Department

No comments regarding the design standards. Prior to approval of the building permit, the applicant will need to enter into a license to use the public right-of-way for the area(s) where the building encroaches into the right-of-way.

- McMinnville Water and Light

No comments from MW&L.

- Oregon Department of Transportation

The property has frontage on both Adams Street and Baker Street, which together comprise the Pacific Highway West No. 091 (OR-99W). The property currently has 1 highway approach on Adams Street and 2 highway approaches on Baker Street. The applicant has been in contact with ODOT to discuss preliminary design, and ODOT supports the current proposal of one midblock approach on both Adams Street and Baker Street. The applicant will need to submit an Application for State Highway Approach for the reconstructed approaches on Adams Street and Baker Street. They can contact me to begin the process.

Attachments:

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Public Comments

Notice of this request was mailed to property owners located within 100 feet of the subject site. As of the date of the Historic Landmarks Committee public meeting on September 26, 2019, no public testimony had been received by the Planning Department.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Kelley Wilson of SUM Design Studio, on behalf of property owner First Federal Savings & Loan, submitted the Downtown Design Review application (DDR 4-19) on July 3, 2019.
2. The application was deemed incomplete on July 24, 2019. A revised application submittal, including items that were requested by the Planning Department to deem the application complete, was provided on August 1, 2019.
3. The application was deemed complete on August 29, 2019. Based on that date, the 120 day land use decision time limit expires on December 27, 2019.
4. The applicant submitted an additional revised application submittal on September 10, 2019. Those revised application materials, which included updated building plans and application narrative, were used in the City's formal review and are reflected in this decision document.
5. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.110 of the McMinnville Municipal Code: 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.

Comments received from agencies are addressed in the Decision Document.

6. Notice of the application and the September 26, 2019 Historic Landmarks Committee public meeting was mailed to property owners within 100 feet of the subject property in accordance with Section 17.59.030(C)(3) and Section 17.72.110 of the McMinnville Municipal Code on Tuesday, September 10, 2019.
7. No public testimony was submitted to the Planning Department prior to the Historic Landmarks Committee public meeting.
8. On September 26, 2019, the Historic Landmarks Committee held a duly noticed public hearing to consider the request.

VI. FINDINGS OF FACT – GENERAL FINDINGS

1. **Location:** 118 NE 3rd Street. The property identified as Tax Lots 8600, 8700 and 9200, Section 20AD, T. 4 S., R. 4 W., W.M.
2. **Size:** Approximately 43,440 square feet.
3. **Comprehensive Plan Map Designation:** Commercial

Attachments:

Attachment 1 – Application and Attachments

4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** Downtown Design Standards Area (per Section 17.59.020(A) of the McMinnville Municipal Code); Reduced Off-Street Parking Requirements Area (per Section 17.60.100); Reduced Landscaping Requirements Area (per Section 17.57.080).
6. **Current Use:** Commercial – Banking and Loan Services
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None
8. **Other Features:** There are no significant or distinguishing natural features associated with this property.
9. **Utilities:**
 - a. **Water:** Water service is available to the subject site.
 - b. **Electric:** Power service is available to the subject site.
 - c. **Sewer:** Sanitary sewer service is available to the subject site.
 - d. **Stormwater:** Storm sewer service is available to the subject site.
 - e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.
10. **Transportation:** The site includes the entire city block bounded on the north by 3rd Street, on the east by Baker Street, on the south by 2nd Street, and on the west by Adams Street. Adams and Baker Streets are identified as a major arterials in the McMinnville Transportation System Plan. The McMinnville Transportation System Plan also identifies 3rd Street as a major collector and 2nd street as a minor collector. Section 17.53.101 of the McMinnville Municipal Code identifies the right-of-way width for these classifications of streets, but the site is fully developed and within the downtown area with historic buildings constructed up to the property line. Therefore, no right-of-way dedication is required during the course of development of the properties in this area of the downtown.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Downtown Design Review request are specified in Section 17.59.040 of the Zoning Ordinance.

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, polices, and proposals as they apply to this application.

Attachments:

Attachment 1 – Application and Attachments

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

GOAL III 2: TO PRESERVE AND PROTECT SITES, STRUCTURES, AREAS, AND OBJECTS OF HISTORICAL, CULTURAL, ARCHITECTURAL, OR ARCHAEOLOGICAL SIGNIFICANCE TO THE CITY OF McMINNVILLE.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The property and the existing buildings are not listed on the McMinnville Historic Resources Inventory or the McMinnville Downtown Historic District that is listed on the National Register of Historic Places. However, the property is located on the western edge of the historic district boundary. The applicant is proposing to include a historical monument area on the northwest corner of the subject site, which will function as a monument and entry to the Third Street corridor and the McMinnville Downtown Historic District, which begins formally at the opposite end of the block at the corner of NE Third Street and NE Baker Street. This historical monument area will provide for interpretation and identification of the McMinnville Downtown Historic District which is of historical significance to the City of McMinnville.

GOAL IV 4: TO PROMOTE THE DOWNTOWN AS A CULTURAL, ADMINISTRATIVE, SERVICE, AND RETAIL CENTER OF McMINNVILLE

Downtown Development Policies:

Policy 36.00 The City of McMinnville shall encourage a land use pattern that:

- 1. Integrates residential, commercial, and governmental activities in and around the core of the city;*
- 2. Provides expansion room for commercial establishments and allows dense residential development;*
- 3. Provides efficient use of land for adequate parking areas;*
- 4. Encourages vertical mixed commercial and residential uses; and,*
- 5. Provides for a safe and convenient auto-pedestrian traffic circulation pattern.*

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The proposal results in an expanded commercial establishment in the core of the city. The proposed structure is strictly commercial as a bank and loan office, but is proposed to be vertically oriented to maximize development intensity on the subject site. This will preserve the remainder of the site, which is a full city block, for potential future development should the parking areas be found to not be necessary in the future. As proposed, the site includes use of the remainder of the property for off-street parking and internal vehicular circulation. The access points to the site are being reduced and relocated to the center of the block on three of the property’s frontages onto the surrounding public right-of-way. The exception is the Third Street frontage, but this access point is proposed to be egress only and has been minimized in width to reduce the potential conflicts between vehicles and pedestrians while still providing for the traffic movement out of the site. The applicant has described the necessity for this egress point onto Third Street in their findings for a Downtown Design Standards waiver, which are provided in more detail below.

Policy 39.00 The City of McMinnville shall encourage and allow the development of pocket parks, landscaping, and other natural amenities to provide a visual contrast between streets and parking lots and buildings to enhance the general appearance of the downtown.

APPLICANT’S RESPONSE: None.

Attachments :

Attachment 1 – Application and Attachments

FINDING: SATISFIED WITH CONDITION #7. The applicant has provided a preliminary landscape plan identifying areas of the site that will be landscaped, including areas between the proposed parking lots and the surrounding pedestrian areas. A condition of approval is included to require that the landscape plan be submitted for review and approval by the Landscape Review Committee, and the condition includes some required items to be included in the landscape plan to address required Downtown Design Standards and street tree planting standards.

Policy 44.00 The City of McMinnville shall encourage, but not require, private businesses downtown to provide off-street parking and on-site traffic circulation for their employees and customers.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. While not required, the proposal does include the provision of off-street parking spaces for the proposed commercial use.

Policy 46.01 The City shall, through its Landscape Review Committee, develop a list of street trees acceptable for planting within the public rights-of-way, parks and open spaces, and downtown. In addition, the committee shall develop standards for the planting of these trees, particularly within the downtown area, such that sidewalk and tree root conflicts are minimized. This effort should be coordinated with McMinnville Water and Light in an effort to minimize conflicts with utility lines.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #7. The subject site is located within the Downtown Tree Zone as defined in Section 17.06.045 of the McMinnville Municipal Code. The applicant has provided a preliminary landscape plan identifying areas of the site that will be landscaped, including street trees in some locations. A condition of approval is included to require that the landscape plan be submitted for review and approval by the Landscape Review Committee, and the condition includes requirements that the landscape plan address the applicable street tree planting standards. The Landscape Review Committee review process will ensure that the applicant is made aware of the acceptable planting standard for street trees within the Downtown Tree Zone.

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

GOAL X 2: TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

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.

Attachments:

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FINDING: SATISFIED. The process for Downtown Design Review for New Construction provides an opportunity for citizen involvement throughout the process through the public notice and the public meeting 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

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.

17.59.020 Applicability.

- A. The provisions of this Chapter shall apply to all lands located within the area bounded to the west by Adams Street, to the north by 4th Street, to the east by Kirby Street, and to the south by 1st Street. Lands immediately adjacent to the west of Adams Street, from 1st Street to 4th Street, are also subject to the provisions of this Chapter.
- B. The provisions of this ordinance shall apply to the following activities conducted within the above described area:
 1. All new building construction;
 2. Any exterior building or site alteration; and,
 3. All new signage.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The subject site is located in the Downtown Design area. The proposal includes new building construction, so the provisions of the Downtown Design Standards and Guidelines chapter are applicable. Findings for the proposed new construction's consistency with the applicable requirements of the Downtown Design Standards and Guidelines chapter are provided below.

17.59.030 Review Process.

- A. An application for any activity subject to the provisions of this ordinance shall be submitted to the Planning Department and shall be subject to the procedures listed in (B) through (E) below.
- B. Applications shall be submitted to the Planning Department for initial review for completeness as stated in Section 17.72.040. The application shall include the following information:

Attachments :

Attachment 1 – Application and Attachments

1. The applicant shall submit two (2) copies of the following information:
 - a. A site plan (for new construction or for structural modifications).
 - b. Building and construction drawings.
 - c. Building elevations of all visible sides.
 2. The site plan shall include the following information:
 - a. Existing conditions on the site including topography, streetscape, curbcuts, and building condition.
 - b. Details of proposed construction or modification to the existing structure.
 - c. Exterior building elevations for the proposed structure, and also for the adjacent structures.
 3. A narrative describing the architectural features that will be constructed and how they fit into the context of the Downtown Historic District.
 4. Photographs of the subject site and adjacent property.
 5. Other information deemed necessary by the Planning Director, or his/her designee, to allow review of the applicant's proposal. The Planning Director, or his/her designee, may also waive the submittal of certain information based upon the character and complexity (or simplicity) of the proposal.
- C. Review Process
1. Applications shall be submitted to the Planning Department for initial review for completeness as stated in Section 17.72.040. The Planning Director shall review the application and determine whether the proposed activity is in compliance with the requirements of this ordinance.
 2. The Planning Director may review applications for minor alterations subject to the review criteria stated in Section 17.59.040. The Historic Landmarks Committee shall review applications for major alterations and new construction, subject to the review criteria stated in Section 17.59.040. It shall be the Planning Director's decision as to whether an alteration is minor or major.
 3. Notification shall be provided for the review of applications for major alterations and new construction, subject to the provisions of Section 17.72.110.
 - a. The Historic Landmarks Committee shall meet within 30 (thirty) days of the date the application was deemed complete by the Planning Department. The applicant shall be notified of the time and place of the review and is encouraged to be present, although their presence shall not be necessary for action on the plans. A failure by the Planning Director or Historic Landmarks Committee, as applicable, to review within 30 (thirty) days shall be considered an approval of the application.
 - b. If the Planning Director or Historic Landmarks Committee, as applicable, finds the proposed activity to be in compliance with the provisions of this ordinance, they shall approve the application.
 - c. If the Planning Director or Historic Landmarks Committee, as applicable, finds the proposed activity in noncompliance with the provisions of this ordinance, they may deny the application, or approve it with conditions as may be necessary to bring the activity into compliance with this ordinance.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The applicant submitted an application as required, and the application was reviewed by the Historic Landmarks Committee as it consists of new construction. Notification was provided to property owners within 100 feet of the subject site, and the Historic Landmarks Committee met within 30 days of the date the application was deemed complete.

17.59.040 Review Criteria

- A. In addition to the guidelines and standards contained in this ordinance, the review body shall base their decision to approve, approve with conditions, or deny the application, on the following criteria:

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1. The City's historic preservation policies set forth in the Comprehensive Plan;
2. If a structure is designated as a historic landmark on the City's Historic Resources Inventory or is listed on the National Register for Historic Places, the City's historic preservation regulations in Chapter 17.65, and in particular, the standards and guidelines contained in Section 17.65.060(2); and

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The proposal is consistent with the City's historic preservation policies in the Comprehensive Plan, as described in more detail in the findings for those Comprehensive Plan policies above. The subject site and existing buildings on the site are not designated as historic landmarks or resources on the McMinnville Historic Resources Inventory, and the property is outside of the McMinnville Downtown Historic District that is listed on the National Register of Historic Places. Therefore, the City's historic preservation regulations are not applicable to this request.

Glazing Waiver – Waiver from Section 17.59.050(B)(3)(c)

3. If applicable (waiver request), that all of the following circumstances are found to exist:
 - a. There is demonstrable difficulty in meeting the specific requirements of this Chapter due to a unique or unusual aspect of the site, an existing structure, or proposed use of the site;

APPLICANT'S RESPONSE: We understand this design guideline is to preserve, protect and enhance the historic pattern as well as encourage an open and inviting glass storefronts in the Downtown District and to provide an organized, coordinated and cohesive historic district.

The building's use as a bank (savings and loan) and associated offices is not a typical storefront use and requires a specific architectural response. This type of use requires a certain level of privacy and security that are difficult to meet with the required level of glazing. The offices along Third Street require privacy from the street and our proposed window sizes are composed to strike a balance of openness and privacy. The bank teller area has limited windows for security reasons and there is limited opportunity for windows due to the building layout. This layout is derived partly due to the need to retain the existing building in its present location and remain operational.

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

- b. There is demonstrable evidence that the alternative design accomplishes the purpose of this Chapter in a manner that is equal or superior to a project designed consistent with the standards contained herein; and

APPLICANT'S RESPONSE: The ground floor window pattern along Third Street provides a familiar and friendly urban experience as well as a pleasing regular rhythm of windows. Although it does not meet the glazing area it does provide a series of windows that provide interest and is not unlike several other buildings in the Downtown district. Certain newer buildings with uses other than retail have established a precedent of a lesser amount of glazing, (see Exhibit A1 and Exhibit A2), such as:

- Atticus Hotel at 4th and Ford Street
- Apartments and street level offices at 811 3rd Street
- Lewis and Stark building at 640 3rd Street.

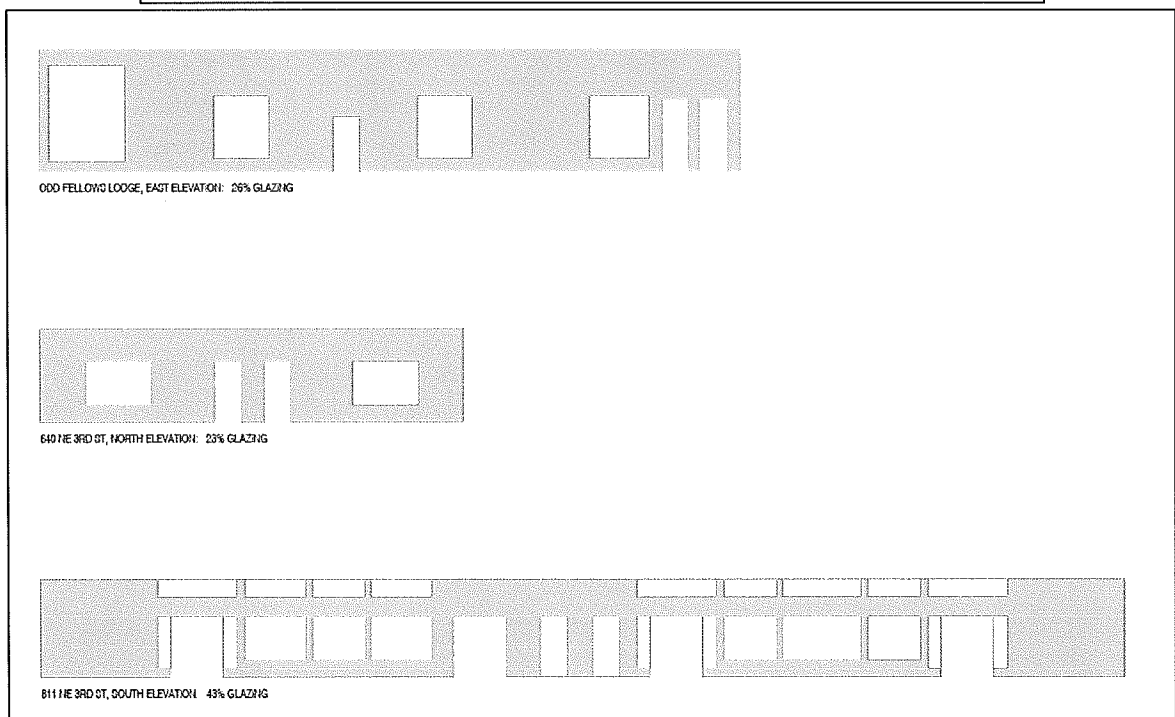
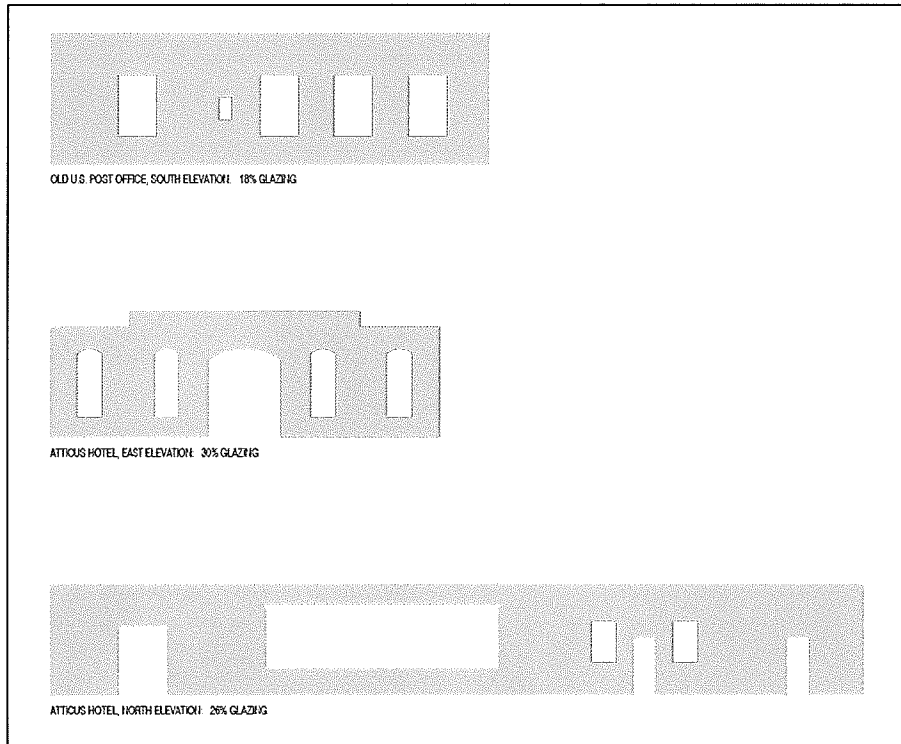
Although these buildings don't meet these criteria, they do successfully support an organized, coordinated and cohesive historical district. Also, the applicant's building location at the end of

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Third Street does not interrupt the retail experience that dominates the Downtown District along Third Street, primarily between Baker Street and Galloway Street. This project establishes its own presence at street level and would continue the varied but historical pattern of the downtown district.

FINDING: SATISFIED. The City concurs with the applicant’s findings. The City adds that the applicant provided an analysis of the glazing percentages of other buildings within the Downtown Design Area, and identified that the proposed glazing for the new building is consistent with those glazing patterns. This analysis of example buildings is provided below:



The applicant also provided photo examples of the buildings on the north side of Third Street, adjacent to and across the street from the proposed new building. While the same level of analysis was not provided for this street frontage, the photo examples show that the amount of glazing on these adjacent historic buildings is consistent with what is proposed for the new building. These photos can be seen below:





- c. The waiver requested is the minimum necessary to alleviate the difficulty of meeting the requirements of this Chapter.

APPLICANT'S RESPONSE: A waiver would allow the privacy and security the applicant needs to maintain a professional and secure office and banking environment.

FINDING: SATISFIED WITH CONDITION #11. The City concurs with the applicant's findings, but adds that it was identified that one additional window could be provided on the ground floor façade of the Baker Street (east) façade based on the proposed use identified on the floor plans for the ground level of the building. To minimize the waiver requested and ensure that the waiver is the minimum necessary to alleviate the difficulty of meeting the requirements, a condition of approval is included to require that one (1) additional window be provided on the ground floor of the Baker Street (east) façade in the work room space that is identified on the Level 1 Floor Plan (Exhibit C5). The condition of approval specifies that this additional window shall be included in the construction plans submitted for building permit review.

Surface Parking Lot Waiver – Waiver from Section 17.59.060(A)

3. If applicable (waiver request), that all of the following circumstances are found to exist:
- There is demonstrable difficulty in meeting the specific requirements of this Chapter due to a unique or unusual aspect of the site, an existing structure, or proposed use of the site;

APPLICANT'S RESPONSE: First Federal Savings is replacing the two buildings on the site. The loan and title services are currently housed in the smaller one-story building and can be temporarily relocated off-site because they can be easily accommodated in typical office space and they have relatively low public interface resulting in low public inconvenience and low economic impact.

The main building, on the other hand, has a high public interaction and houses specialized services and equipment. This is especially true for the auto drive-up functions as well as vault services for cash and safety deposit boxes. In order to avoid customer inconvenience and the high cost of temporarily moving these functions off-site, it is the bank's intent to keep their current bank building open and operational during construction. To accomplish this the new building will

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be located on the NE corner of the site. This avoids the existing building yet still maintains the primary pedestrian entrance on Third Street. When construction is complete and the new building is operational, the existing bank building will be demolished. The area where this existing building stood will then be open and the highest and best use is as a parking lot. First Federal's design intention was not to place a parking lot along Third, but the remaining open area left little choice but to utilize it as a parking lot. However, they do realize the importance of maintaining the cohesive and pleasant downtown experience and propose to buffer the sidewalk from the parking area with a generous amount of landscaping beyond the zoning minimum. In addition, the application is proposing a portion of the landscaped area for a public art installation or a historical marker. See Exhibits C3 and C4.

The vehicle drive from the parking lot, also included in this waiver request, is proposed as a narrow drive of just 12 feet to reduce the crossing distance for pedestrians and also as an exit-only and right-turn only. This right-turn only will improve flow from the parking lot onto Third by allowing cars to only go east on Third. This will reduce possible conflict with cars turning from Adams onto Third as well avoid cars trying to make left turn into a short queuing line to Adams Street. It will also reduce the potentially more dangerous entry on to Adams or Baker, which tend to have faster moving traffic and more volume.

It should be noted that this new proposed design is a substantial improvement over the current conditions. The property currently has three driveways on to Third with parking fronting Third Street for more than half its length. Additionally, one driveway on to Baker will be eliminated.

Also, see the "Applicant's Supplement to its Land Use Application as Revised August 01, 2019" for additional information addressing this waiver request.

FINDING: SATISFIED. The City does not find that the construction phasing requirements provide a difficulty in meeting the design standards, but rather that the proposed design minimizes the impact of the parking lot on Third Street, as will be described in more detail below. In addition, the portion of the site proposed to be used as a parking lot will preserve the future re-development potential of the northwest portion of the site, should the parking spaces be found to be not necessary in the future.

- b. There is demonstrable evidence that the alternative design accomplishes the purpose of this Chapter in a manner that is equal or superior to a project designed consistent with the standards contained herein; and

APPLICANT'S RESPONSE: The generous landscaped setback from the sidewalk will provide a pleasant buffer from the parking lot. We believe the purpose of the criteria is to shield pedestrians from a parking lot which the landscape buffer accomplishes.

Additional Applicant Response from Supplemental Submittal: Currently, the frontage along the south side of Third Street from Adams to Baker Street, is approximately two thirds (2/3) parking lot with three vehicular accesses onto Third Street, and another vehicular access onto Baker Street. The remaining approximately one third (1/3) of the block of the Third Street frontage is the existing brick bank facility on the southeast corner of Third and Adams Streets.

The Third and Adams Street intersection is a key gateway to historic downtown McMinnville. This unique location in of itself supports Applicant's proposed development for historic purposes as hereafter discussed.

As one drives south on Adams Street and turns left onto Third Street, you enter the McMinnville Downtown Historic District corridor with the historic Cozine House on your left. Applicant suggests and proposes that the area on the right side of Third Street between the sidewalk and the 18 space parking area be developed for historic purposes.

The area could include a sign “Welcome to Historic Downtown McMinnville” on the Adams Street side of the Applicant’s proposed Third Street access. Another wall on the east side of the Third Street access could, for example, set forth a history of McMinnville. Applicant proposes that the way to design and develop this area would be through a decision process by Applicant’s Board with input from planning staff, and Steve Rupp, chair of the Downtown Public Arts Committee. Additionally, art could be included that would consist of one or two historically relevant statues which, if appropriately placed, would serve to draw attention to them and away from the exit from the parking lot onto Third Street. A redesign of this exit is addressed in number (2) of this Supplement.

The benefits of this proposal are significant: the public will have an enhanced access to Third Street, a significant opportunity to present a brief history of McMinnville will be utilized, the proposed parking lot will abut this proposed historic use and not Third Street and the proposed walls and the statue(s) will significantly shield and reduce the presence of the parking lot.

Applicant submits that the proposed area would accomplish an important purpose for the downtown core as set forth in McMinnville ordinance 4797, Section 17.59.010 Purpose (as amended) which provides: “Rather, its (ordinance 4797), purpose is to build on the “main Street” qualities that currently exist with the downtown and to foster an organized coordinated and cohesive historic district that reflects the “sense of place, economic base, and history unique to McMinnville and the downtown core. (ordinance 4797, October 23, 2003).”

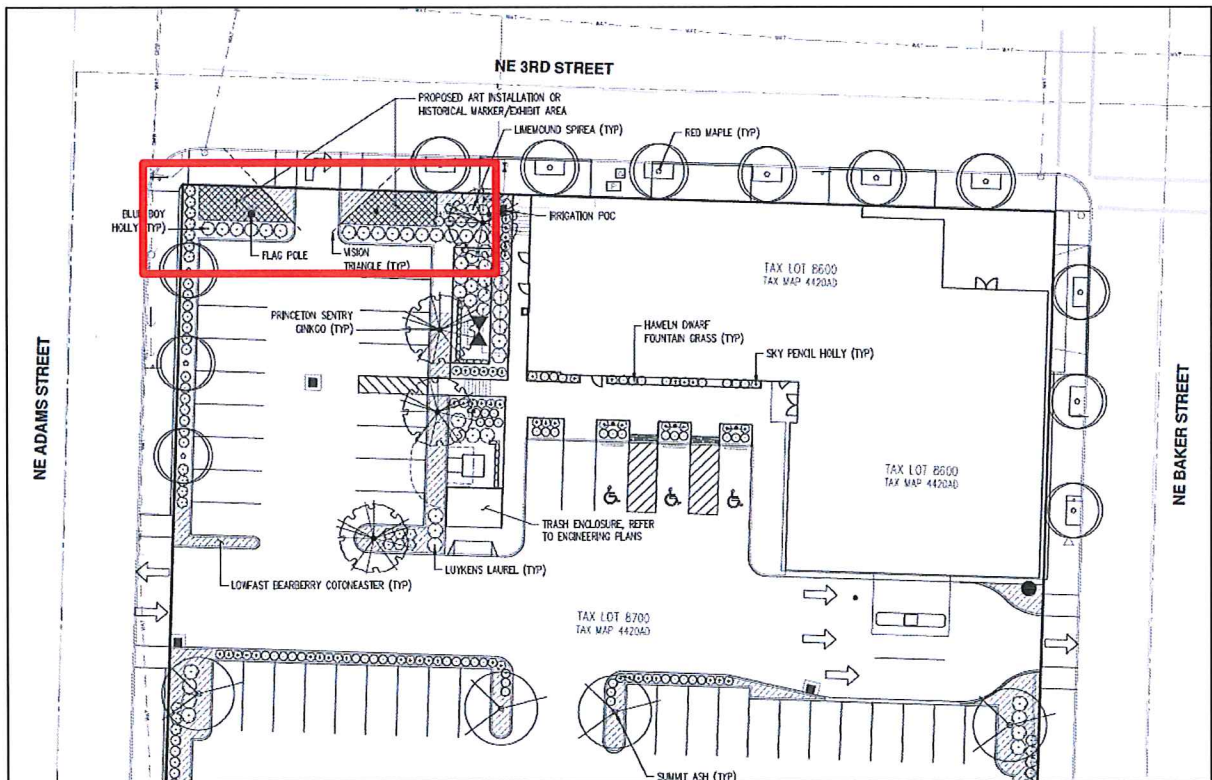
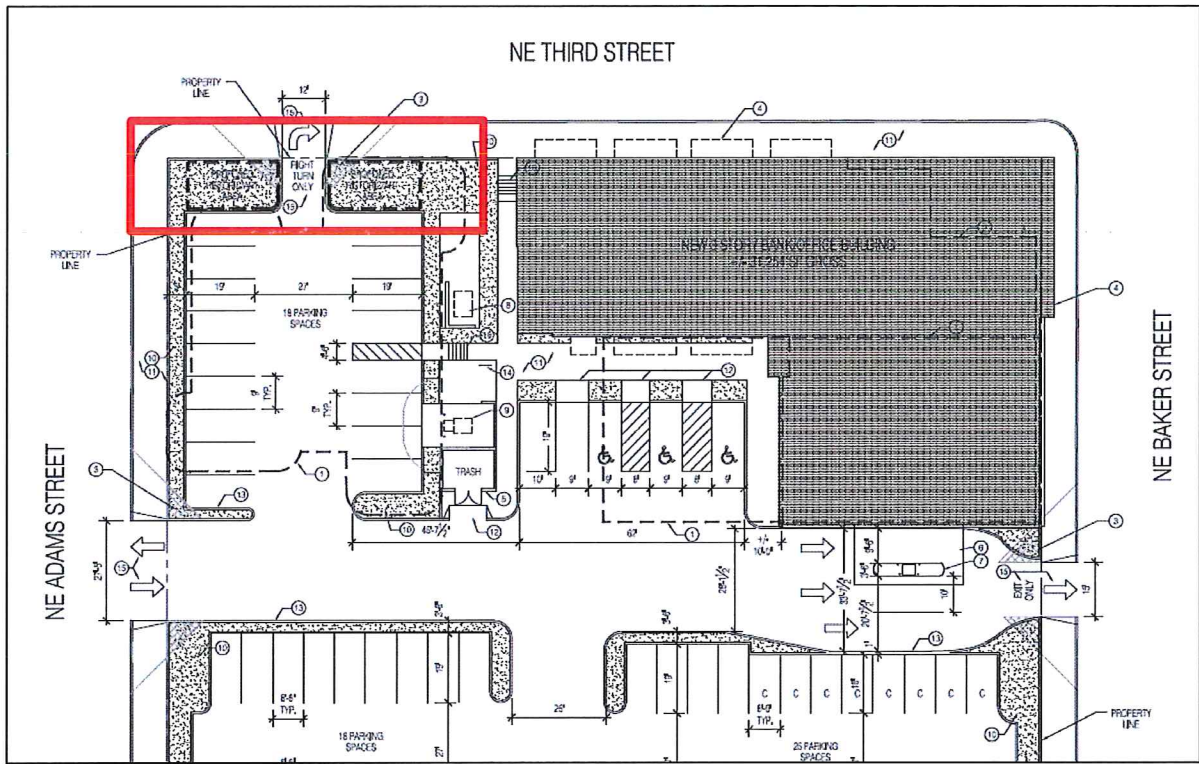
As such, the proposed area could be determined to be a unique and separate which would separate the parking lot from Third Street whereby the parking lot would abut this propose area, and not Third, and thus not requiring a waiver.

In addition, Applicant’s proposed area addresses the purpose tests set forth in Chapter 17.65.010 of ordinance 5034 which are:

- A. Stabilize and improve property values through restoration efforts;
- B. Promote the education of local citizens on the benefits associated with an active historic preservation program;
- C. Foster civic pride in the beauty and noble accomplishments of the past;
- D. Protect and enhance the City’s attractions for tourists and visitors; and
- E. Strengthen the economy of the City.

FINDING: SATISFIED WITH CONDITION #1. The City concurs with the applicant’s findings. A condition of approval is included to require that the improvements within the proposed “Historic/Art Area” be designed and installed through the collaborative process described by the applicant. The condition of approval specifies that the “Historic/Art Area” shall be located on both the west and east sides of the right-turn only egress, and on each side shall be a minimum dimension of 25 feet wide and 15 feet deep, as shown on the submitted site plan. The condition of approval also specifies that the “Historic/Art Area” shall not simply be an increased landscape planting area, but that it incorporate some or all of the features described by the applicant such as statues, art, decorative wall, and/or historic district gateway/monument signage. The condition of approval also specifies that some feature with verticality be provided to screen the parking lot from view from Third Street.

The proposed site plan and preliminary landscape plan for the building and development show the location of the surface parking lot and the historic monument area described by the applicant.



- c. The waiver requested is the minimum necessary to alleviate the difficulty of meeting the requirements of this Chapter.

APPLICANT’S RESPONSE: The difficulty in meeting the requirement would be to leave the area completely undeveloped with no practical use the applicant. Allowing the parking lot would allow the applicant reasonable use of the property and the generous landscaping set back would be a benefit and asset to the community.

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

Access from Surface Parking Lot to Third Street Waiver – Waiver from Section 17.59.060(A)

3. If applicable (waiver request), that all of the following circumstances are found to exist:
 - a. There is demonstrable difficulty in meeting the specific requirements of this Chapter due to a unique or unusual aspect of the site, an existing structure, or proposed use of the site;

APPLICANT'S RESPONSE: The main building, on the other hand, has a high public interaction and houses specialized services and equipment. This is especially true for the auto drive-up functions as well as vault services for cash and safety deposit boxes. In order to avoid customer inconvenience and the high cost of temporarily moving these functions off-site, it is the bank's intent to keep their current bank building open and operational during construction. To accomplish this the new building will be located on the NE corner of the site. This avoids the existing building yet still maintains the primary pedestrian entrance on Third Street. When construction is complete and the new building is operational, the existing bank building will be demolished. The area where this existing building stood will then be open and the highest and best use is as a parking lot. First Federal's design intention was not to place a parking lot along Third, but the remaining open area left little choice but to utilize it as a parking lot. However, they do realize the importance of maintaining the cohesive and pleasant downtown experience and propose to buffer the sidewalk from the parking area with a generous amount of landscaping beyond the zoning minimum. In addition, the application is proposing a portion of the landscaped area for a public art installation or a historical marker. See Exhibits C3 and C4.

Additional Applicant Response from Supplemental Submittal: Without this exit onto Third Street, traffic from the site's parking lots, would be forced to exit on one of three busy streets, two of which are state highways and the third, Second Street, is a major arterial all of which have the following issues and impacts:

- a) They are near traffic lights;
- b) When the applicable traffic light is red, traffic quickly, if not immediately, blocks the exit;
- c) If the traffic light is green, vehicles exiting the parking lot must merge with traffic moving at, or near, the posted speed limit;
- d) Traffic at all three of these locations is known for back-ups. This condition and associated problems will worsen as McMinnville grows and traffic volume increases (McMinnville is projecting growth of approximately 33% in the next 20 years);
- e) Without the existing exit onto Third Street, traffic desiring to continue east on Third Street, or turn left at Third and Baker and go north on Baker Street will have to exit at one of the other out of direction exits and further impact traffic at these exits;
- f) Continued access onto Third Street has several important advantages. First, the traffic proceeding east from Adams Street onto Third Street is significantly less than on the other three streets and is also moving at a much slower speed having just turned east off of Adams Street. Second, the traffic exiting Applicant's drive onto Third Street can then proceed to the traffic light at Third and Baker Streets and then have a controlled movement to continue east on Third Street, or to make a left turn and proceed north on Baker Street;
- g) As future traffic loads on the other three streets increase, this exit out to Third Street will be used and even more beneficial to downtown traffic movement; and
- h) Finally, the traffic pattern and volume of Applicant's site is unique as to its location with three sides abutted by major arterials. The Third Street access is the best mitigation of traffic from this unique site.

FINDING: SATISFIED. The City concurs with the applicant's findings. However, the City notes that Adams and Baker Streets are identified as a major arterials in the McMinnville Transportation System Plan. The McMinnville Transportation System Plan identifies 3rd Street as a major collector and 2nd street as a minor collector (not an arterial as described by the applicant). The City still finds that this site is a unique situation with the higher street classifications on all four sides and the traffic issues described by the applicant.

- b. There is demonstrable evidence that the alternative design accomplishes the purpose of this Chapter in a manner that is equal or superior to a project designed consistent with the standards contained herein; and

APPLICANT'S RESPONSE: The vehicle drive from the parking lot, also included in this waiver request, is proposed as a narrow drive of just 12 feet to reduce the crossing distance for pedestrians and also as an exit-only and right-turn only. This right-turn only will improve flow from the parking lot onto Third by allowing cars to only go east on Third. This will reduce possible conflict with cars turning from Adams onto Third as well avoid cars trying to make left turn into a short queuing line to Adams Street. It will also reduce the potentially more dangerous entry on to Adams or Baker, which tend to have faster moving traffic and more volume.

It should be noted that this new proposed design is a substantial improvement over the current conditions. The property currently has three driveways on to Third with parking fronting Third Street for more than half its length. Additionally, one driveway on to Baker will be eliminated.

Also, see the "Applicant's Supplement to its Land Use Application as Revised August 01, 2019" for additional information addressing this waiver request.

Additional Applicant Response from Supplemental Submittal: Applicant currently has parking on its site that abuts the south at the proposed 18 parking spaces which are located in the northwest quarter of Applicant's property. This existing parking has been on the site since 1974 and has been and is now served by the existing driveway which runs northerly to Third Street. In effect, Applicant is seeking an approximate 30 foot westerly relocation of this existing access to Third Street. The question then becomes, is it a new use requiring a waiver, or approval of a relocation of an existing use? Applicant believes it is the latter. Either way, the impact of continuing an existing use does not create a new impact, rather a continuation of the status quo. In addition, the net effect of the proposed site plan results in the elimination of two driveway accesses on Third Street and one on Baker Street and 120 feet of current parking lot frontage.

Finally, Applicant would provide appropriate historical objects of art to be located on each side of the exit, or as otherwise appropriate, to minimize the impact of this exit onto Third Street. Continuing the exit onto Third Street best satisfies the requirements of MMc Section 17.59.040(A)(3).

FINDING: SATISFIED WITH CONDITION #2. The City concurs with the applicant's findings, primarily the fact that the access point is limited to egress only and is minimized to a width of 12 feet. A condition of approval is included to require that the painting and signage for the right-turn only egress be submitted to the City for review and approval prior to installation. The signage shall not interfere or distract from the proposed improvements within the "Historic/Art Area", and the painting on the ground shall enhance pedestrian safety within the sidewalk space and not detract from the pedestrian experience of Third Street. In addition, the condition of approval specifies that the surface of the driving area within the "Historic/Art Area" shall be differentiated from the sidewalk through the use of pavers to better define the pedestrian sidewalk space.

- c. The waiver requested is the minimum necessary to alleviate the difficulty of meeting the requirements of this Chapter.

APPLICANT'S RESPONSE: The difficulty in meeting the requirement would be to leave the area completely undeveloped with no practical use the applicant. Allowing the parking lot would allow the applicant reasonable use of the property and the generous landscaping set back would be a benefit and asset to the community.

Additional Applicant Response from Supplemental Submittal: The proposed site plan results in a reduction from approximately 160 feet of the south side of the Third Street from Baker to Adams, being used for a parking lot and Third Street access to 12 feet of Third Street access. If the proposed building were to be located elsewhere on the block, all of these impacts on Third Street would continue.

FINDING: SATISFIED. The City concurs with the applicant's findings. The width of the egress only drive aisle at 12 feet in width is the minimum width to remain functional for vehicular egress from the site.

Landscaping Buffer Strip Reduction Waiver – Waiver from Section 17.59.060(C)

3. If applicable (waiver request), that all of the following circumstances are found to exist:
 - a. There is demonstrable difficulty in meeting the specific requirements of this Chapter due to a unique or unusual aspect of the site, an existing structure, or proposed use of the site;

APPLICANT'S RESPONSE: The applicant was required by the city to dedicate private property when Second Street right-of-way improvements were recently constructed by the city. This widening of the right-of-way and sidewalk reduced the usable area available to the applicant. The reduction has now resulted in limited clearances between Second Street and the new building. This remaining distance with a three foot landscape buffer would allow adequate space for parking and drive isles that meet city zoning requirements. The applicant is asking to have the landscape buffer along Second Street reduced by two feet to accommodate the parking and to regain a portion of the area previously dedicated for public use.

Also, the reduced buffer includes the required street trees for Second Street by providing a tree wells that protrude from the buffer edge. This would effectively increase the buffer width to 5 feet at the street tree locations. Please see the Landscape Plan.

Additional Applicant Response from Supplemental Submittal: Applicant believes it has adequately addressed and has met the circumstances necessary to support this waiver. See pages 12-14 of Applicant's Land Use Application Revised August 01, 2019. Applicant would again stress the significant numbers of employees, and also customers who use these parking lots and drive extended and four door pickups which require significant maneuvering space.

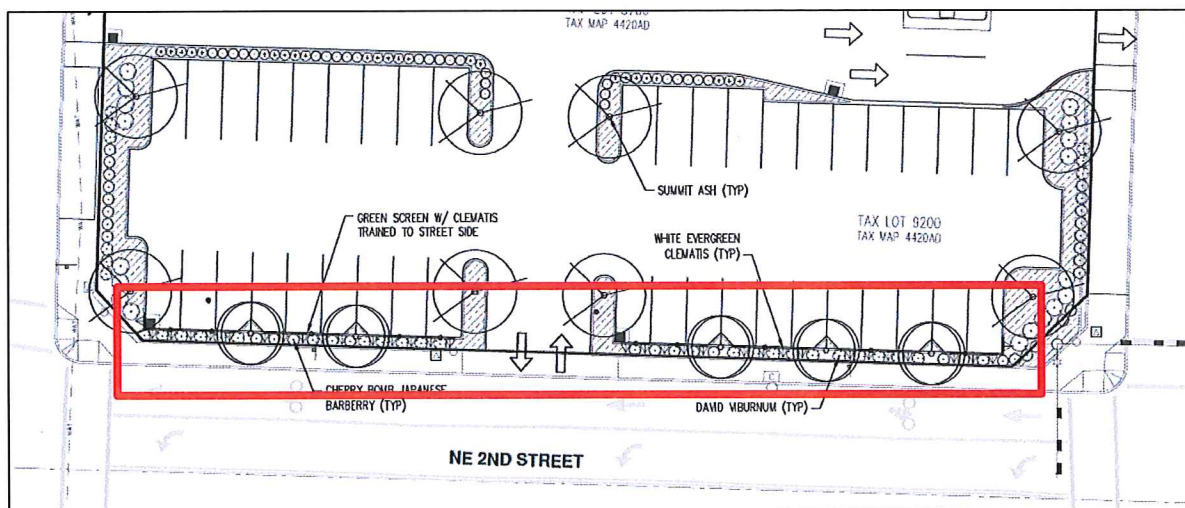
FINDING: SATISFIED. The City concurs with the applicant's findings. While some reductions in drive aisles could have been pursued to allow for the 5 foot landscape buffer per Section 17.60.080(G), the City finds that the alternative design proposed by the applicant accomplishes the purpose of the Downtown Design Standard Chapter, as described below.

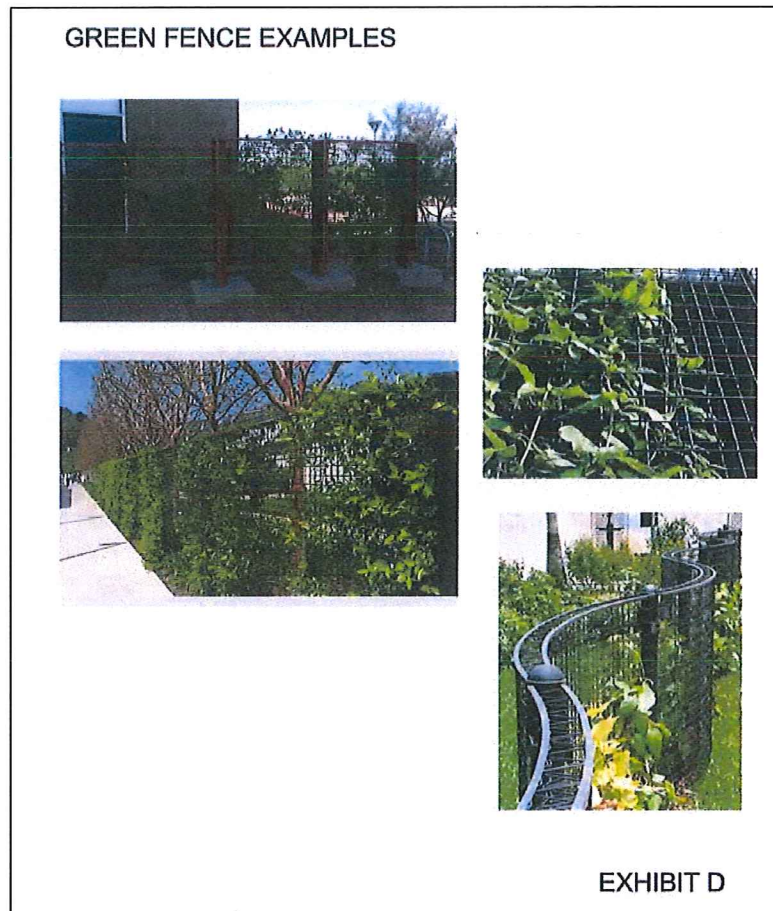
- b. There is demonstrable evidence that the alternative design accomplishes the purpose of this Chapter in a manner that is equal or superior to a project designed consistent with the standards contained herein; and

APPLICANT’S RESPONSE: The applicant is proposing a more densely landscaped area in the requested three-foot buffer and will also provide a decorative fence/trellises that is approximately 30-inches tall. This additional landscaping and decorative fence will provide equal or superior screening that the required 5-foot buffer. See Exhibit C.

FINDING: SATISFIED WITH CONDITION #7. The City concurs with the applicant’s findings and adds that the proposed design is superior in that trees are proposed in the landscape area in wider, diagonal tree wells. Street trees are an important component of the McMinnville downtown core, and the sidewalk space within the right-of-way of 2nd Street is constrained and would not allow for street trees in the sidewalk without impacting the required accessible path within the sidewalk. This is a unique aspect of the site that results in a difficulty in meeting the street tree amenity requirements of the code, and the proposed design allows for trees to be planted in the buffer strip to achieve the intent of the code. The trees within the landscape buffer area will provide some of the function of street trees, providing shade for pedestrians, tree canopy within the downtown, and improved aesthetics of the property’s frontage onto the public right-of-way. A condition of approval is included to require that a landscape plan, with details for the proposed decorative fence, be submitted to the Landscape Review Committee for review and approval.

The proposed design with the street tree planting and examples of the decorative fence can be seen below:





- c. The waiver requested is the minimum necessary to alleviate the difficulty of meeting the requirements of this Chapter.

APPLICANT’S RESPONSE: A three-foot landscape buffer would allow the applicant to achieve the clearances needed for two rows of parking and the drive through lanes. More than three-foot would necessitate removing one row of parking. Many employees and customers drive full size trucks and a 27 foot drive aisle will reduce conflicts and difficulty in parking and navigating the lot.

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

Awning Material Waiver – Waiver from Section 17.59.070(D)

- 3. If applicable (waiver request), that all of the following circumstances are found to exist:
 - a. There is demonstrable difficulty in meeting the specific requirements of this Chapter due to a unique or unusual aspect of the site, an existing structure, or proposed use of the site;

APPLICANT’S RESPONSE: The applicant is requesting a waiver to allow finished steel awnings that complement the design of the building and are a high quality and durable material. The required “soft canvas, fabric or matte finish vinyl” has a short life span and the applicant would like the material to represent their values in terms of longevity and durability.

The proposed awnings are an attractive alternative and will provide long lasting protection for pedestrians along Third Street. This will be the only building on this block of Third Street and will therefore not be in potential contrast to adjacent buildings.

Additional Applicant Response from Supplemental Submittal: McMinnville ordinance at Section 17.06.05 (General Definitions) provides as follows:

Awning – A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window, a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.

Clearly, McMinnville’s definition of an awning allows for the flat awning proposed by Applicant. McMinnville’s ordinance in its section of Design Standards for awnings provides:

D. Awnings should be constructed of soft canvas, fabric, or matte finished vinyl. The use of wood, metal, or plastic awnings is prohibited.

The standards in this section D would apply, and are consistent with a sloped awning. The materials, such as are proposed in section D, clearly will not work for allowed flat awnings as proposed by Applicant as they will impound water, which will cause them to sag and collect more water until the water will ultimately spill over – potentially onto pedestrians. The opposite result of what an awning should accomplish.

The committee’s role in case of such a drafting oversight, that is materials which are not intended for an allowed flat awning, is to grant such a waiver as will to effectuate the use of an appropriate material.

The design alternative for this Applicant is to eliminate the awnings to the detriment of pedestrians.

Applicant points out the committee’s waiver an allowance of metal for the Taylor Dale Building as an example of an appropriate waiver.

FINDING: SATISFIED. The City concurs with the applicant’s findings, particularly that the canvas, fabric, or vinyl materials would not function well in the form of a flat awning as proposed and found to be suitable for this building’s architecture, as described below.

- b. There is demonstrable evidence that the alternative design accomplishes the purpose of this Chapter in a manner that is equal or superior to a project designed consistent with the standards contained herein; and

APPLICANT’S RESPONSE: The proposed steel awnings will provide weather protection along Third Street that is comparable or superior to “soft canvas, fabric or matte finish vinyl”. The thin profile of the proposed awnings will also provide a subtle and attractive feature to the street scape and more in keeping with the architectural design of the building.

In addition, there is a precedent of HLC approving alternate materials for an awning. The recent approval of the 618 Proposal at 608 NE 3rd proposed an awning similar to the applicant’s design. Also, there is a current flat metal awning at 211 3rd Street (Naked Winery tasting room). See Exhibit B.

Also, see the “Applicant’s Supplement to its Land Use Application as Revised August 01, 2019” for additional information addressing this waiver request.

FINDING: SATISFIED WITH CONDITION #9. The City concurs with the applicant’s findings, and adds that the awning materials proposed are compatible with the building design. The materials allow for a flat awning form that blends into the façade between the ground floor windows and the transoms above those ground floor windows. The material is also not

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aluminum or in the form of ribbed or corrugated metal panels, all of which are prohibited as exterior materials, but rather is proposed to be a steel framed awning that is more compatible with the new building and with other historic buildings in the downtown area, as evidenced by other applications of a similar design at 211 NE 3rd Street and 618 NE 3rd Street. In addition, an alternative to this proposed material would be for there to be no awnings on the building façade, which would result in the loss of the weather protection amenity for the pedestrian environment along 3rd Street.

In order for the awning to better blend in with the building façade and be more compatible with the building design, a condition of approval is included to require that the awning material be finished with the darker-colored metal material that was proposed for the windows, sunshades, and exposed flashing. The condition of approval specifies that the entire awning shall be finished with the metal material, and shall not include the wood material on the soffits as identified in the renderings in Exhibits D3 and D5.

- c. The waiver requested is the minimum necessary to alleviate the difficulty of meeting the requirements of this Chapter.

APPLICANT'S RESPONSE: Allowing a durable material that is a good long-term investment would alleviate the need for continual cleaning and maintenance and provide a longer life span for the awnings.

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

17.59.050 Building and Site Design.

A. Building Setback.

- 1. Except as allowed by this ordinance, buildings shall maintain a zero setback from the sidewalk or property line.

APPLICANT'S RESPONSE: The building will front the property line on the west façade (NE Baker Street) and north façade (NE Third Street). We believe this meets the design criteria.

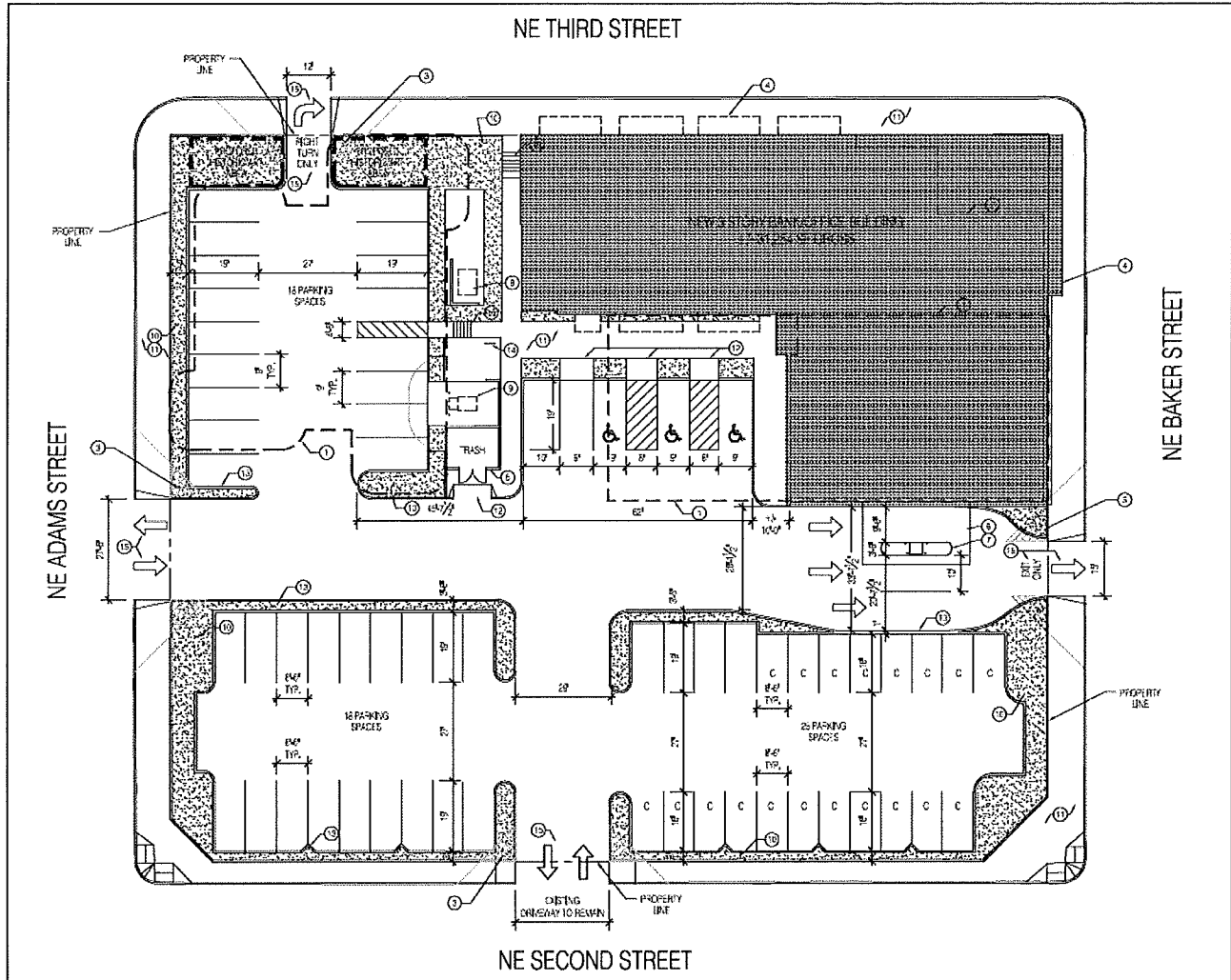
FINDING: SATISFIED WITH CONDITION #3. The City concurs with the applicant's findings. The City adds that the proposed site plan for the building and development show construction of the new building with zero setbacks along the majority of the NE Baker Street and NE Third Street property lines. The only portions of the ground floor building wall that are not constructed to the property lines is the area that is recessed for the main entry and a plaza space in front of the entry, and smaller areas along the Third Street and Baker Street facade. Along the Third Street façade, only 22 feet of the overall 142 feet of building frontage are slightly set back from the property line. This portion of the façade is setback 3 feet from the property line, and allows for a wider pedestrian space adjacent to the recessed entry at the corner of Third Street and Baker Street. Along the Baker Street façade, the ground floor façade is setback approximately 1.5 feet to again allow for a wider pedestrian space. The upper stories of the building along the Baker Street façade are constructed with a zero setback.

A portion of the upper story of the building will project beyond the property line, and a condition of approval is included to require that the property owner enter into a license with the City to use the public right-of-way for the areas where the building encroaches into the right-of-way.

Attachments:

Attachment 1 – Application and Attachments

The site plan identifying these proposed setbacks and projections is provided below:



17.59.050 Building and Site Design.

A. Building Setback.

2. Exceptions to the setback requirements may be granted to allow plazas, courtyards, dining space, or rear access for public pedestrian walkways.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The only portion of the ground floor building wall that is not constructed to the property lines is the area that is recessed for the main entry and a plaza space in front of the entry, which is included in the building design to meet other applicable downtown design standards for recessed entrances and having the primary entrance open onto the public right-of-way. Findings for these other applicable standards will be provided below. Small portions of the Third Street and Baker Street façade are also slightly set back to allow for a wider pedestrian sidewalk, as described above.

17.59.050 Building and Site Design

B. Building Design.

1. Buildings should have massing and configuration similar to adjacent or nearby historic buildings on the same block. Buildings situated at street corners or intersections should be, or appear to be, two-story in height.

Attachments :

Attachment 1 – Application and Attachments

APPLICANT’S RESPONSE: Specific to this criterion there are no other buildings on the block so the new building will establish its own datum lines. The building will be three stories along both Third and NE Baker and will be similar in height to other buildings to the east along Third Street. The building will be set back at the northeast corner which should reduce its perceived scale. We believe this meets the design criteria.

FINDING: SATISFIED. The City concurs with the applicant’s findings, particularly that there are no other existing buildings on the same block. The City adds that the overall massing and configuration of the building are similar to other buildings within the Downtown Design Standards area and the McMinnville Downtown Historic District. The building is similar in massing to other three story buildings such as the Masonic Building on the northwest corner of NE Third Street and NE Cowsls Street, and the Cooks Hotel building on the southeast corner of NE Third Street and NE Evans Street.

17.59.050 Building and Site Design

B. Building Design. [...]

2. Where buildings will exceed the historical sixty feet in width, the façade should be visually subdivided into proportional bays, similar in scale to other adjacent historic buildings, and as appropriate to reflect the underlying historic property lines. This can be done by varying roof heights, or applying vertical divisions, materials and detailing to the front façade.

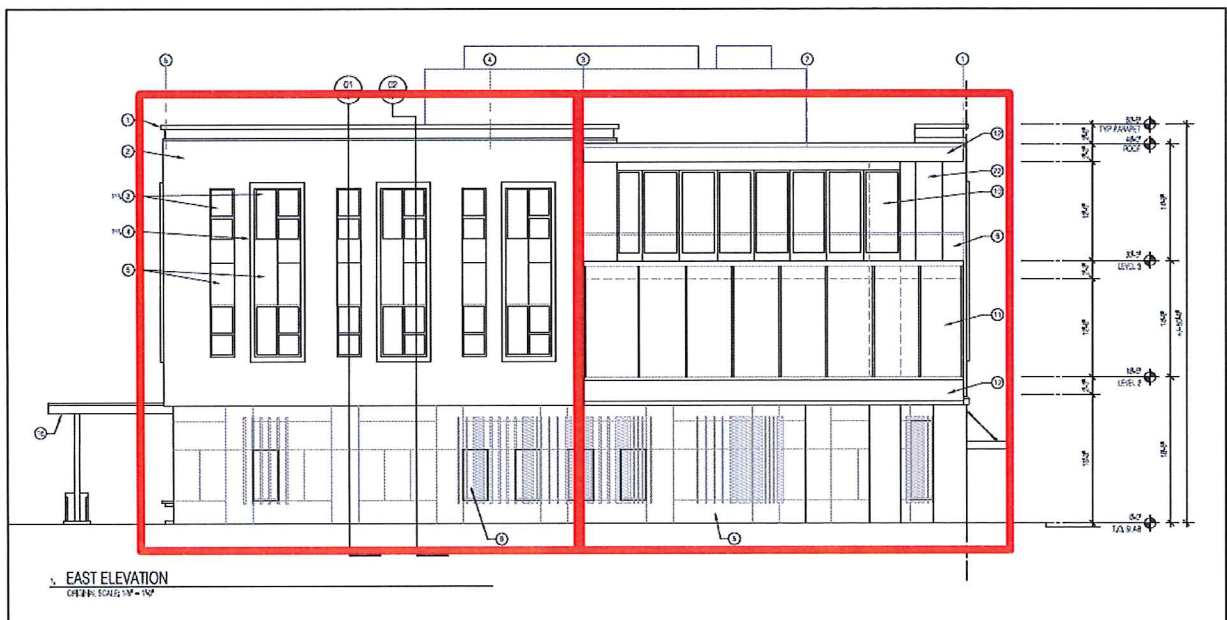
APPLICANT’S RESPONSE: The building elevation along Third Street is divided into three separate sections to provide relief and interest similar to the pattern of the approximately 60-foot subdivisions along NE Third Street to the east. The NE Baker Street elevation is also reduced to separate sections that reduce its scale. We believe these architectural details meet the intent of the design criteria.

FINDING: SATISFIED. Staff concurs with the applicant’s findings, and notes that this property has underlying historically platted lots from Block 3 of the original McMinnville Town Plat recorded on July 3, 1865. Those lots have since been re-described as the three parcels of various configurations that exist on the subject site today.

The Third Street façade of the new building is proposed to be approximately 143 feet in width. The applicant is arguing that the building has been divided into three sections. The three distinct sections of the Third Street façade are identified below. The first section is made up of primarily glass, with some stone panels on the ground floor façade and metal panels shown between the ground floor façade and the glass curtain wall system of the second story corner feature. The first section also includes the recessed entry, which further breaks up the ground floor façade. The second section shifts to a brick material on the upper stories, and continues the stone panels and windows on the ground floor façade. The entire second section is set back approximately three (3) feet from the remaining western portion of the Third Street façade, which creates a visual break in the façade. The total width of these first two sections is approximately 52 feet in width (56 feet in width if including the four (4) foot projection of the second story into the NE Baker Street right-of-way), which is less than the required 60 foot width. The remainder of the façade is approximately 91 feet in width, which does exceed the historical 60 foot width. This third section does not contain visual divisions that run from the ground to the roofline, but there are vertically-oriented window patterns and a protruding brick façade detail that provide some relief and proportional separation in the wider third section of the façade. The vertically-oriented protruding brick façade details on the upper stories align with the window openings on the ground floor of the façade. The third section also includes a change in roof height from the first two sections.



The Baker Street façade is separated into two sections, as shown below. Similar to the Third Street façade, the first section is made of up primarily glass, with some stone panels on the ground floor façade and metal panels shown between the ground floor façade and the glass curtain wall system of the second story corner feature. The second section again switches to a brick building material on the upper stories, and continues the stone panels and windows on the ground floor façade. The second section continues the same vertically-oriented window patterns and a protruding brick façade detail that are present on the western portion of the Third Street façade, which again provides some relief and proportional separation in the façade. The first section (glass section) is approximately 47 feet in width, and the second section (brick section) is approximately 53 feet in width.



17.59.050 Building and Site Design

B. Building Design. [...]

- 3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include:
 - a. A belt course separating the upper stories from the first floor;

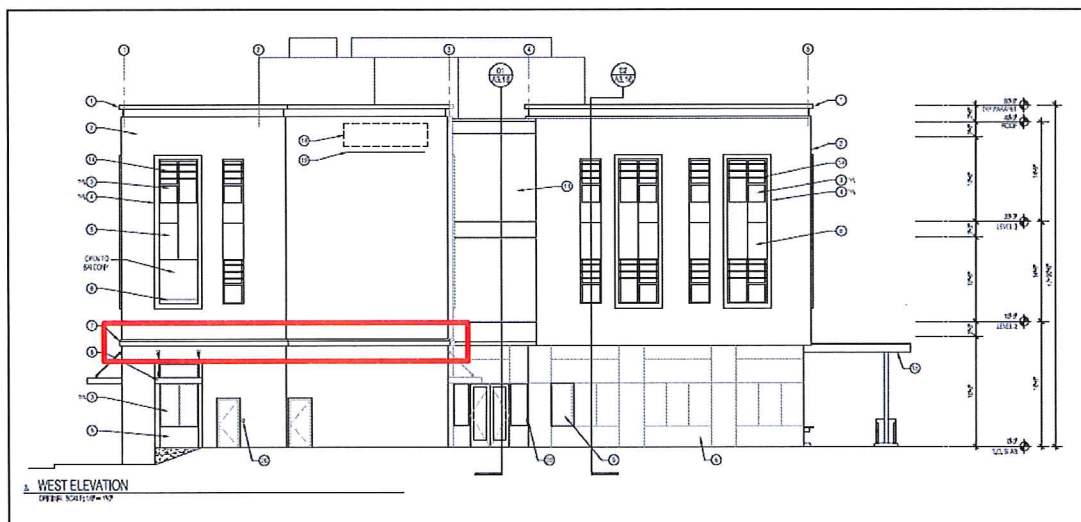
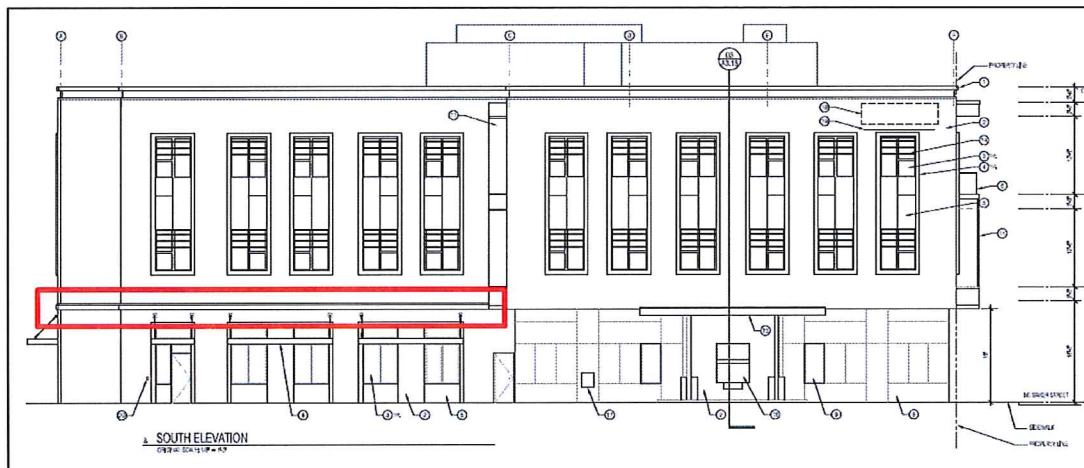
APPLICANT’S RESPONSE: The building has a precast-concrete belt course along the partial north and south facades and along the entire west façade. To continue this architectural feature,

the remaining part of the facades have a brick soldier course aligned with the precast belt course. This belt course is approximately 15 feet above the first floor. We believe these elements meet the intent of the design criteria.

FINDING: SATISFIED WITH CONDITION #4. The City concurs with the applicant’s findings. However, the brick soldier course described by the applicant is not identified in the building elevations or the building renderings. Therefore, a condition of approval is included to require that the construction plans submitted for building permit review include a detail of the proposed brick soldier course along all areas of the façade that do not include a precast concrete belt course. The soldier course shall be at the same height as the precast concrete belt course.

The precast concrete belt course is proposed in the following locations on the façade:





17.59.050 Building and Site Design

B. Building Design. [...]

Attachments:

Attachment 1 – Application and Attachments

3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include: [...]
 - b. A bulkhead at the street level;;

APPLICANT'S RESPONSE: The Third Street windows located in the brick portions of the facade will have bulkheads of stone panels. The windows at the branch also have bulkheads that match the surrounding stone panels. We believe this meets the design criteria.

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that the stone panel bulkhead beneath the windows is carried throughout the ground floor façade at the same height, even in the areas that are absent of windows. This height of the bulkhead is established in other areas without windows through the use of a seam between stone panels at the same height as the base of the windows in other locations along the ground floor façade. The only portions of the street facing façades that do not have this bulkhead feature are the portions of the façade that have brick pilasters between windows on the Third Street ground floor façade.

17.59.050 Building and Site Design

B. Building Design. [...]

3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include: [...]
 - c. A minimum of seventy (70) percent glazing below the transom line of at least eight feet above the sidewalk, and forty (40) percent glazing below the horizontal trim band between the first and second stories. For the purposes of this section, glazing shall include both glass and openings for doorways, staircases and gates;

APPLICANT'S RESPONSE: A waiver is requested for this design criteria to allow glazing percentage to be less than the required amount. Allow the north façade along Third Street to have an aggregate of 40% glazing area below the 8-foot transom line (the glazing area above the transom line and below the horizontal trim band between the first and second floors meets the 40% guideline); and on the east façade along Baker Street to have a 25% glazing area below the 8-foot transom line and to have a 25% glazing area above the 8-foot transom line and below the horizontal trim band between the first and second floors.

FINDING: SATISFIED. Findings for the waiver described by the applicant are provided in the findings for the waiver review criteria above.

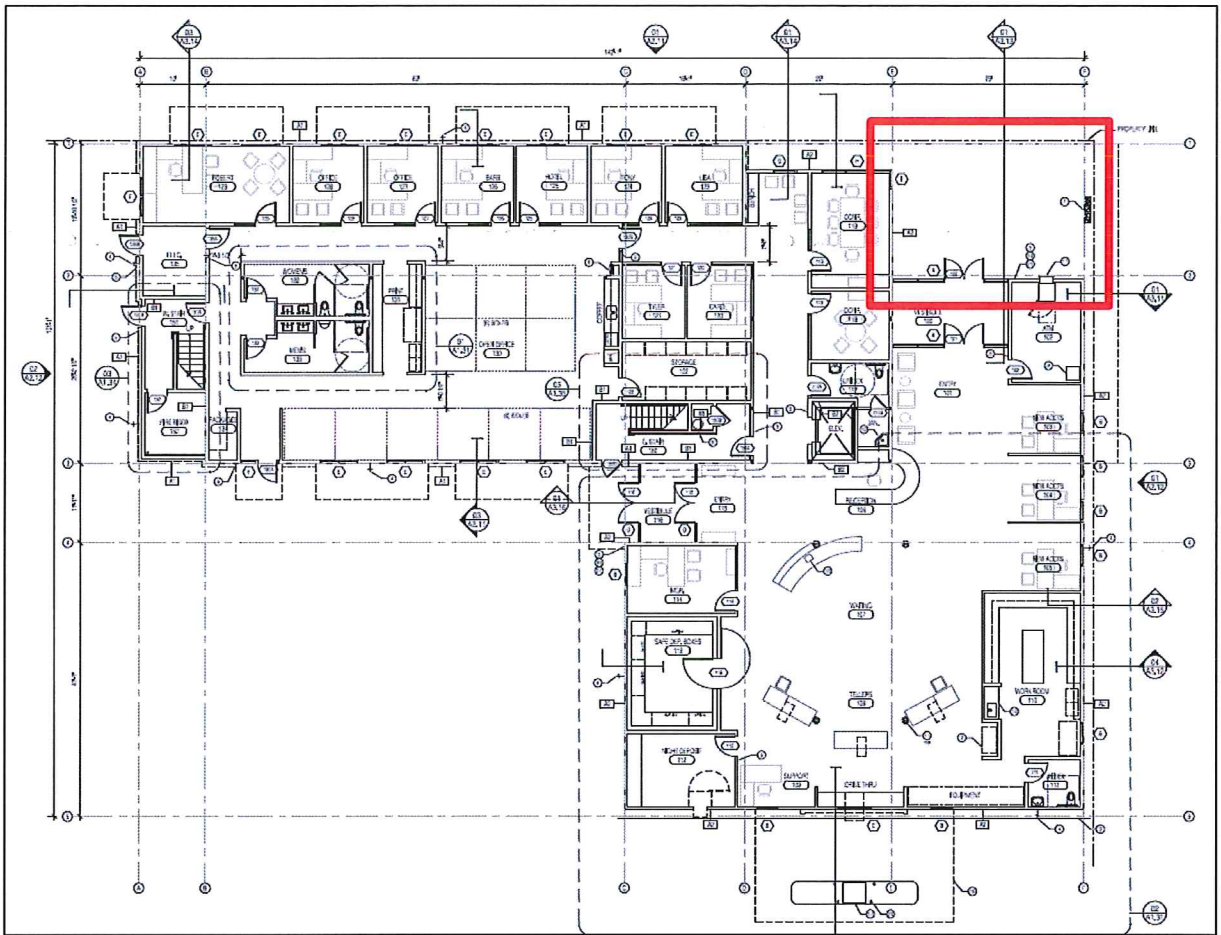
17.59.050 Building and Site Design

B. Building Design. [...]

3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include: [...]
 - d. A recessed entry and transom with transparent door; and

APPLICANT'S RESPONSE: The main entry at the corner of 3rd Street and Baker is recessed with a glass door and glass transom. This meets the design criteria.

FINDING: SATISFIED. The City concurs with the applicant's findings. The floor plan and rendering provided with the application materials depict the recessed entry and transparent door proposed on the corner of the building oriented towards 3rd Street and Baker Street.



17.59.050 Building and Site Design

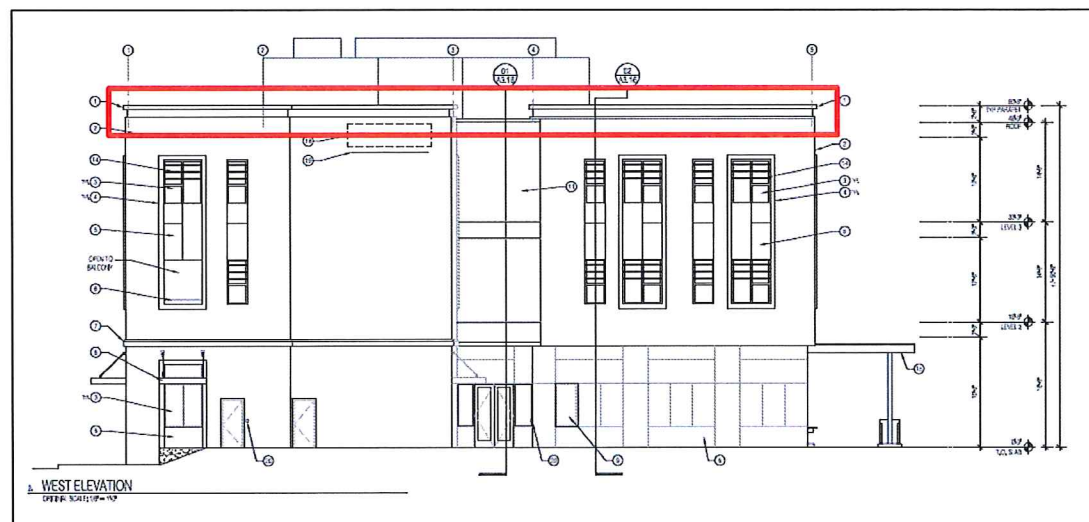
B. Building Design. [...]

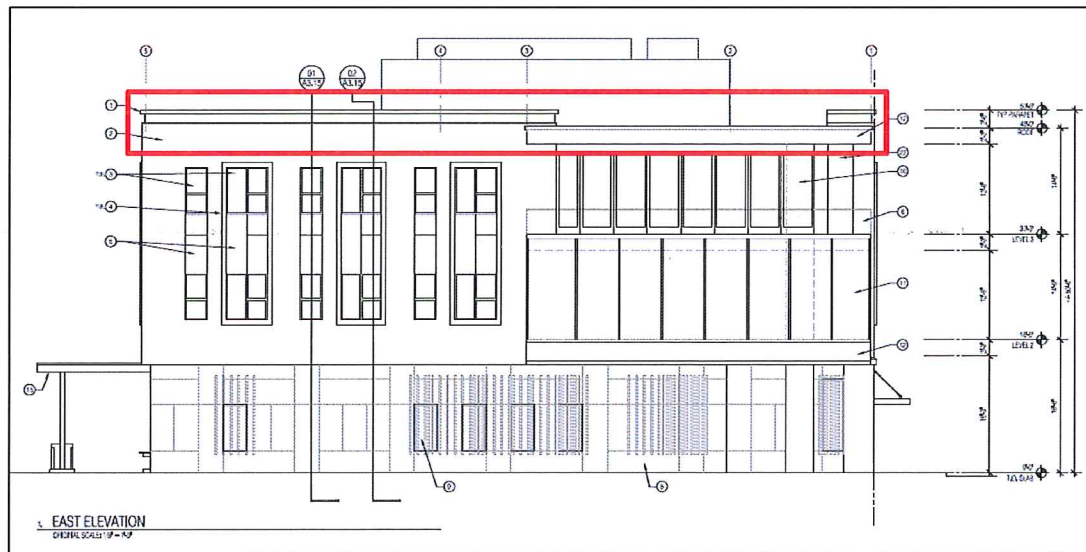
- 3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include: [...]
- e. Decorative cornice or cap at the roofline.

APPLICANT’S RESPONSE: The building has a complementary metal cornice cap to accentuate the top of the building. We believe this meets the design criteria.

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







17.59.050 Building and Site Design

B. Building Design. [...]

- 4. Orientation of rooflines of new construction shall be similar to those of adjacent buildings. Gable roof shapes, or other residential roof forms, are discouraged unless visually screened from the right-of-way by a false front or parapet.

APPLICANT’S RESPONSE: There are no adjacent buildings on the block, but the new building does relate to other buildings in the downtown district with its similar scale and three-story height. Also, the building does not use gable forms or other residential elements. We believe this meets the design criteria.

FINDING: SATISFIED. The City concurs with the applicant’s findings, and adds that the building has a flat roofline around the entire perimeter. The flat roofline is consistent with the orientation of rooflines on other existing buildings within the Downtown Design Standards area.

17.59.050 Building and Site Design

B. Building Design. [...]

- 5. The primary entrance to a building shall open on to the public right-of-way and should be recessed.

APPLICANT’S RESPONSE: The building’s entrance is recessed and is located on the corner of Third Street and Baker Street. We believe this meets the design criteria.

FINDING: SATISFIED. The City concurs with the applicant’s findings. The floor plan and rendering provided with the application materials depicts the recessed entry proposed within the storefront window system, as shown in the finding for Section 17.59.050(B)(3)(d) above.

17.59.050 Building and Site Design

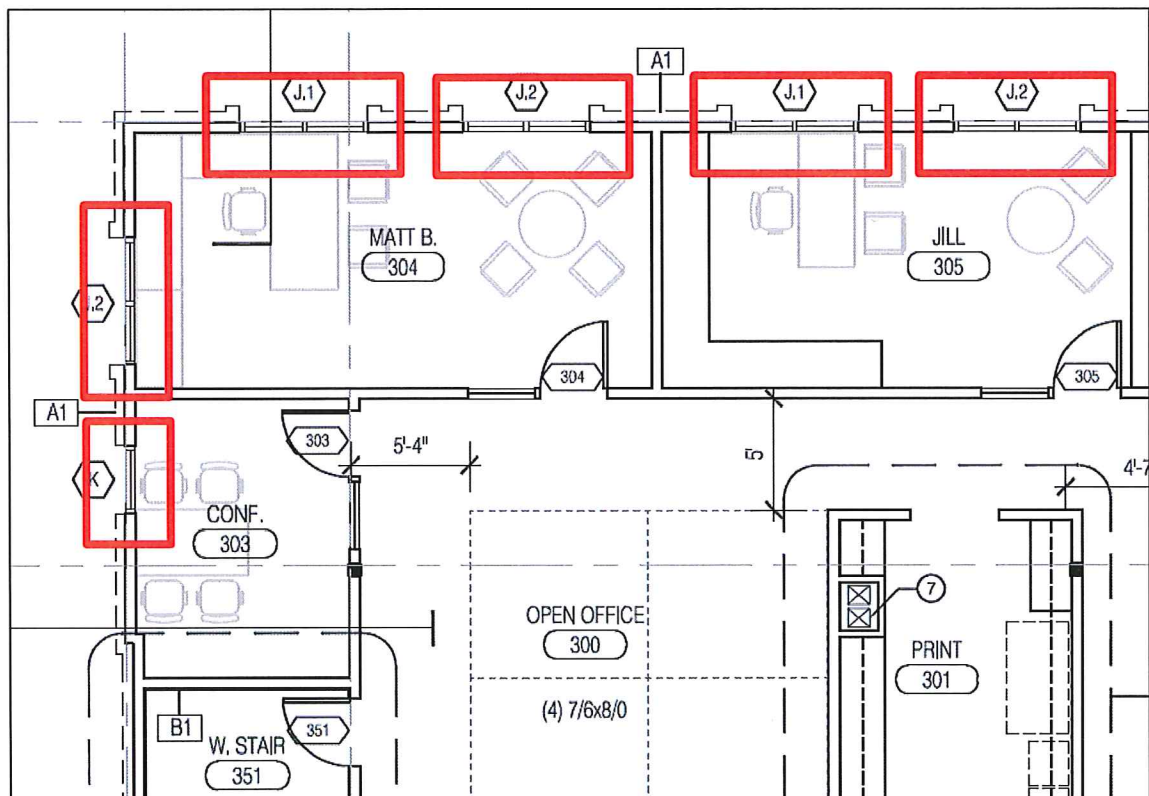
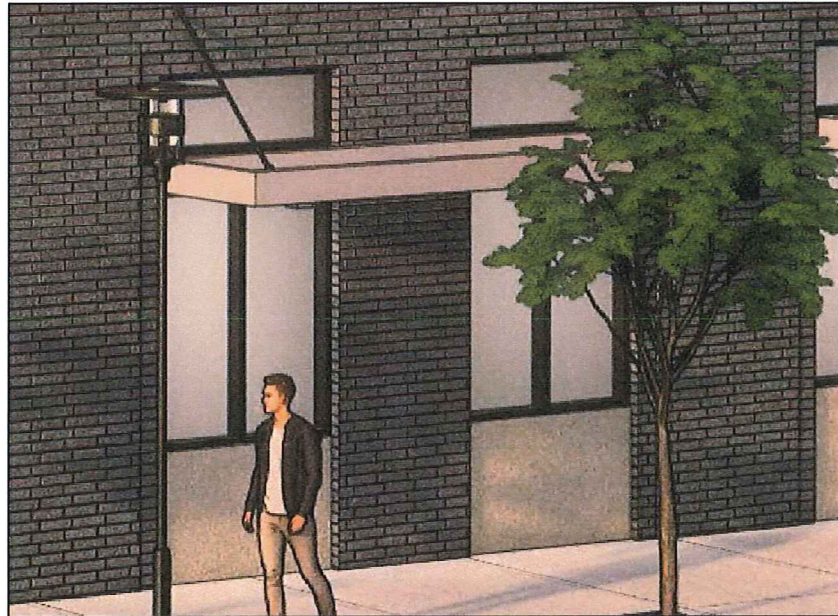
B. Building Design. [...]

- 6. Windows shall be recessed and not flush or project from the surface of the outer wall. In addition, upper floor window orientation primarily shall be vertical.

APPLICANT’S RESPONSE: The windows are recessed to create a strong shadow line. In addition, we have provided a protruding brick surround at the windows to create an additional shadow line to further give an appearance of a deepset window. The upper windows are vertically oriented. We believe this meets the design criteria.

FINDING: SATISFIED WITH CONDITION #5. The City concurs with the applicant's findings, but adds that no details for the windows were provided. Detail numbers were identified in the plan set on the floor plans, but were not included in the submittal. Therefore, a condition of approval is included to require that the construction plans submitted for building permit review include window details depicting that all of the windows on the building will be recessed.

The renderings and floor plans do identify recessed windows both on the ground floor and the upper stories, as shown below (note – the floor plan provided is of the third floor but is typical of what is identified on the full floor plan drawings):



17.59.050 Building and Site Design

B. Building Design. [...]

7. The scale and proportion of altered or added building elements, such as new windows or doors, shall be visually compatible with the original architectural character of the building.

APPLICANT'S RESPONSE: The project is not a remodel, so these criteria do not apply.

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

17.59.050 Building and Site Design

B. Building Design. [...]

8. Buildings shall provide a foundation or base, typically from ground floor to the lower windowsills.

APPLICANT'S RESPONSE: The building uses several elements to create a distinct base. The sections along Third Street have a distinct but complementary material (stone panels) at the window bulkheads to establish a differentiated base and the window awnings establish a horizontal line to separate the base from the upper parts of the building. The branch or banking areas at the main entry and along Baker Street use a stone panel to clearly identify the branch function as well as create a strong, distinct and welcoming base. We believe this meets the design criteria.

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

17.59.050 Building and Site Design

C. Building Materials.

1. Exterior building materials shall consist of building materials found on registered historic buildings in the downtown area including block, brick, painted wood, smooth stucco, or natural stone.

APPLICANT'S RESPONSE: The building's primary material is brick which is used on the upper floors. The material in the small areas between the grouped windows on the second and third floors is a stone panel. The branch areas at the street level also use a stone panel. We believe this meets the design criteria.

FINDING: SATISFIED WITH CONDITION #10. The City concurs with the applicant's findings. The specific locations and application of the stated building materials are shown in more detail in the elevation drawings submitted with the application materials. The City would also note that "Metal Wall Panel Systems" are noted as being applied beneath the glass window wall on the second story and beneath the "Pre-Finished Sheet Metal Cornice Cap". Aluminum window frames and sunshades are also included for the windows on the building, both horizontally over the upper story windows and vertically over some of the ground floor windows. The City acknowledges that these materials are used only in window and trim locations and not as a primary exterior building materials, which is allowed in new construction that is not associated with a historic resource. Also, a condition of approval is included to require that the wood material proposed for the underside of the soffits of the recessed entry and third story balcony be finished with a darker stain or painted to be consistent with the allowable material of "painted wood" and not appear as a natural wood material.

17.59.050 Building and Site Design

C. Building Materials. [...]

2. The following materials are prohibited for use on visible surfaces (not applicable to residential structure):
 - a. Wood, vinyl, or aluminum siding;

Attachments:

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- b. Wood, asphalt, or fiberglass shingles;
- c. Structural ribbed metal panels;
- d. Corrugated metal panels;
- e. Plywood sheathing, to include wood paneling such as T-111;
- f. Plastic sheathing; and
- g. Reflective or moderate to high grade tinted glass.

APPLICANT’S RESPONSE: The building does not use any of the above listed materials. We believe this meets the design criteria.

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

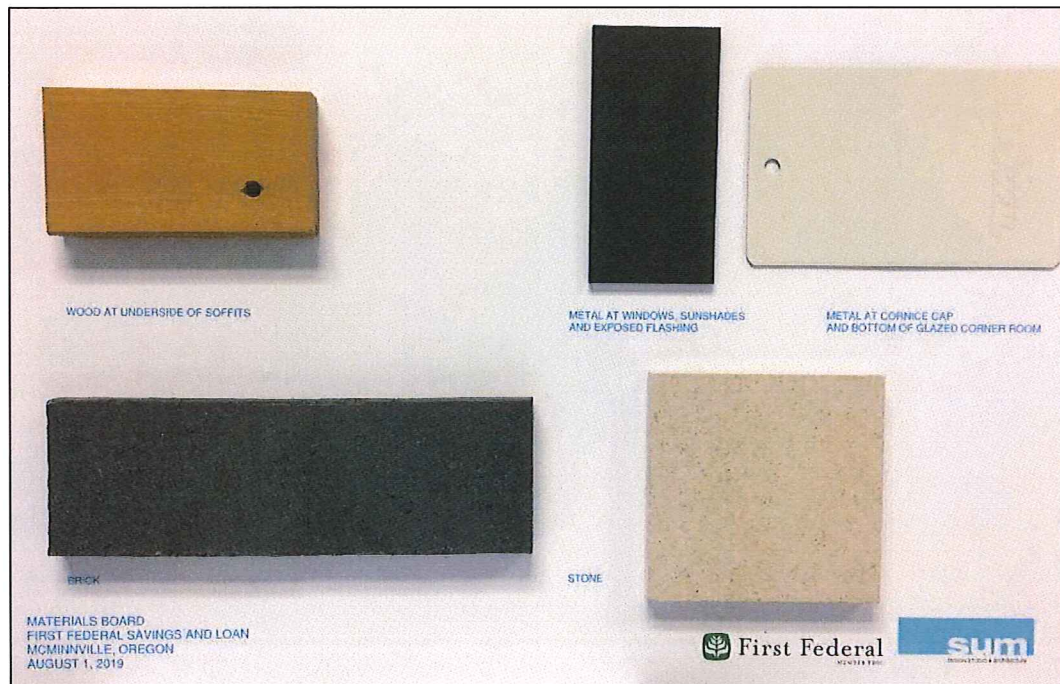
17.59.050 Building and Site Design

C. Building Materials. [...]

- 3. Exterior building colors shall be of low reflective, subtle, neutral or earth tone color. The use of high intensity colors such as black, neon, metallic or florescent colors for the façade of the building are prohibited except as may be approved for building trim.

APPLICANT’S RESPONSE: We believe the exterior materials meet all the above criteria.

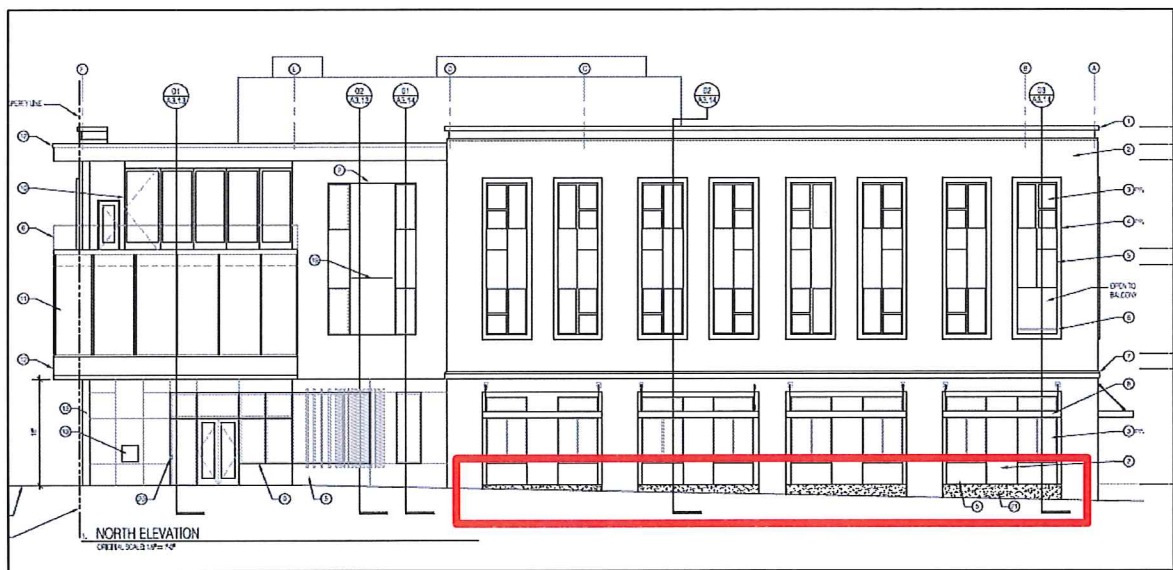
FINDING: SATISFIED WITH CONDITIONS #6 and #8. The applicant provided a sample board of the materials proposed to be used on the exterior of the building. The colors of the materials were found to be low reflective, subtle, and earth tone colors. Black color is used only in the metal materials of the sunshades, exposed flashing, and framing of the windows. The material board is on file with the Planning Department, and is also shown below:

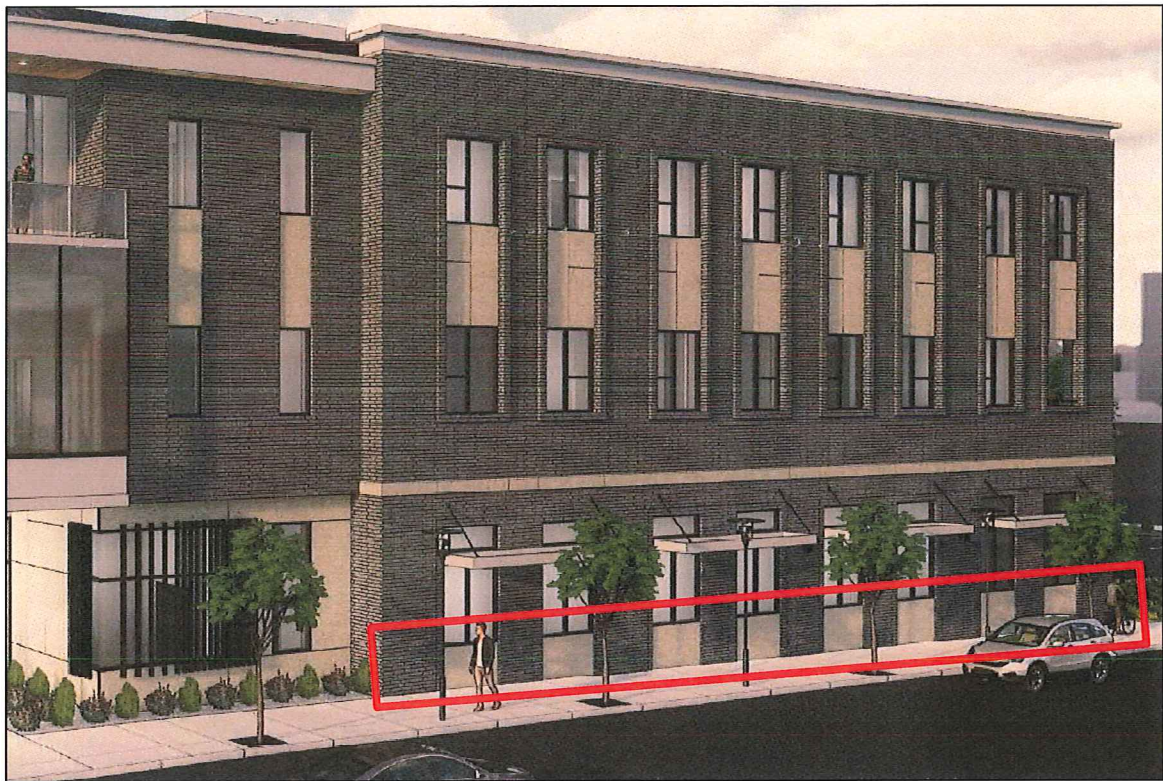


The City finds that the proposed color of the brick material is too dark and too close to the black color that is prohibited. Therefore, a condition of approval is included to require that the applicant provide a revised example of the brick material, and the proposed grout color, for review and approval by the Historic Landmarks Committee. The condition specifies that the color of the revised example brick material shall be a lighter color than the brick material that was originally proposed.

One portion of the façade that is identified differently in the elevation drawings and the renderings is the exposed foundation beneath the windows on the western portion of the 3rd Street façade. This portion of the façade is identified in the elevation on Exhibit C9 as “Exposed Foundation Wall, Skim Coat”, but shows up in the renderings as a consistent material beneath the windows to the sidewalk. The applicant has verified that the elevation drawing is correct, and that the exposed foundation wall would be visible in these areas of the façade, and finished with the cement plaster that is similar to smooth stucco. In order to maintain a cohesive finish beneath the windows and for consistency in this area that is described as the bulkhead in other areas of the application narrative, a condition of approval is included to require that the skim coated exposed foundation wall be painted a tan color to match the stone panels that will be installed above the exposed foundation wall and beneath the windows. Alternatively, the applicant may install the stone panel material over the foundation wall to encompass the entire area from the bottom of the window to the sidewalk.

This discrepancy between the elevation drawings and the renderings can be seen below:





17.59.060 Surface Parking Lots.

- A. Surface parking lots shall be prohibited from locating on Third Street. In addition, vehicular access to parking lots from Third Street is prohibited.

APPLICANT’S RESPONSE: A waiver is requested for this design criteria to allow a parking lot along NE Third Street as well as an entrance from the parking lot onto 3rd Street.

FINDING: SATISFIED. Findings for the waiver described by the applicant are provided in the findings for the waiver review criteria above.

17.59.060 Surface Parking Lots.

- B. All parking lots shall be designed consistent with the requirements of Section 17.60.080 of the McMinnville Zoning Ordinance.

APPLICANT’S RESPONSE: The parking lots have been designed to meet the above zoning ordinances.

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

17.59.060 Surface Parking Lots.

- C. A hedge or wall, thirty (30) inches in height, or dense landscaping within a buffer strip a minimum of five feet in width shall be placed along the street-side edge of all surface parking lots. Landscaping within the buffer strip shall include street trees selected as appropriate to the situation and spaced according to its type, shrubs spaced a minimum of three feet on center, and groundcover. A landscaping plan for this buffer shall be subject to review and approval by the McMinnville Landscape Review Committee.

APPLICANT’S RESPONSE: A waiver is requested for this design criteria to allow a landscaping buffer strip of 3 feet along Second Street.

FINDING: SATISFIED. Findings for the waiver described by the applicant are provided in the findings for the waiver review criteria above.

17.59.070 Awnings.

- A. Awnings or similar pedestrian shelters shall be proportionate to the building and shall not obscure the building's architectural details. If transom windows exist, awning placement shall be above or over the transom windows where feasible.

APPLICANT'S RESPONSE: The awnings are provided at each of the Third Street windows and are sized to compliment the building size as well as provide protection for pedestrians. We believe this meets the design criteria.

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

17.59.070 Awnings.

- B. Awnings shall be placed between pilasters.

APPLICANT'S RESPONSE: The awnings are placed over each window and between pilasters. We believe this meets the design criteria.

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

17.59.070 Awnings.

- C. Where feasible, awnings shall be placed at the same height as those on adjacent buildings in order to maintain a consistent horizontal rhythm along the street front.

APPLICANT'S RESPONSE: There are no adjacent buildings on the block, so the awnings establish their own height and continuous pattern. We believe this meets the design criteria.

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

17.59.070 Awnings.

- D. Awnings should be constructed of soft canvas, fabric, or matte finished vinyl. The use of wood, metal or plastic awnings is prohibited.

APPLICANT'S RESPONSE: A waiver is requested for this design criteria to allow awnings of a different material.

FINDING: SATISFIED. Findings for the waiver described by the applicant are provided in the findings for the waiver review criteria above.

17.59.070 Awnings.

- E. Awnings may be indirectly illuminated; internal illumination of awnings is prohibited.

APPLICANT'S RESPONSE: The proposed awnings are not internally illuminated. This meets the design criteria.

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

17.59.070 Awnings.

- F. Awning colors shall be of a low reflective, subtle, neutral or earth tone color. The use of high intensity colors such as black, neon, metallic or florescent colors for the awning are prohibited.

Attachments:

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APPLICANT'S RESPONSE: The proposed awnings will be painted to complement the colors and materials of the building and will not use high intensity colors. We believe this meets the design criteria.

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

17.59.080 Signs.

- A. The use of flush-mounted signs, flag-mounted signs, window signs, and icon signs are encouraged. Sign materials shall be compatible with materials used in the building.

APPLICANT'S RESPONSE: The proposed signs will be flush mounted to the exterior of the building. The applicant is proposing three signs. Two larger signs, one on the west façade and one on the south façade. See Exhibit B1 and B4. A third sign, which will be the applicants trademark symbol will be mounted to the north façade and may be lit although not internally. See Exhibit B1. We believe this meets the design criteria.

FINDING: SATISFIED. The City concurs with the applicant's findings, but adds that the actual exhibits showing the locations of the proposed signs are Exhibit C9 and Exhibit C10. The reference to the exhibits in the applicant's response above was based on the exhibits from previous version of the plan set, and the applicant verified that the signage locations shown on Exhibit C9 and Exhibit C10 are correct. The applicant also verified that the trademark symbol sign is intended to be located on the north façade, but was not drawn on Exhibit C9.

17.59.080 Signs.

- B. Where two or more businesses occupy the same building, identifying signs should be grouped together to form a single panel.

APPLICANT'S RESPONSE: Only one business will occupy the building.

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

17.59.080 Signs.

- C. Wall signs shall be placed in traditional locations in order to fit within architectural features, such as: above transoms; on cornice fascia boards; or, below cornices. Wall signs shall not exceed the height of the building cornice.

APPLICANT'S RESPONSE: The proposed signs will be located per Exhibit B1 and B4 and are sized and located to complement the building design. We believe this meets the design criteria.

FINDING: SATISFIED. The City concurs with the applicant's findings, but adds that the actual exhibits showing the locations of the proposed signs are Exhibit C9 and Exhibit C10. The reference to the exhibits in the applicant's response above was based on the exhibits from previous version of the plan set, and the applicant verified that the signage locations shown on Exhibit C9 and Exhibit C10 are correct. The applicant also verified that the trademark symbol sign is intended to be located on the north façade, but was not drawn on Exhibit C9.

The City also adds that the larger signs are proposed to be located below the cornice, and between the cornice and the top of the upper story windows, which is a traditional location. The smaller icon sign on the north façade is proposed to be located between the second and third story and between the windows on the section of the brick façade that is setback approximately three feet.

Attachments:

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17.59.080 Signs.

- D. For every lineal foot of building frontage, 1.5 square feet of signage may be allowed, to a maximum of 200 square feet.

APPLICANT’S RESPONSE: The proposed signs will be less than 200 SF total. The west and south signs are approximately 40 SF each and the icon sign on the north façade will be approximately 22 SF. Total sign area is approximately 102 SF. We believe this meets the design criteria.

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

17.59.080 Signs.

- E. The use of the following are prohibited in the downtown area:

1. Internally-lit signs;
2. Flashing signs
3. Pedestal signs and pole-mounted signs;
4. Portable trailer signs;
5. Cabinet-type plastic signs;
6. Billboards of all types and sizes;
7. Historically incompatible canopies, awnings, and signs;
8. Signs that move by mechanical, electrical, kinetic or other means; and,
9. Inflatable signs, including balloons and blimps. (Ord. 4797 §1, 2003).

APPLICANT’S RESPONSE: The project will not include any of these types of signs.

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

CD