

Zone Change & Conditional Use Requests

ZC 4-19 / CU 4-19
1945 NW 2nd Street

Planning Commission – Public Hearing
December 19, 2019

PLANNING COMMISSION. 12.19.19



PROCEDURES & ACTION

Zone Change (ZC 4-19) & Conditional Use (CU 4-19)

- Quasi-Judicial Hearing
- Concurrent Applications
- Planning Commission Recommendation to City Council

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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

Zone Change (ZC 4-19)

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

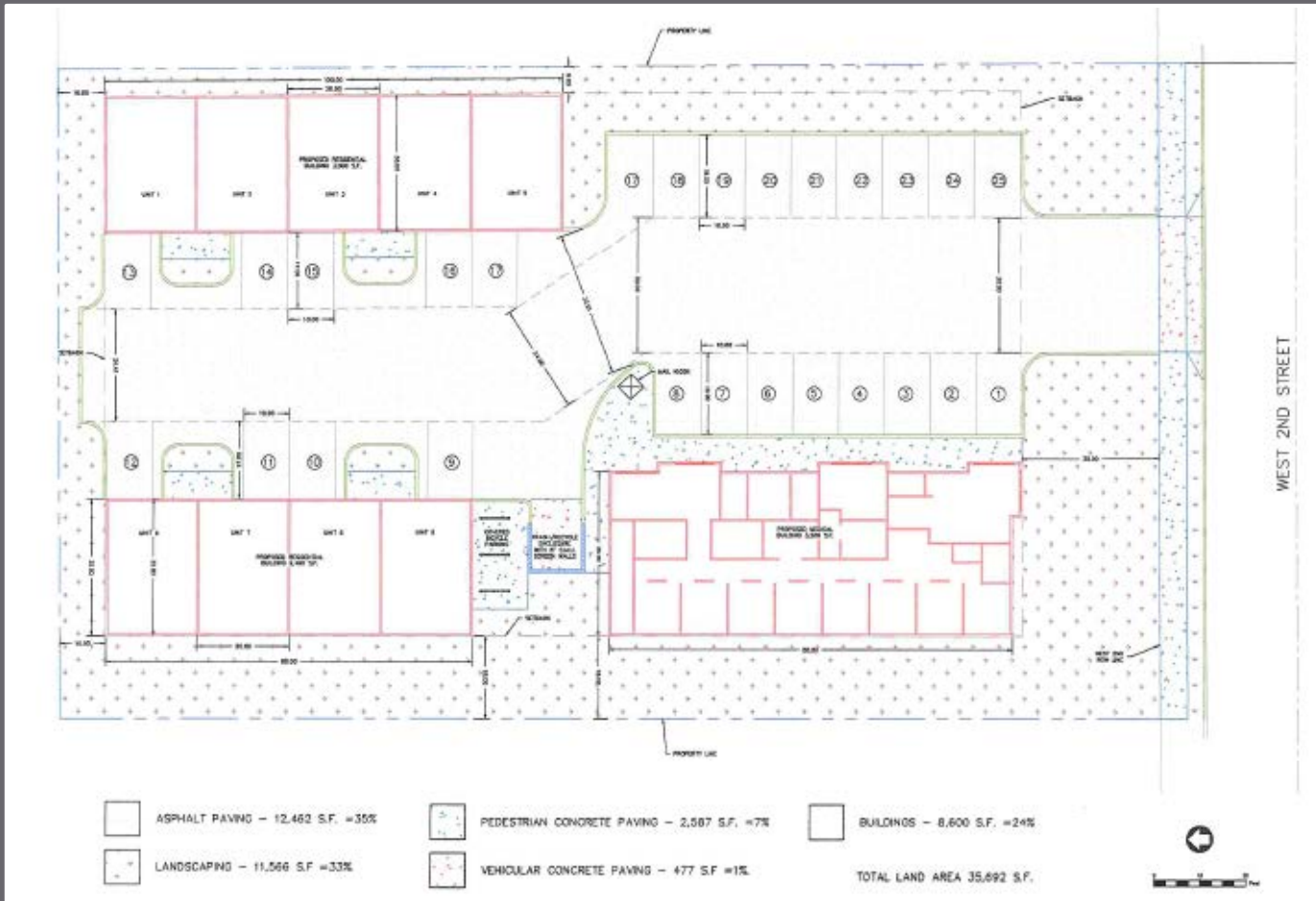
Conditional Use (CU 4-19)

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

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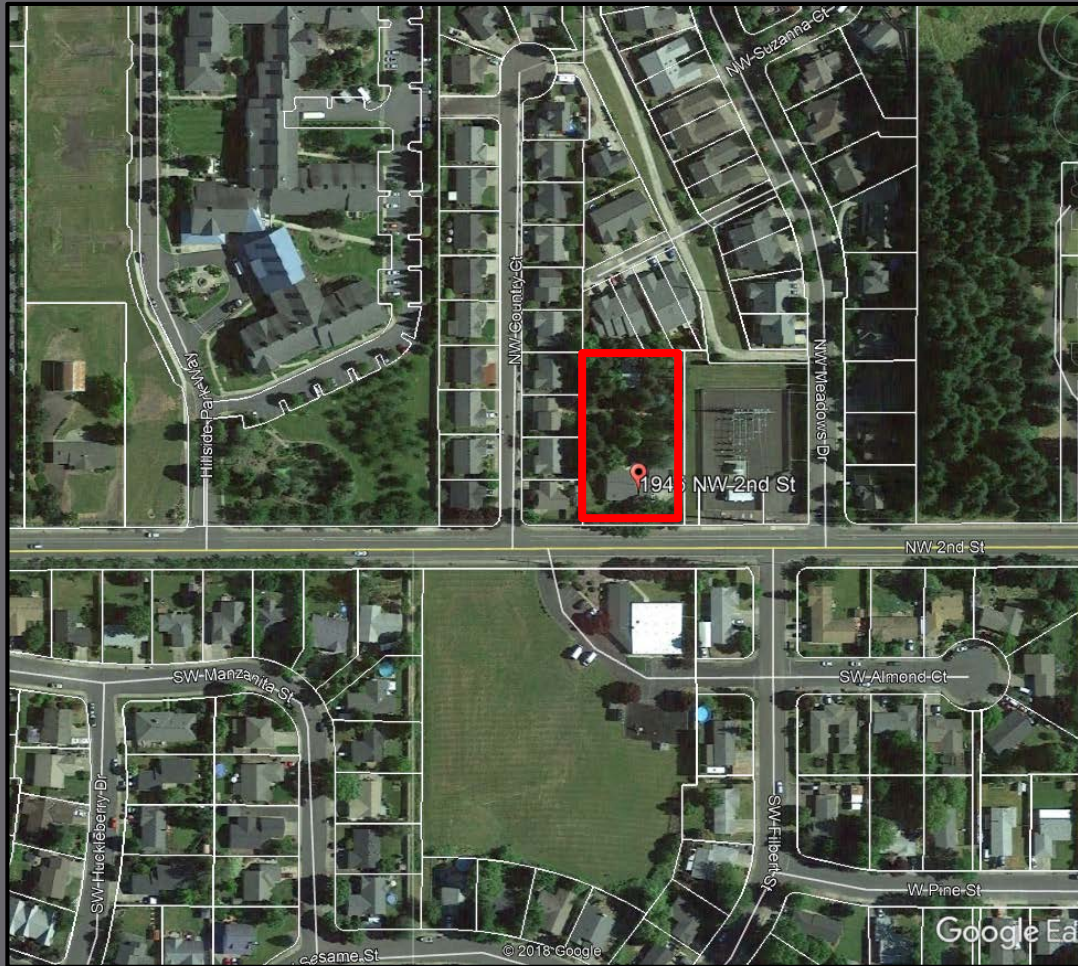
PRELIMINARY SITE PLAN



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SITE LOCATION



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ZONE CHANGE (ZC 4-19)

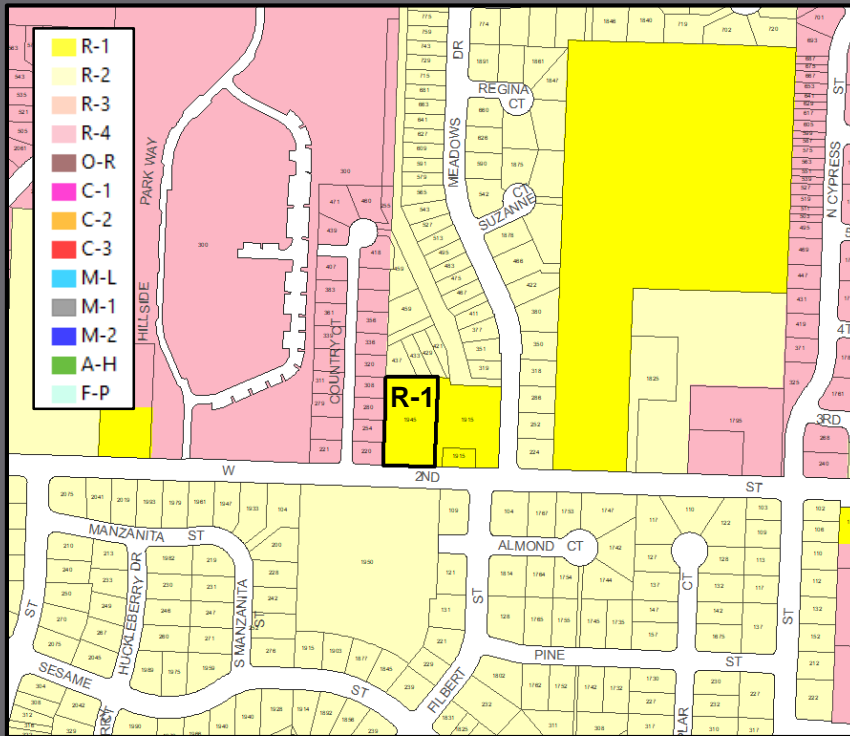
Proposed Zone Change from R-1 (Single-Family Residential) to R-4 (Multiple-Family Residential) for a 0.82 acre property

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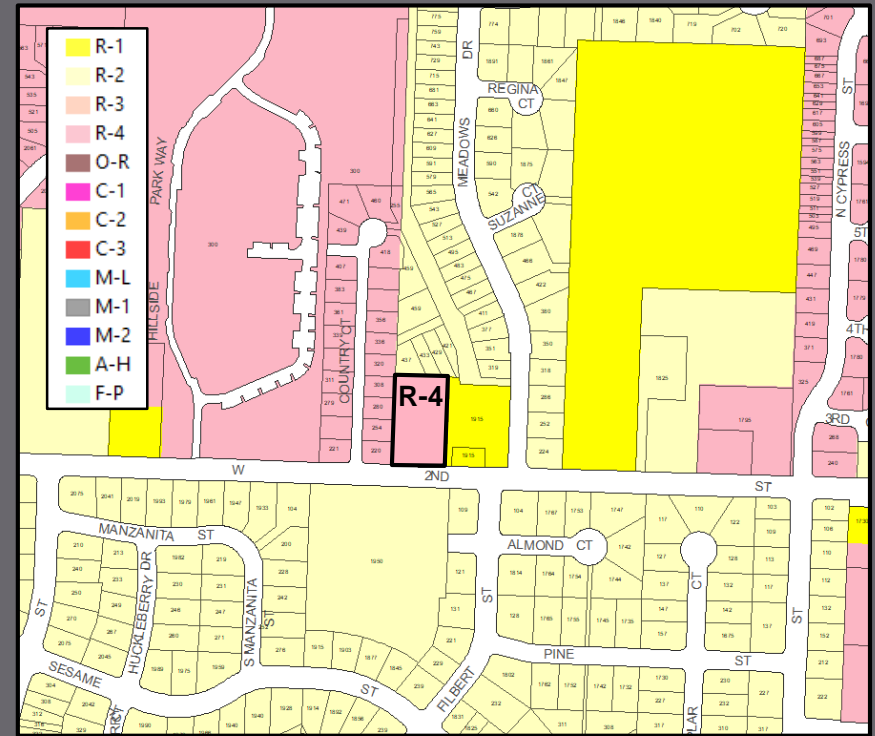


ZONING

Existing



Proposed



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ZONE CHANGE REVIEW CRITERIA

MMC 17.74.020

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

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ZONE CHANGE CRITERIA (cont)

MMC 17.74.020 (cont)

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

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

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ZONE CHANGE CRITERIA (cont)

ORS 197.303. “Needed Housing” Defined

As used in ORS 197.307, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes...

“Needed housing” includes the following housing types:

...Attached and detached single-family housing and multiple family housing for both owner and renter occupancy...

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ZONE CHANGE REVIEW CRITERIA

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ZC 4-19 KEY CRITERIA & ISSUES

A. Consistency with Comprehensive Plan

Chapter V: Housing and Residential Development

- Policies 71.09, 71.13 - Locational Considerations for R-4 Zoning

Chapter VI: Transportation

Chapter VII: Community Facilities

Chapter IX: Urbanization

- Policies 187.10-187.50 - Great Neighborhood Principles

B. Timing (N/A, Due to Needed Housing)

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

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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

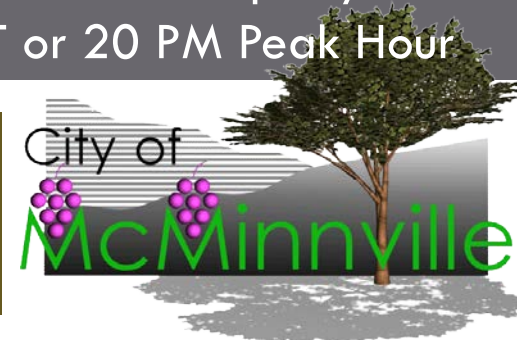
Land Use (ITE Code)	Size	Weekday Trip Generation		
		Daily	AM Peak Hour	PM Peak Hour
Multifamily Housing (Low-Rise)	9 DU ^a	66	4	5
Clinic (630)	3.2 KSF ^b	122	12	11
Total Trips Generated (Proposed Development)		188	16	16
Total Trips Generated (Existing R-1 Zoning)		29	3	3
Net New Trips (Proposed Development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

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

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

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

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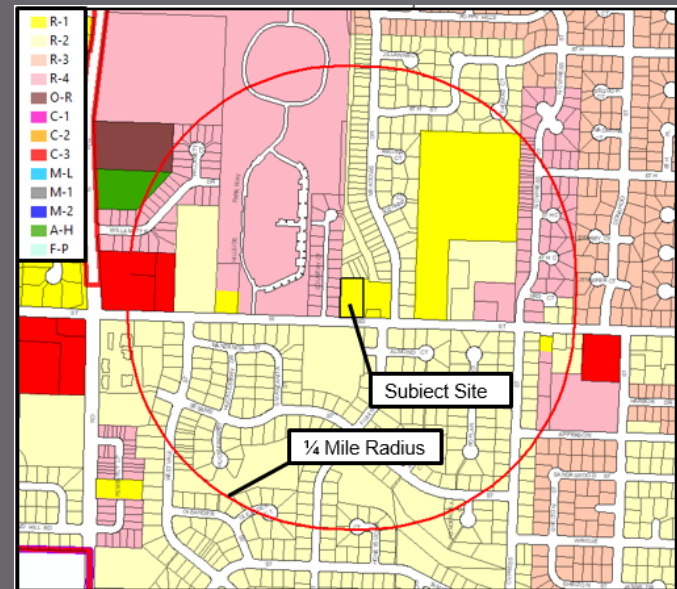
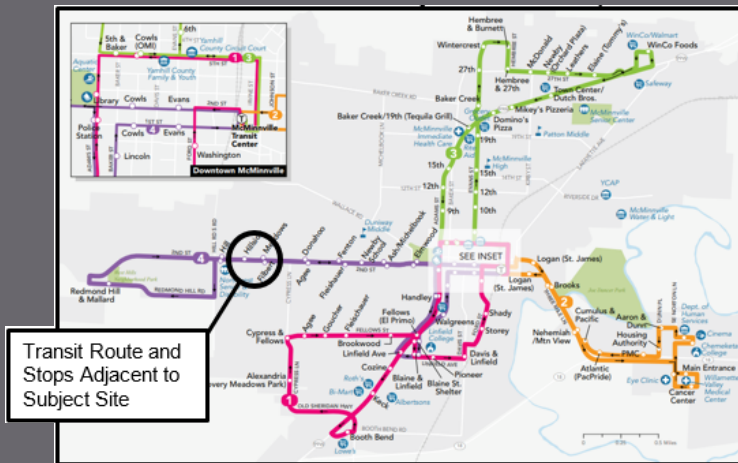


CONSISTENCY WITH COMP PLAN

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;



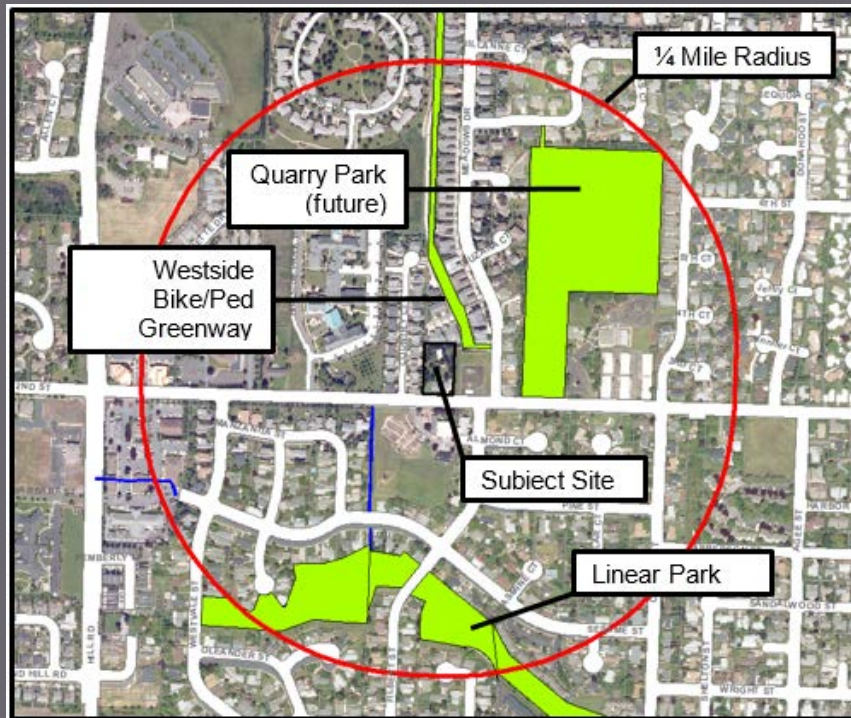
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CONSISTENCY WITH COMP PLAN

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*
 - Retention of mature trees where possible
 - Condition of approval: Planning Dept. approval to remove mature trees
- ✓ 3. *Parks and Open Spaces*
 - Close proximity to Westside Bike/Ped Trail, Linear Park
 - Condition of approval: Usable open space required on-site
- ✓ 4. *Pedestrian Friendly*
 - Close proximity to parks, schools, commercial areas
- ✓ 5. *Bike Friendly*
 - Close proximity to Westside Bike/Ped Trail, 2nd Street Bike Lane
- ✓ 11. *Housing for Diverse Incomes and Generations*
- ✓ 12. *Housing Variety*

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ADEQUATE FACILITIES/SERVICES

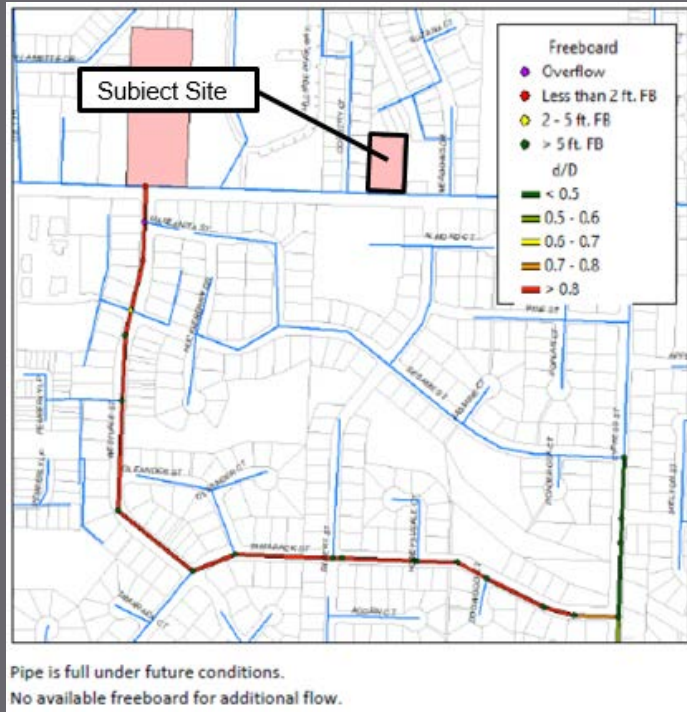
- ✓• Streets
 - Site accessed from 2nd Street (minor arterial)
 - Minor arterials designed to accommodate:
 - 20,000 ADT
 - Medium to high density adjacent uses
 - Trip generation study concludes proposed development would not significantly effect 2nd Street
 - Condition of Approval requires TIA if net 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 572">• 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 572">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

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ZC 4-19 STAFF RECOMMENDATION

- Conclusion:
 - Applicable criteria are Satisfied or Satisfied with Conditions
- Staff Recommendation
 - Recommend Approval with Conditions to City Council
 - Based on Findings in the Draft Decision Document

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CONDITIONAL USE (CU 4-19)

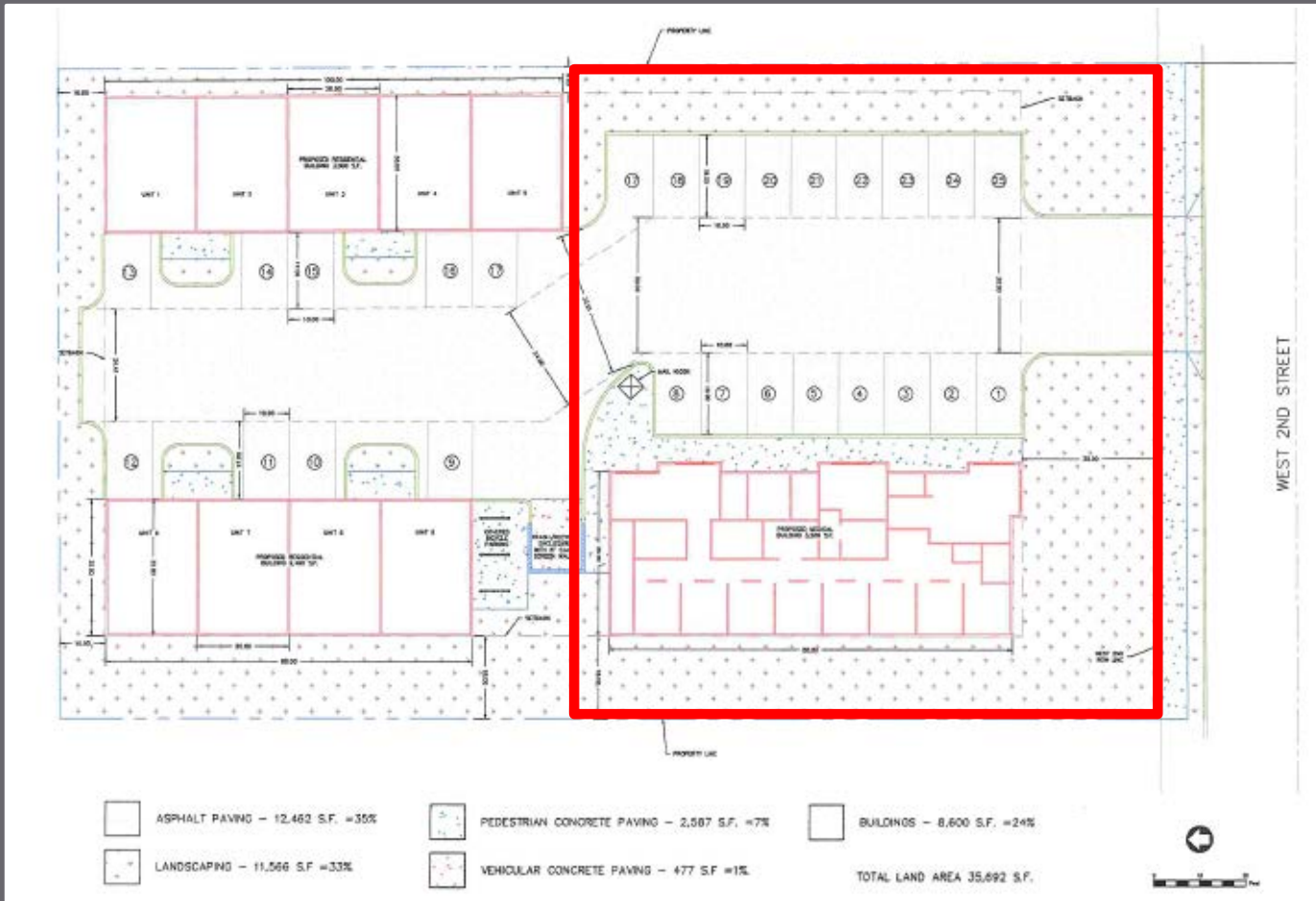
Request for approval of conditional use permit to allow development of a new dental clinic on an R-4 zoned site

- Conditional on approval of ZC 4-19
- “Hospital and clinic” is an identified conditional use in R-4 zone
 - Definition of 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



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CONDITIONAL USE REVIEW CRITERIA

Section 17.74.030

- ✓ A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;
- ✓ B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- ✓ C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;
- ✓ D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;
- ✓ E. The proposal will preserve environmental assets of particular interest to the community;
- ✓ F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

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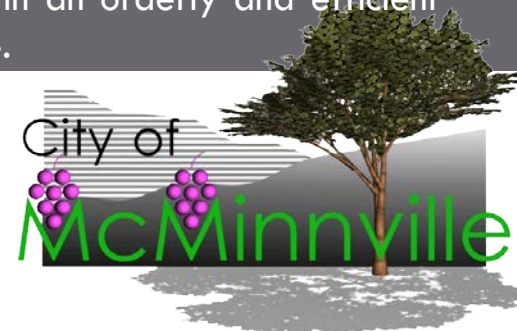


CONDITIONAL USE CONDITIONS

Section 17.74.040

- ✓ A. Limiting the manner in which the use is conducted including restrictions on the time a certain activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare, and odor;
- B. Establishing a special yard or other open space, lot area, or dimension;
- ✓ C. Limiting the height, size, or location of a building or other structure;
- D. Designating the size, number, location and nature of vehicle access points;
- E. Increasing the amount of street dedication, roadway width, or improvements within the street right-of-way;
- F. Designating the size, location, screening, drainage, surfacing, or other improvement of a parking area or truck loading area;
- G. Limiting or otherwise designating the number, size, location, height and lighting of signs;
- ✓ H. Limiting the location and intensity of outdoor lighting and requiring its shielding;
- I. Requiring diking, screening, landscaping, or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance;
- ✓ J. Designating the size, height, location, and materials for a fence;
- K. Protecting and preserving existing trees, vegetation, water resource, wildlife habitat, or other significant natural resource;
- L. Such other conditions as will make possible the development of the City in an orderly and efficient manner in conformity with the intent and purposes set forth in this ordinance.

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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

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CU 4-19 STAFF RECOMMENDATION

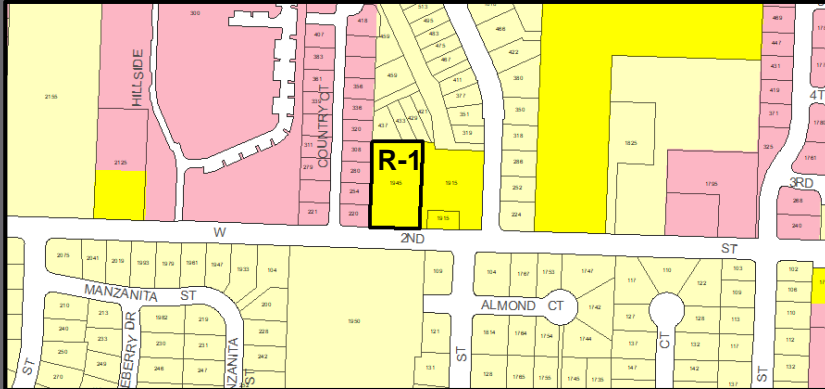
- Conclusion:
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 - Conditional on approval of Zone Change (ZC 4-19)

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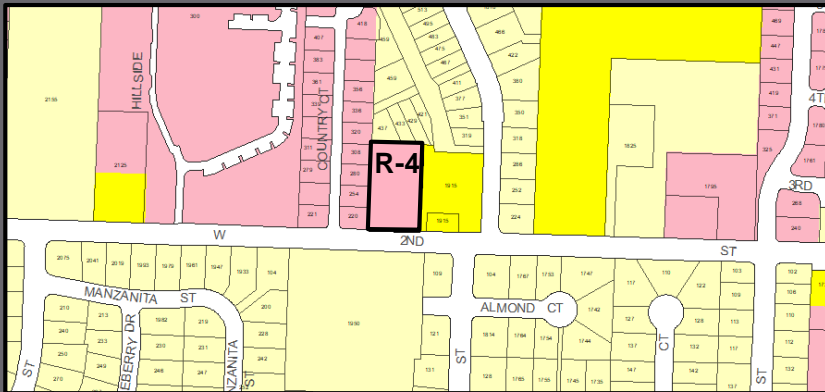


ZC 4-19/CU 4-19 QUESTIONS?

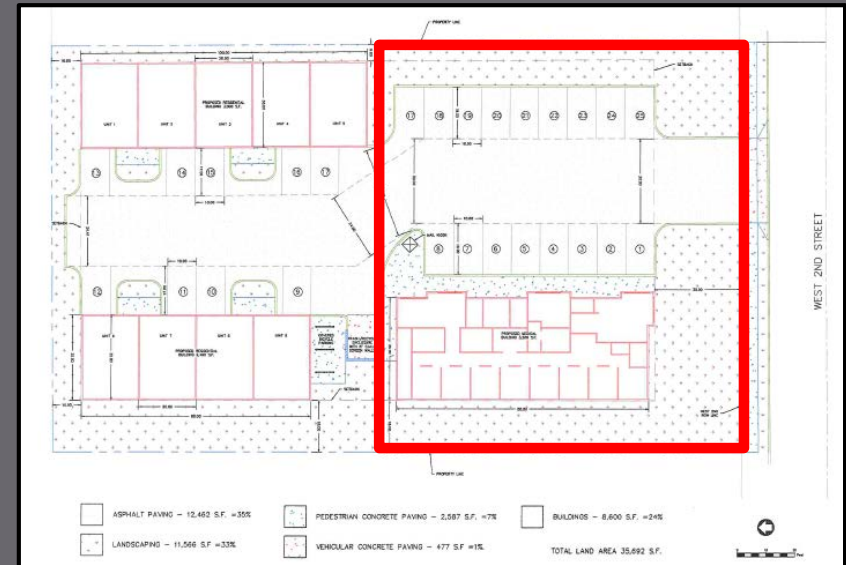
Existing Zoning



Proposed Zoning



Conditional Use



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