

Zone Change & Conditional Use Requests

Ordinance 5090 - ZC 4-19

Ordinance 5091 - CU 4-19

1945 NW 2nd Street

City Council

January 14, 2020

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LAND USE REQUESTS

Subject Property

0.82 acres at 1945 NW 2nd Street, between NE Meadows Drive and NE Hillside Parkway

Ordinance 5090 - Zone Change (ZC 4-19)

Approval to rezone the subject property from R-1 (Single-Family Residential) to R-4 (Multiple-Family Residential)

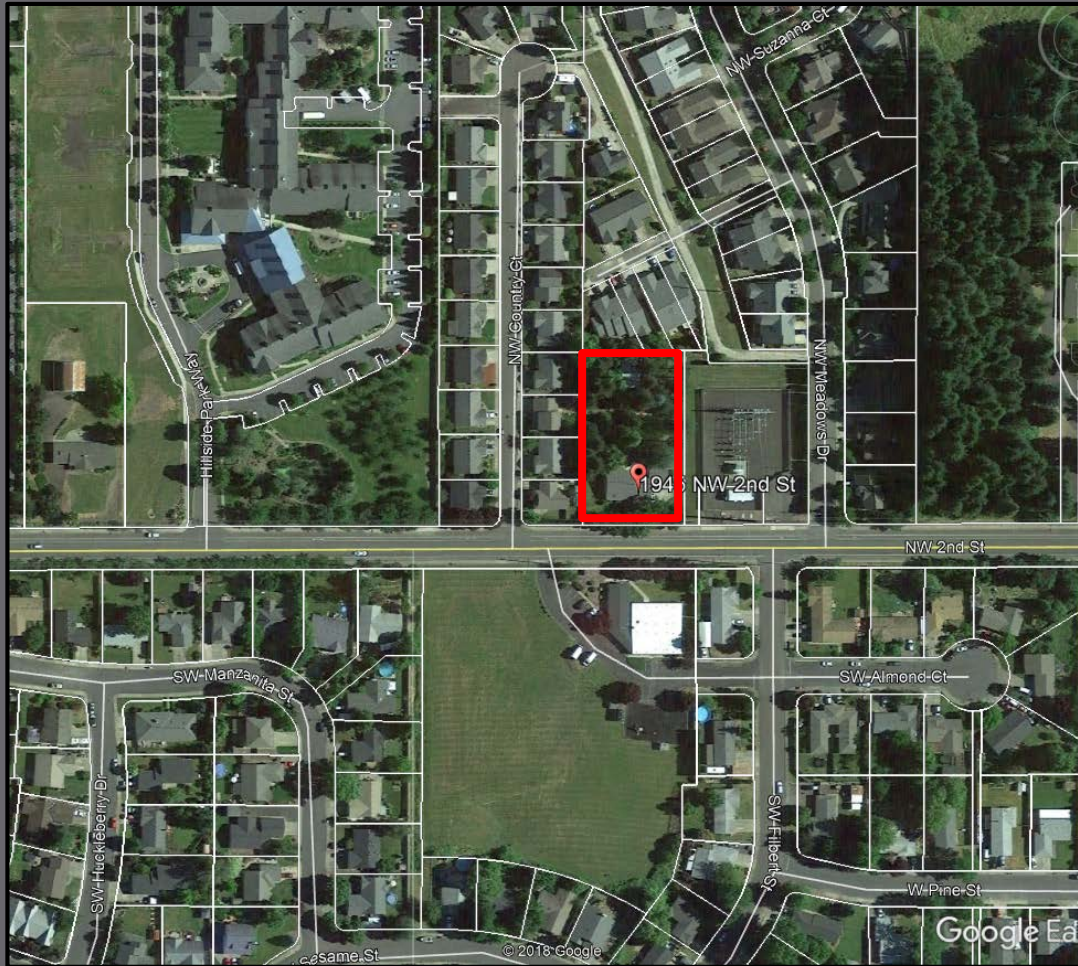
Ordinance 5091 - Conditional Use (CU 4-19)

Approval of a conditional use permit to allow for the development of a dental clinic

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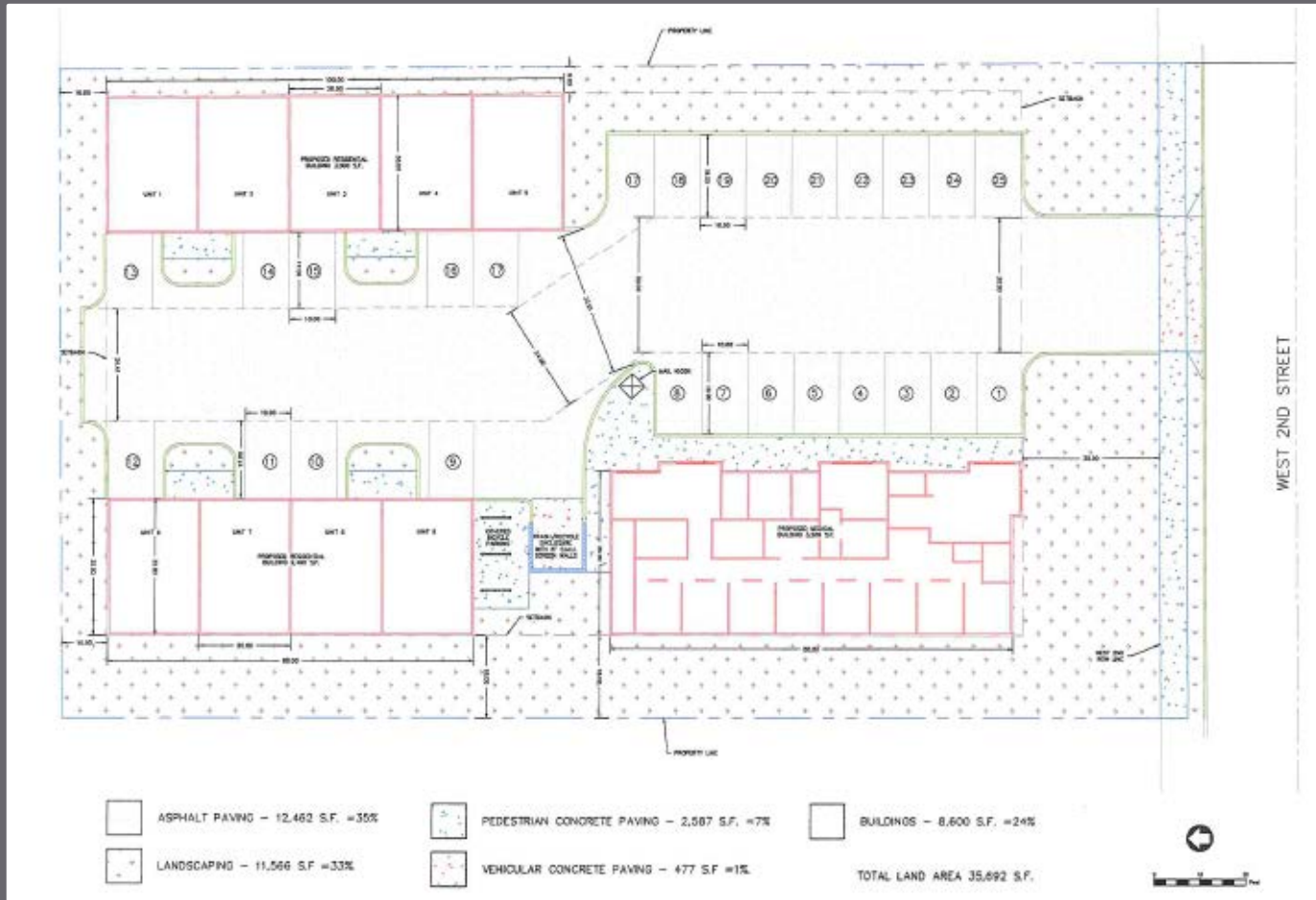
SITE LOCATION



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PRELIMINARY SITE PLAN CONCEPT



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ORDINANCE 5090: ZC 4-19

ZONE CHANGE

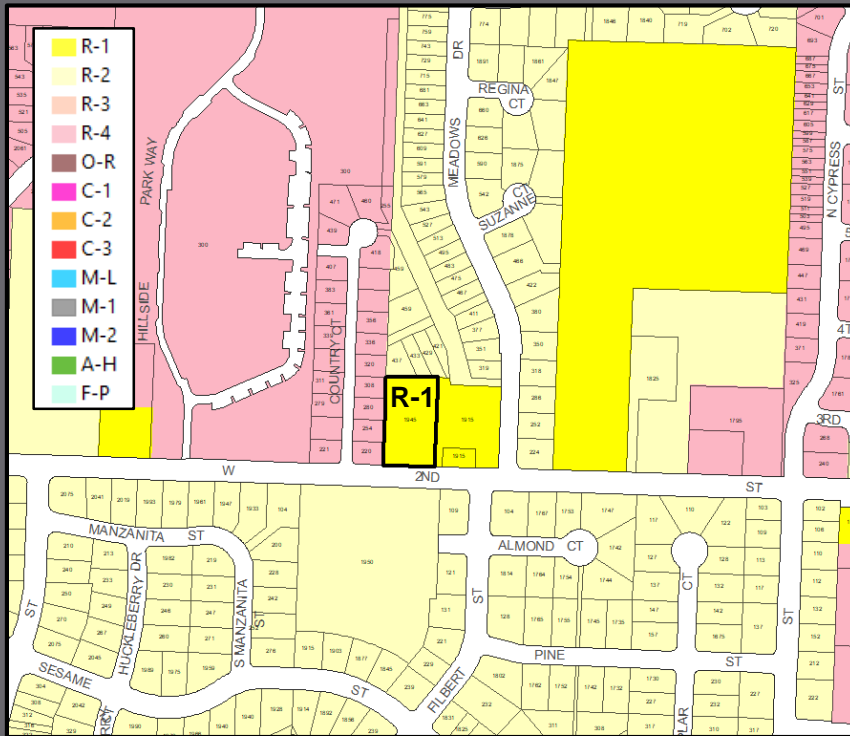
Proposed Zone Change from R-1 (Single-Family Residential) to R-4 (Multiple-Family Residential) for a 0.82 acre property

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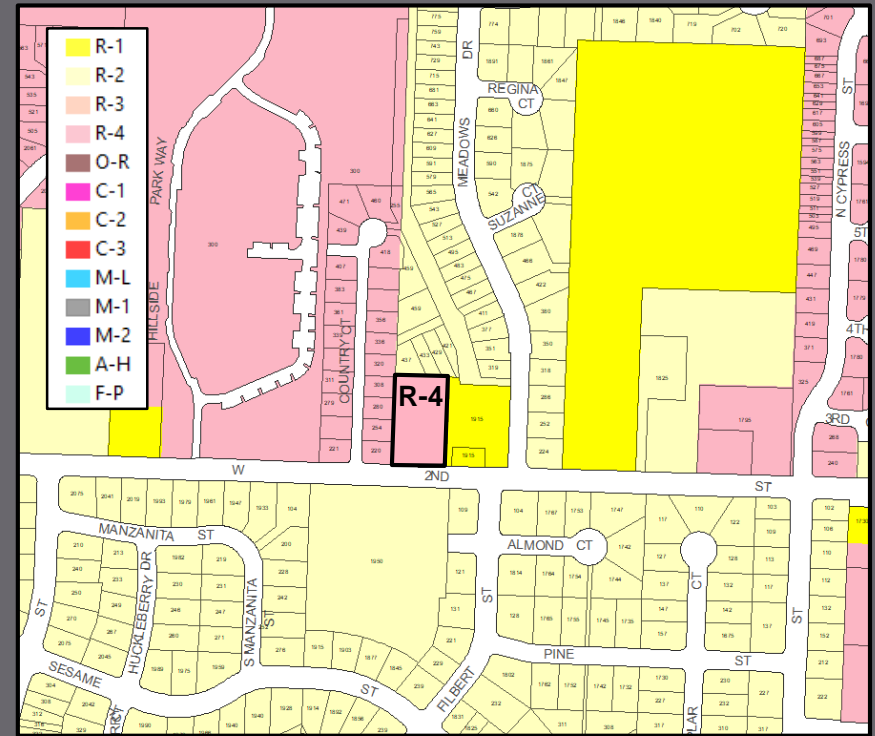


ZONING

Existing



Proposed



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ZONE CHANGE REVIEW CRITERIA

MMC 17.74.020

- A. Consistency with Comprehensive Plan;
- ~~B. The proposed amendment is orderly and timely; *~~
 - * Not applicable – ZC concerns “needed housing”
- C. Utilities and services can be efficiently provided.

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ZC 4-19 KEY CRITERIA & ISSUES

A. Consistency with Comprehensive Plan

Chapter V: Housing and Residential Development

- Locational Considerations for R-4 Zoning

Chapter VI: Transportation

Chapter VII: Community Facilities

Chapter IX: Urbanization

- Great Neighborhood Principles

C. Adequate Public Facilities/Services

Utilities

- Increased sewer flow from proposed R-4 development

Transportation Network

- Increased traffic from proposed R-4 development

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CONSISTENCY WITH COMP PLAN

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

- ✓ 1. *Areas not committed to low or medium density development;*
- ✓ 2. *Areas that can be buffered from low density residential areas;*
- ✓ 3. *Areas which have direct access from major collector or arterial street;*
- ✓ 4. *Areas not subject to development limitations;*

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CONSISTENCY WITH COMP PLAN

Policy 71.13

- ✓ 5. Areas where the existing facilities have the capacity for additional development;

Table 5: Proposed Development Trip Generation

Land Use (ITE Code)	Size	Weekday Trip Generation		
		Daily	AM Peak Hour	PM Peak Hour
Multifamily Housing (Low-Rise)	9 DU ^a	66	4	5
Clinic (630)	3.2 KSF ^b	122	12	11
Total Trips Generated (Proposed Development)		188	16	16
Total Trips Generated (Existing R-1 Zoning)		29	3	3
Net New Trips (Proposed Development – R-1 Zoning)		159	13	13

^a DU = Dwelling Unit
^b KSF = 1,000 square-feet

- Minor arterials (2nd Street) designed for:
 - 20,000 ADT
 - Med/high density adjacent uses
- Traffic increase not expected to have significant effect on 2nd Street

Municipality	Trip Generation Increase Requiring Traffic Impact Analysis	
	Average Daily Trips	PM Peak Hour
Redmond, OR	200	20
Independence, OR	200	20
Grants Pass, OR	500 ¹	25 ¹
Newberg, OR	n/a	40
Albany, OR	n/a	50
Newport, OR	n/a	100
Salem, OR	1000 ¹	n/a
Salem, OR	200 ²	n/a

- McMinnville: no standard for requiring TIA
- Condition of Approval:
 - TIA required if proposed development increases trips by more than 200 ADT or 20 PM Peak Hour

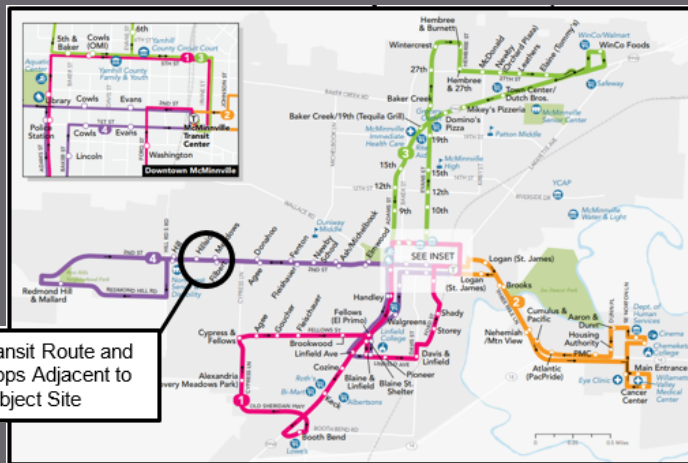
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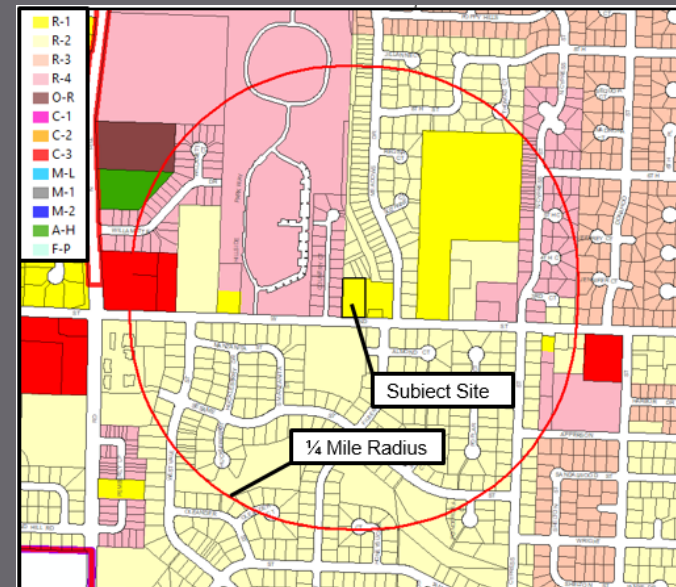
CONSISTENCY WITH COMP PLAN

Policy 71.13

✓ 6. Areas within a one-half mile wide corridor centered on existing or planned public transit routes;



✓ 7. Areas within one-quarter mile from neighborhood and general commercial shopping centers;



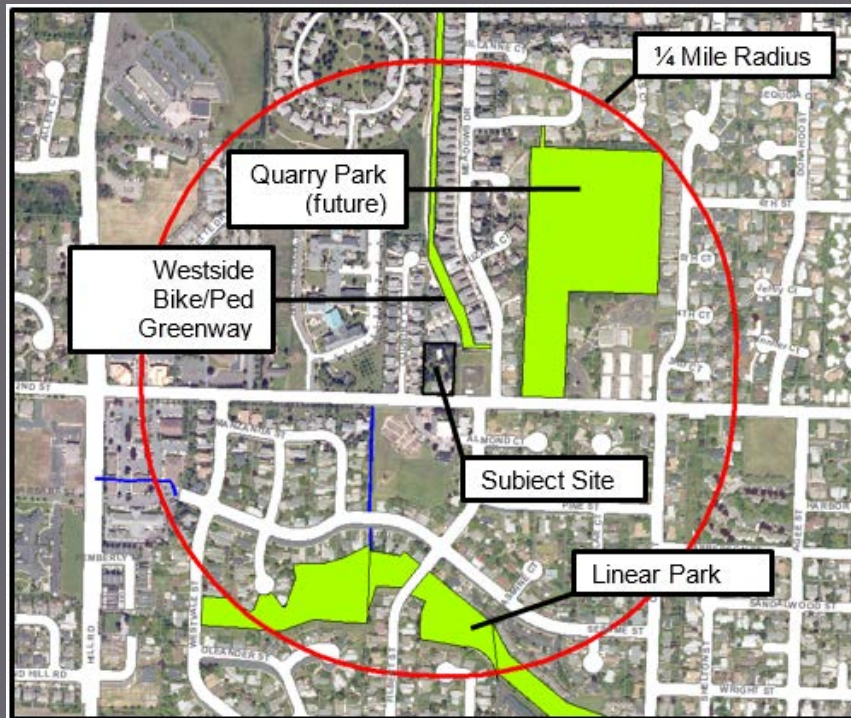
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CONSISTENCY WITH COMP PLAN

Policy 71.13

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



- Site is nearby, but not adjacent to, open space
- Condition of Approval: 7% of multiple-family development reserved for usable open space

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CONSISTENCY WITH COMP PLAN

Policy 187.50 – Great Neighborhood Principles

- ✓ 1. *Natural Feature Preservation*
- ✓ 3. *Parks and Open Spaces*
- ✓ 4. *Pedestrian Friendly*
- ✓ 5. *Bike Friendly*
- ✓ 11. *Housing for Diverse Incomes and Generations*
- ✓ 12. *Housing Variety*

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ADEQUATE FACILITIES/SERVICES

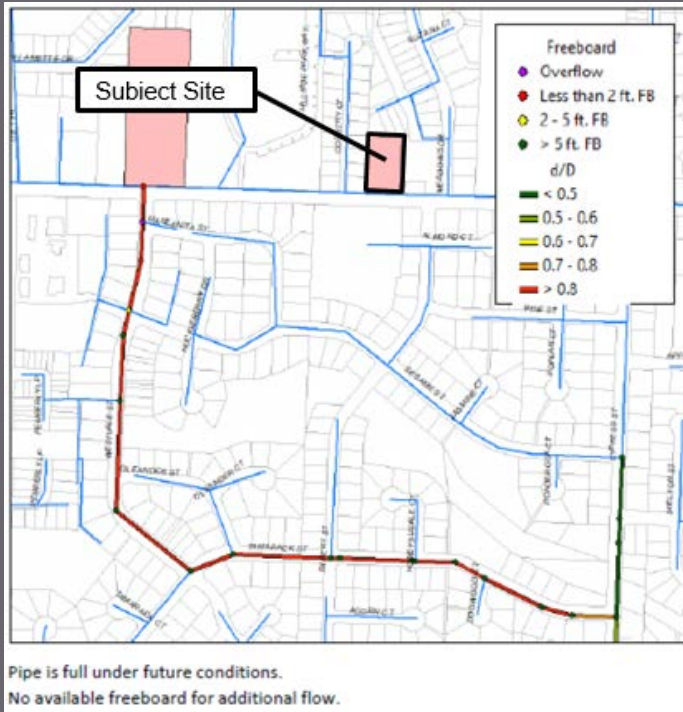
- ✓• Streets
 - Site accessed from 2nd Street (minor arterial)
 - Minor arterials designed to accommodate:
 - 20,000 ADT
 - Medium to high density adjacent uses
 - Trip generation study concludes proposed development would not significantly effect 2nd Street
 - Condition of Approval requires TIA if net new trips from proposed development exceed thresholds
- Utilities
 - Utilities adequately serve R-1 development
 - Issues with sewer capacity to serve R-4 development

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ADEQUATE FACILITIES/SERVICES

✓ Sanitary Sewer Capacity



- Sufficient for full R-1 development
- Insufficient capacity for full R-4 development
- Condition of Approval: Development limited to 48 Equivalent Dwelling Unit Fixture Units, until downstream sanitary sewer capacity issues are addressed.

$$48 \text{ EDU Fixture Units} = [0.82 \text{ acres} \times 3.5 \text{ EDU/acre}] \times 16 \text{ Fixture Units/EDU} \\ = 3 \text{ EDU (approx.)} \times 16 \text{ Fixture Units/EDU}$$

✓ Storm Sewer Capacity

- Condition of Approval: Storm water detention required

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ZC 4-19 KEY CRITERIA & ISSUES

Issue	Notes	Condition to Help Meet Criteria
Compatibility with Comprehensive Plan Locational Requirements for High Density Residential	<ul style="list-style-type: none"> • Adjacent to Arterial Street Intended to Support More Intense Development • Adjacent to Transit Route and Stops • Nearby Commercial Areas • Surrounding Low Density Residential Can Be Buffered • No Geographical or Topographical Development Limitations • Site Not Adjacent to Open Space 	<p>ZC 4-19 Condition of Approval #2: Requires Traffic Impact Analysis if trip generation thresholds are exceeded</p> <p>ZC 4-19 Condition of Approval #4: Requires Planning Dept. review and approval to remove mature trees from the site.</p> <p>ZC 4-19 Condition of Approval #8: Requires increased setbacks if building height exceeds 35 feet</p> <p>ZC 4-19 Condition of Approval #9: Requires landscape buffer along north property line</p> <p>ZC 4-19 Condition of Approval #10: Requires provision of open space on-site for multi-family residential development</p> <p>ZC 4-19 Condition of Approval #12,13: Requires landscape plan and street trees</p>

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ZC 4-19 KEY CRITERIA & ISSUES

Issue	Notes	Condition to Help Meet Criteria
Provision of Utilities and Services	<ul style="list-style-type: none"><li data-bbox="687 247 1087 339">• Sanitary Sewer System Capacity Limited Downstream<li data-bbox="687 386 1087 479">• Storm Sewer System Capacity Limited Downstream<li data-bbox="687 526 1087 578">• 2nd Street Not Affected By Traffic Increase	<p data-bbox="1110 247 1609 339">ZC 4-19 Condition of Approval #1: Limits sewer discharge from site until capacity is increased</p> <p data-bbox="1110 386 1561 479">ZC 4-19 Condition of Approval #2: Requires Traffic Impact Analysis if trip generation thresholds are exceeded</p> <p data-bbox="1110 526 1535 578">ZC 4-19 Condition of Approval #3: Requires stormwater detention</p>

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ZC 4-19 PUBLIC TESTIMONY

- No public testimony received by Planning Department prior to public hearing
- One testimony at public hearing expressed concern about increasing traffic levels on 2nd Street

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ORDINANCE 5090: ZC 4-19

FINDINGS & RECOMMENDATION

- Findings:

- Planning Commission found applicable criteria are Satisfied or Satisfied with Conditions

- Recommendation

- Planning Commission voted 7-0 to recommend Approval with Conditions to City Council per the decision document

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ORDINANCE 5091: CU 4-19

CONDITIONAL USE PERMIT

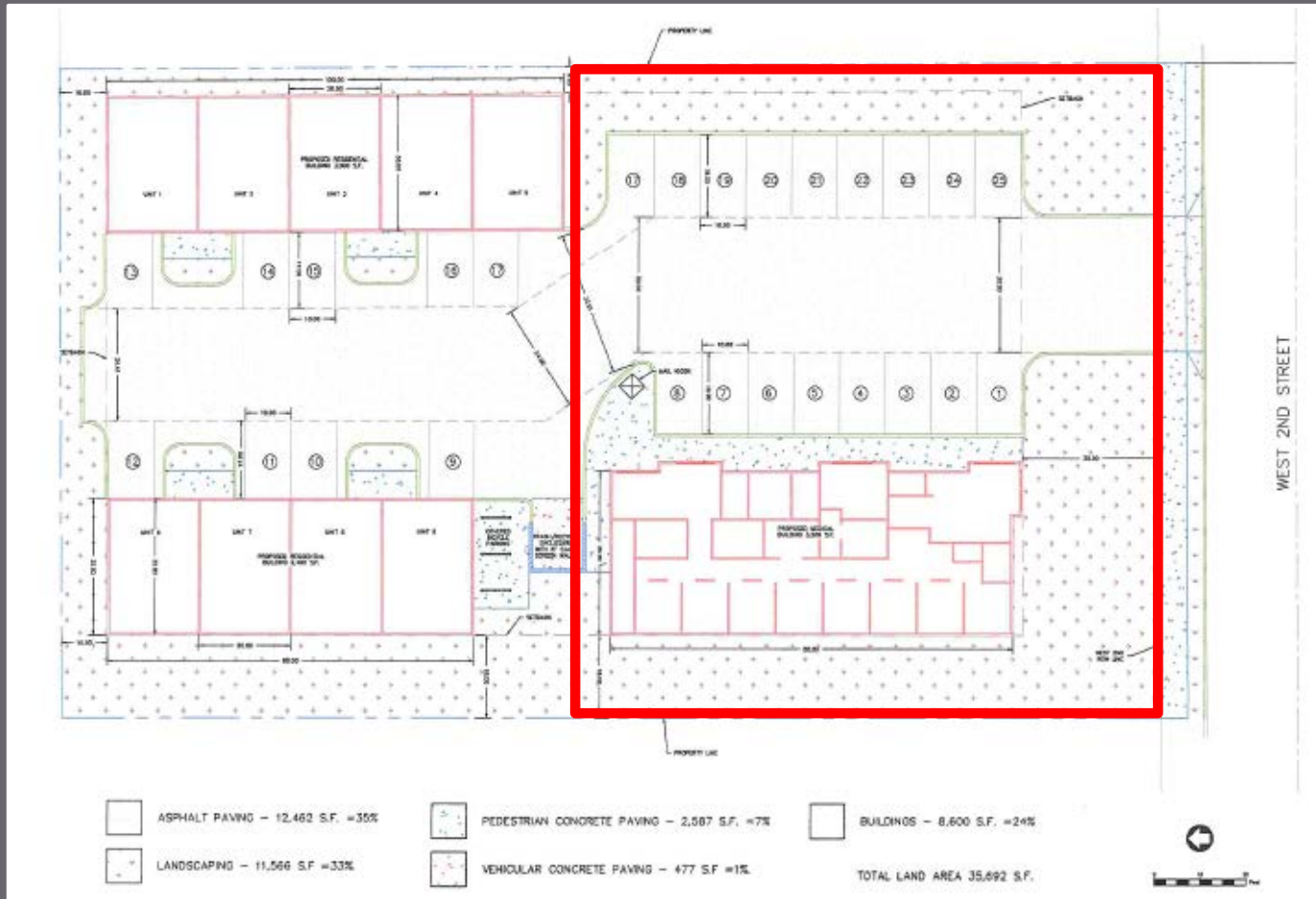
Request for approval of conditional use permit to allow development of a new dental clinic on an R-4 zoned site

- Conditional on approval of Ordinance 5090 (ZC 4-19)
- “Hospital and clinic” is a conditional use in R-4 zone
 - Clinic: “A medical facility for the treatment and examination of outpatients, conducted by a group of physicians, dentists and other licensed practitioners.”

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PRELIMINARY SITE PLAN CONCEPT



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CONDITIONAL USE REVIEW CRITERIA

MMC 17.74.030

- ✓A. Consistency with Comprehensive Plan;
- ✓B. Compatibility with and minimal impact on the surrounding neighborhood:
 - Harmony in scale, bulk, coverage, and density;
 - Availability of public facilities and utilities;
 - Generation of traffic and the capacity of surrounding streets;
 - Any other relative impact of the development;

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CONDITIONAL USE REVIEW CRITERIA

MMC 17.74.030 (cont'd)

- ✓ C. No significant adverse impact on the surrounding area when compared to the impact of permitted development;
- ✓ D. Attractive design of the site and structures;
- ✓ E. Preservation of environmental assets;
- ✓ F. Bona fide intent and capability to develop and use the land.

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CONDITIONAL USE CONDITIONS

MMC 17.74.040

- ✓ A. Limiting the manner in which the use is conducted including restrictions on the time a certain activity may take place [...];
- ✓ C. Limiting the height, size, or location of a building or other structure;
- ✓ H. Limiting the location and intensity of outdoor lighting and requiring its shielding;
- ✓ J. Designating the size, height, location, and materials for a fence;

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CU 4-19 KEY CRITERIA & ISSUES

Issue	Notes	Condition to Help Meet Criteria
Compatibility of Development with Surrounding Neighborhood	<ul style="list-style-type: none"> • Size and Height of Building • Location of Building on Site • Landscaping and Street Trees 	<p>CU 4-19 Condition of Approval #2: Limit building height to 35 feet</p> <p>CU 4-19 Condition of Approval #3: Requires privacy fencing along west property line</p> <p>CU 4-19 Condition of Approval #4: Requires focusing and/or shielding of site and accent lighting to on-site targets</p> <p>ZC 4-19 Condition of Approval #9: Requires landscape buffer along north property line</p> <p>ZC 4-19 Condition of Approval #12,13: Requires landscape plan and street trees</p>

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CU 4-19 KEY CRITERIA & ISSUES

Issue	Notes	Condition to Help Meet Criteria
No Impacts on Livability, Value, or Appropriate Development of Abutting Properties	<ul style="list-style-type: none"> • Access to Site From 2nd Street (Minor Arterial) • Trips Generated By Use Will Not Affect Transportation Network • Development Limited By Sewer System Capacity Downstream 	<p>ZC 4-19 Condition of Approval #1: Limits sewer discharge from site until capacity is increased</p> <p>ZC 4-19 Condition of Approval #2: Requires Traffic Impact Analysis if trip generation thresholds are exceeded</p>
Operations of Facility	<ul style="list-style-type: none"> • Off-Street Parking Provided • Typical Business Hours 	<p>CU 4-19 Condition of Approval #5: Restricts business hours to between 7AM and 8PM</p>
Preservation of Natural Features	<ul style="list-style-type: none"> • Mature Trees On Site 	<p>ZC 4-19 Condition of Approval #4: Requires Planning Dept. review and approval to remove mature trees from the site.</p>

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CU 4-19 PUBLIC TESTIMONY

- No public testimony received by Planning Department prior to public hearing
- One testimony at public hearing expressed concern about increasing traffic levels on 2nd Street

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ORDINANCE 5091: CU 4-19

FINDINGS & RECOMMENDATION

- Findings:

- Planning Commission found applicable criteria are Satisfied or Satisfied with Conditions

- Recommendation

- Planning Commission voted 7-0 to recommend Approval with Conditions to City Council per the decision document
 - Conditional on approval of Ord. 5090 (ZC 4-19)

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CITY COUNCIL OPTIONS

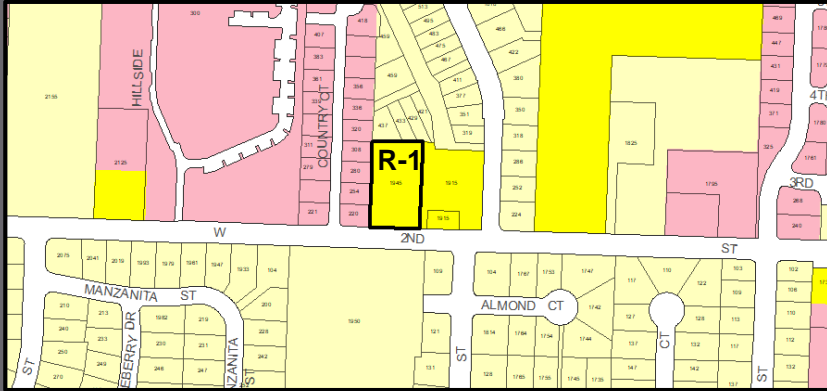
- Complete 1st (and possible 2nd) reading of ordinances as recommended by Planning Commission
- or
- Call for public hearing on applications
 - 120 day timeline expires February 8, 2020
 - Special meeting on February 4, 2020 would allow notice of public hearing

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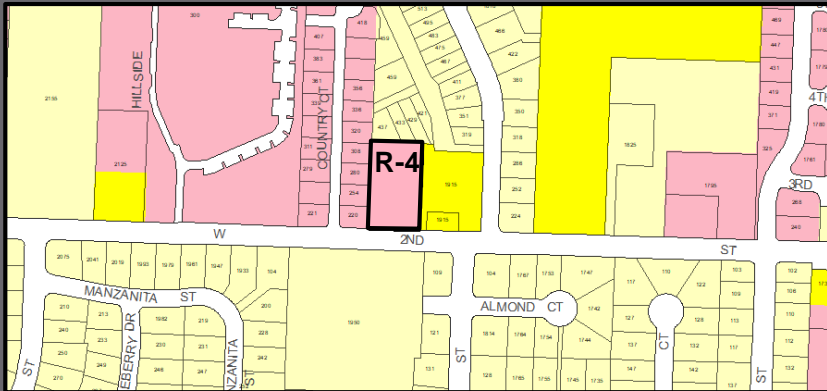


ORD. 5090/5091 QUESTIONS?

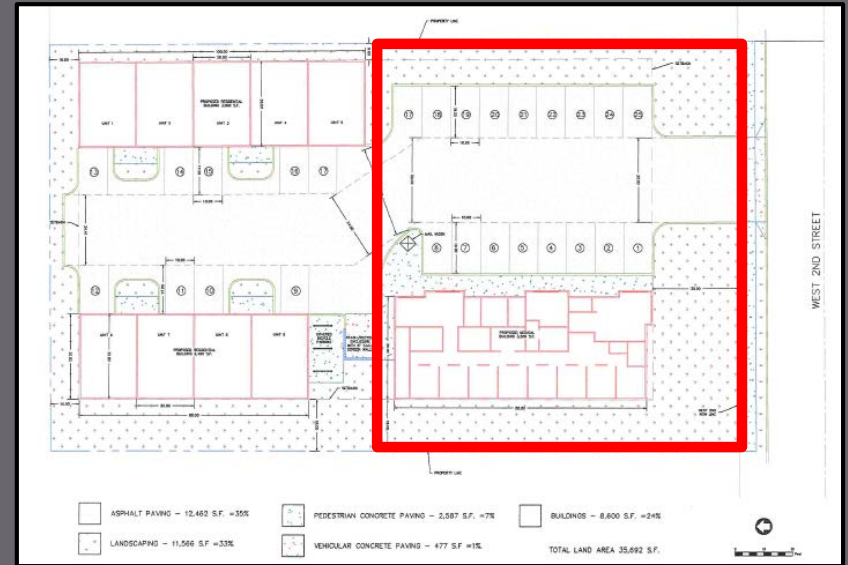
Existing Zoning



Proposed Zoning



Conditional Use



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