



**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 THREE MILE LANE DESIGN REVIEW COMMITTEE FOR APPROVAL OF THE DESIGN REVIEW REQUEST AT 375 SE NORTON LANE.

- DOCKET:** TML 1-19
- REQUEST:** Request for new monument signage which is subject to the design review standards of the Three Mile Lane Planned Development Overlay.
- LOCATION:** The subject site is located at 375 SE Norton Lane, and is more specifically described as Tax Lot 402, Section 27, T. 4 S., R. 4 W., W.M.
- ZONING:** C-3 PD (General Commercial), Planned Development Ordinance 4667
Three Mile Lane Planned Development Overlay, Zone 3
Airport Overlay Zone (Horizontal Zone)
- APPLICANT:** Roberti Investments Co. LLC, c/o Ted Pikes (property owner)
Pikes Northwest LLC, c/o Ted Pikes (applicant)
- STAFF:** Tom Schauer, Senior Planner
- DATE DEEMED COMPLETE:** July 1, 2019
- DECISION-MAKING BODY:** Planning Director (per MMC 17.72.110), acting as the Three Mile Lane Design Review Committee (per Three Mile Lane Planned Development Overlay, Sections 5 and 6(A)).
- DATE:** September 6, 2019
- PROCEDURE:** Sections 17.72.090 and 17.72.110 of the McMinnville Zoning Ordinance provide for Three Mile Lane Design Review as a Director's Review with Notification, subject to the procedures of Section 17.72.110 of the Zoning Ordinance. Section 6 "Procedures for Review" of the Three Mile Lane Planned Development Overlay Ordinance provides that no development or signage may take place within the Three Mile Lane Planned Development Overlay without such development or signage gaining the approval of the Three Mile Lane Design Review Committee.
- CRITERIA:** The application is subject to the criteria in Sections 4 and 5 of the Three Mile Lane Planned Development Overlay Ordinance applicable to "Zone 3," the criteria in Section 3 of Planned Development Overlay Ordinance 4667, and the provisions of the Airport Overlay Zone (Horizontal Zone). The goals and policies of Volume II of the Comprehensive Plan are also review criteria.
- APPEAL:** The Director's decision may be appealed to the Planning Commission within 15 days of the date the decision is mailed as specified in Section 17.72.170 of the

Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

McMinnville Zoning Ordinance. Ordinance 4667 also provides for appeal of a decision of the Three Mile Lane Design Review Committee to the Planning Commission within 15 days of the decision. There are no separate provisions for appeals in the Three Mile Lane Overlay Ordinance.

COMMENTS:

Public notice of the application was provided by the City of McMinnville. Three Mile Lane Design Review applications are reviewed by the process described in Section 17.72.110 (Applications and Permits – Director’s Review with Notification) of the McMinnville Zoning Ordinance, which requires public notification to property owners within 100 feet of the subject property. No public comments were received prior to the Planning Director’s decision.

DECISION

Based on the findings and conclusions, the Planning Director **APPROVES** the proposed development and signage, subject to the conditions in Section II.

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

Planning Department: 
Heather Richards, Planning Director

Date: September 6, 2019

I. APPLICATION SUMMARY & BACKGROUND:

The proposal is an application for Three Mile Lane Design Review for new signage on property at 375 SE Norton Lane for an existing multi-tenant medical office building. **See Exhibits 1 and 2.** The application for new signage was submitted on March 20, 2019. The application was deemed incomplete on April 17, 2019, and staff sent a letter to the applicant with additional information about the applicable regulations, including clarification about which standards apply to the property. At that time, the application proposed one sign. Staff and the applicant spoke by phone about the information in the letter. The applicant indicated they were also proposing an additional sign near the southeast corner of the property near the driveway. The applicant submitted additional information on July 1, 2019, including a revised application and information about the second proposed sign.

The subject property is within the Three Mile Lane Planned Development Overlay District. The Three Mile Lane Overlay was established by Ordinance 4131, which was subsequently amended by Ordinances 4572, 4667, and 4988.

Section 17.62.020 of the Zoning Ordinance provides that Chapter 17.62 (Signs) does not apply to lands “in the Three Mile Lane Ordinances 4572 and 4131.” Instead, the sign provisions of the Three Mile Lane Overlay Ordinance and Ordinance 4667 apply. (The provisions of Ordinance 4667 and the Three Mile Lane Overlay Ordinance for “Zone 3” are generally more restrictive than the provisions of Section 17.62.070(C) of the Zoning Ordinance, which otherwise applies to signs in the C-3 zone). Section 4(F) was subsequently added to the Three Mile Lane Ordinance, by Ordinance 4988 in 2015, authorizing temporary signage as allowed by Section 17.62.060(B)(3) of the Zoning Ordinance.

The Three Mile Lane Overlay provides design review criteria and development standards and requires design review for signs. There are three sub-zones with different standards within the Three Mile Lane Planned Development Overlay District. The subject property was originally in Zone 2, but the boundary was amended by Ordinance 4667, and the subject property is now in Zone 3. There are also standards governing signage for the subject property in Planned Development Ordinance 4667. Subsection 5 provides:

That the subject site, for purposes of signage, shall be redesignated to be a zone 3 property on the Three Mile Plan Map as contained in City Ordinance No. 4572. The entire parcel shall be entitled to two “monument” signs – one serving the entrance to the office complex and one serving the commercial area at the northeast corner of the site. These signs shall conform to the standards as set forth in the City ordinance No. 4572.

See Exhibit 3. The subject site has since been divided and is comprised of several separate properties, so the authorized signage for the subject property will comprise the second authorized sign for multiple properties. The proposed “Sign A” will replace an existing sign on the property in the same vicinity, near the northeast corner of the subject property, Tax Lot 402. **See Exhibit 4.** The applicant is also proposing a sign near the driveway approach at the southeast corner of the subject property, Tax Lot 402, “Sign B.” **See Exhibit 5. See Exhibits 6A and 6B** for applicant’s site plan with proposed sign locations. The other monument sign at the northeast corner of the property “serving the commercial area” referenced in ordinance 4667 is the existing sign for Comfort Inn & Suites and The Diner restaurant in front of Tax Lot 403. **See Exhibit 7.** There is also a directional sign to Comfort Inn & Suites off of Stratus Avenue, an existing rock monument sign for Altimus Plaza which will be replaced with Sign A, and an existing temporary sign near the proposed location of Sign B. **See Exhibit 7.**

There is a shared private access along the north property line of the subject property which provides access to the parking lot. There are several easements for public utilities on the subject property and abutting properties, and the main sign is located in the vicinity of these easements. Staff has annotated photographs showing the approximate locations of the signs based on the measurements shown on the applicant’s plans. **See Exhibits 8 and 10.** Staff has also shown the approximate edge of the

Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

existing sanitary sewer easement near Sign A. **See Exhibit 9.** Based on the measurements provided by the applicant in Exhibits 6A and 6B, Sign B appears to be further west than shown on the rendering. The specific locations of these signs in this area is important due to the depth of the footings (3 feet deep for Sign A and 2 feet deep for Sign B) and the location of utilities and utility easements in this area. There is a 10-foot wide utility easement along the property frontage outside the right-of-way behind the sidewalk, and there are water and sewer easements across the property. Not all easements are shown on a single map. Easement documents are available, including easements for sanitary sewer, water, and public utilities.

Currently, the monument sign for Comfort Inn & Suites / The Diner and the rock monument sign for Altimus Plaza shown in **Exhibit 7** comprise the two monument signs authorized by Ordinance 4667 or the entire property shown in **Exhibit 3**. Sign A will replace the existing Altimus Plaza rock monument sign. However, Sign B is a proposed new sign. Since an additional monument sign is not permitted, it can only be authorized if it is determined to be “incidental directional signage” per Section (5)(C)(3) of the Three Mile Lane Overlay Ordinance. The ordinance provides discretion in determining what comprises “incidental directional signage.”

While the provisions of Chapter 17.62 (Signs) of the Zoning Ordinance don’t apply in the Three Mile Lane Overlay area, provisions of that chapter provide guidance in interpreting what constitutes “incidental directional signage” for purposes of applying the Three Mile Lane ordinance. Certain signs are exempt from the provisions of Chapter 17.62, including:

- M. Incidental Signs, provided the signs do not exceed one and a half (1.5) square feet in area for each sign.

[The definition of “incidental sign” used in this context is somewhat different than “incidental directional” sign as used in the Three Mile Lane Ordinance. The definition of “incidental sign” in the Zoning Ordinance is, “A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on the premises (e.g. a credit card sign or a sign indicating hours of business)].

- N. An exterior sign erected next to an entrance, exit, office door, or telephone, provided the sign is no more than four square feet in area. This type of sign is typically used to identify and locate a property feature.
- R. Signs, up to four (4) square feet in area and three (3) feet in height, constructed or placed within a parking lot. These signs are typically used to direct traffic and parking.

Chapter 17.06 of the Zoning Ordinance provides definitions, including “Sign Area” used to measure signs for purposes of applying the regulations. For all signs other than wall signs, area is measured as noted below. For purposes of this definition, as addressed in the definition of “freestanding sign,” monument signs are a type of freestanding sign. Please note this is used differently in the Three Mile Lane Overlay Ordinance, where “freestanding sign” is used to refer to signs such as pole and pylon type signs, distinct from a “monument sign”

Area (of a sign)-

- A. Projecting, Portable, and Freestanding: The area of the sign shall be measured as follows: The area within and enclosing the perimeter of each cabinet or module on which copy is placed shall be totaled to determine the aggregate sign area. The sign area shall not include essential sign structure, foundations or supports. In addition, the sign area calculation shall not include embellishments such as pole covers, framing, decorative roofing, etc., if there is no written copy on such embellishments. The portion of any such embellishments that exceed 50 (fifty) percent of the permitted sign area shall be included in the sign area calculation. All face areas of any multi-faced sign shall be counted in

calculating its area. For a double-faced sign in a single cabinet, only the area of one face is counted.

Sign B is the only additional sign located by the second driveway access to the public street near the southeast corner of the property. The sign face is approximately 4 square feet in area (1 foot tall x 4 feet wide), but the overall sign structure is approximately 12 square feet (3 feet tall and 4 feet wide), including the support structure and top cap. For reference, the Comfort Inn “Enter” sign with logo is approximately 4 to 5 square feet on the sign face plus the support structure.

Sign B must be small enough and serve a function to constitute “incidental directional signage” or it will constitute an additional monument sign in excess of the permitted number of monument signs authorized for the property by Ordinance 4667. Taken together, with the context of the signs exempted by the Zoning Ordinance as guidance, the location of the sign as the sole sign by the southerly driveway, and the characteristics of the Comfort Inn “enter” sign, this sign seems to be sized to reasonably serve the purpose of identifying and locating a property feature, namely, providing directions to the tenant at the rear of the site. The style of the sign matches that of the main Altimus Plaza monument sign, indicating it is part of the same multi-tenant complex without the need for additional “Altimus Plaza” text on the sign face, and the sign face is consistent with the provisions of (N) above for a sign erected next to an entrance/exit, with the sign face no more than 4-feet in area. While the sign is not placed within the parking lot, it is placed at the entrance to the parking lot to direct people to the tenant at the rear of the site, and the sign face doesn’t exceed 4 square feet. It doesn’t exceed a height of 3 feet to the top of the cap. Based on these considerations, the proposed Sign B constitutes “incidental directional signage.”

The proposed signs are also located outside of the required vision clearance triangles at the driveways and intersections required in Chapter 17.54.

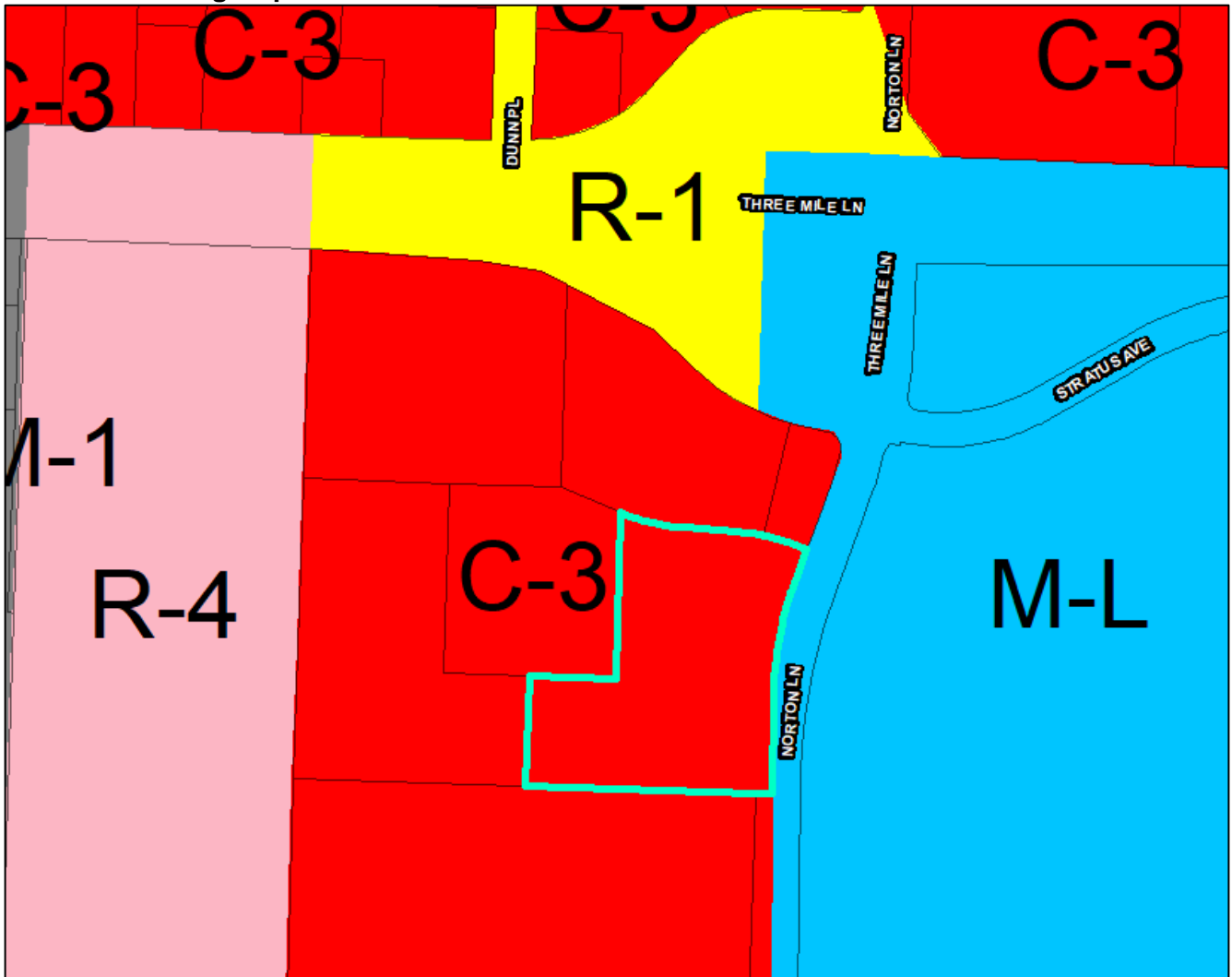
Exhibit 1. Vicinity Map & Aerial Photo



Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

Exhibit 2. Zoning Map.



Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

Exhibit 3. “Subject Site” per Ordinance 4667 which is authorized to have two monument signs for the entirety of the property, shows as subsequently divided.

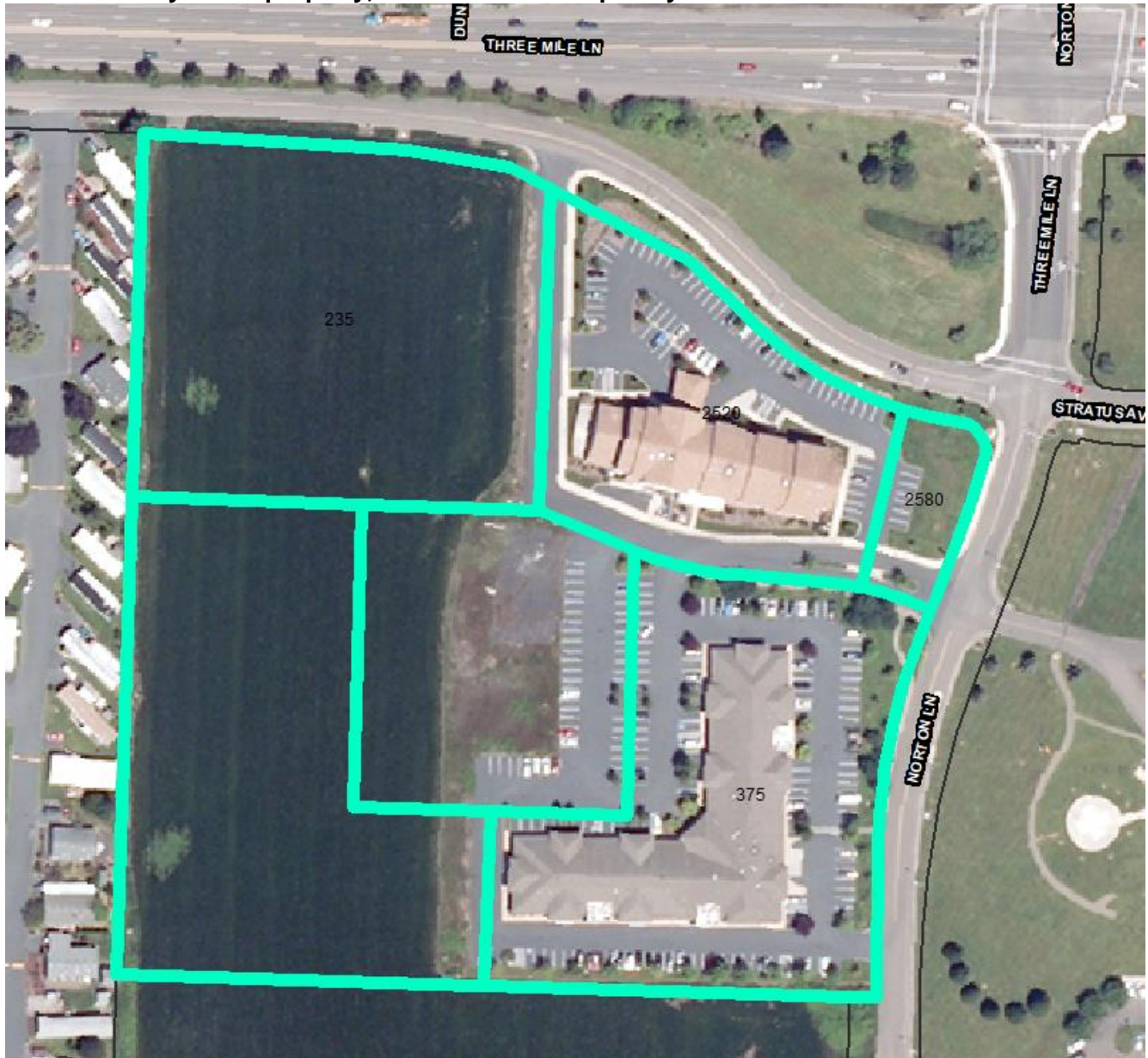



Exhibit 4. Proposed Sign A, Revised Submittal.




Non Illuminated Double Face Display (Sign A)

SPECIFICATIONS

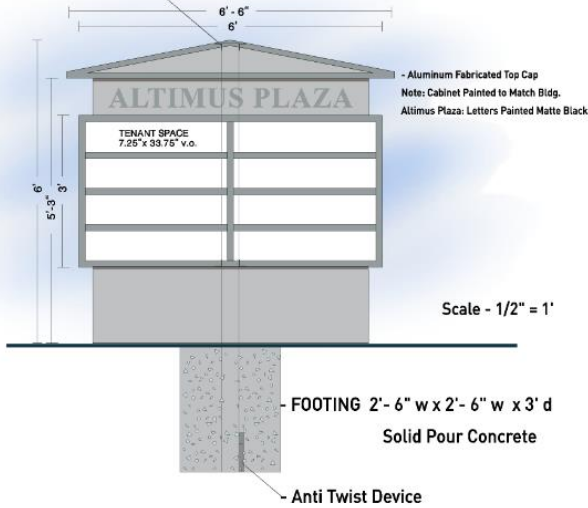
*** CABINET**
- Aluminum Fabricated

*** FACE**
- White Aluminum



Proposed Note: Sign in Photo is Approximate Scale

- Sign Structure Welded to 4" Square Tube by Certified Welder




- Aluminum Fabricated Top Cap
Note: Cabinet Painted to Match Bldg.
Altimus Plaza: Letters Painted Matte Black

Scale - 1/2" = 1'

- FOOTING 2'-6" w x 2'-6" w x 3' d
Solid Pour Concrete

- Anti Twist Device

Salem Sign Co., Inc.
1825 FRONT ST. N.E.
SALEM, OR 97301
503-371-6362
FAX 503-371-0901
e-mail signs@salem-sign.com
CCB# 65297



guru 3M

THIS DRAWING IS THE PROPERTY OF SALEM SIGN CO., INC.

SK # 19919-18P

JOB TITLE: Altimus Plaza

LOCATION: Salem, OR


DATE: 10-25-18

DRAWN BY: CZ

SALES: Brad Spady

APPROVED BY:

Exhibit 5. Proposed Sign B, Revised Submittal.




Non Illuminated Double Face Display (Sign B)

SPECIFICATIONS

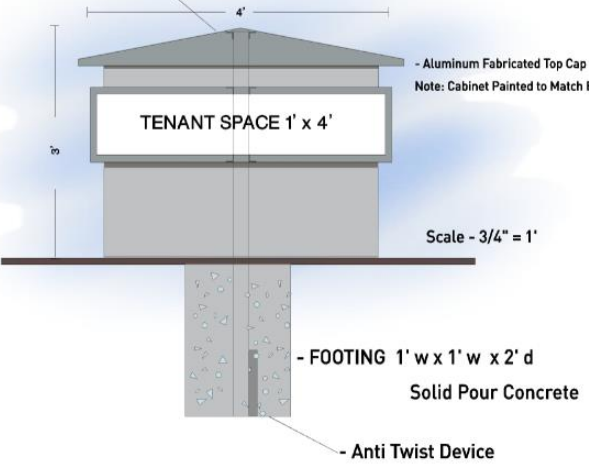
*** CABINET**
- Aluminum Fabricated

*** FACE**
- White Aluminum



Proposed Note: Sign in Photo is Approximate Scale

- Sign Structure Welded to 2" Square Tube by Certified Welder




- Aluminum Fabricated Top Cap
Note: Cabinet Painted to Match Bldg.

Scale - 3/4" = 1'

- FOOTING 1' w x 1' w x 2' d
Solid Pour Concrete

- Anti Twist Device

Salem Sign Co., Inc.
1825 FRONT ST. N.E.
SALEM, OR 97301
503-371-6362
FAX 503-371-0901
e-mail signs@salem-sign.com
CCB# 65297



guru 3M

THIS DRAWING IS THE PROPERTY OF SALEM SIGN CO., INC.

SK # 20251-18P-r1

JOB TITLE: Altimus Plaza

LOCATION: Salem, OR

DATE: 3-26-19

DRAWN BY: CZ

SALES: Brad Spady

APPROVED BY:

Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

Exhibit 6A. Location of Proposed Sign A, Original Submittal

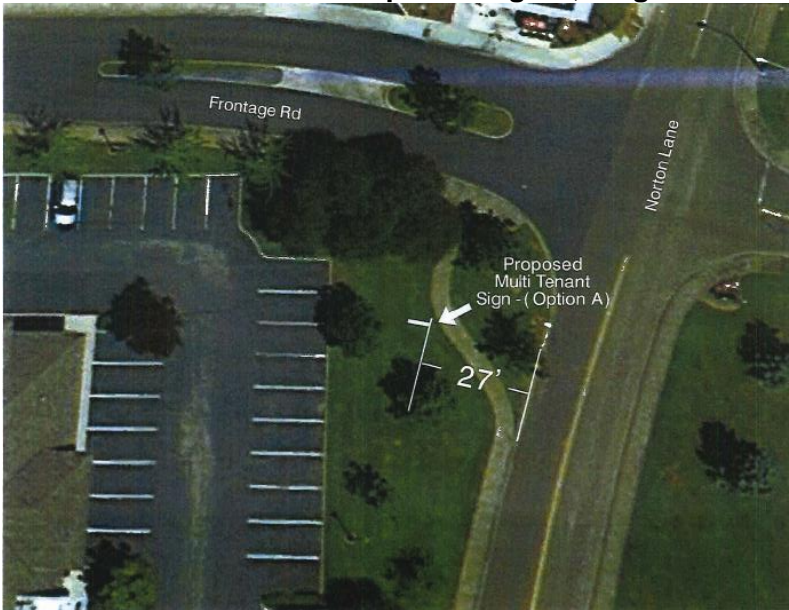
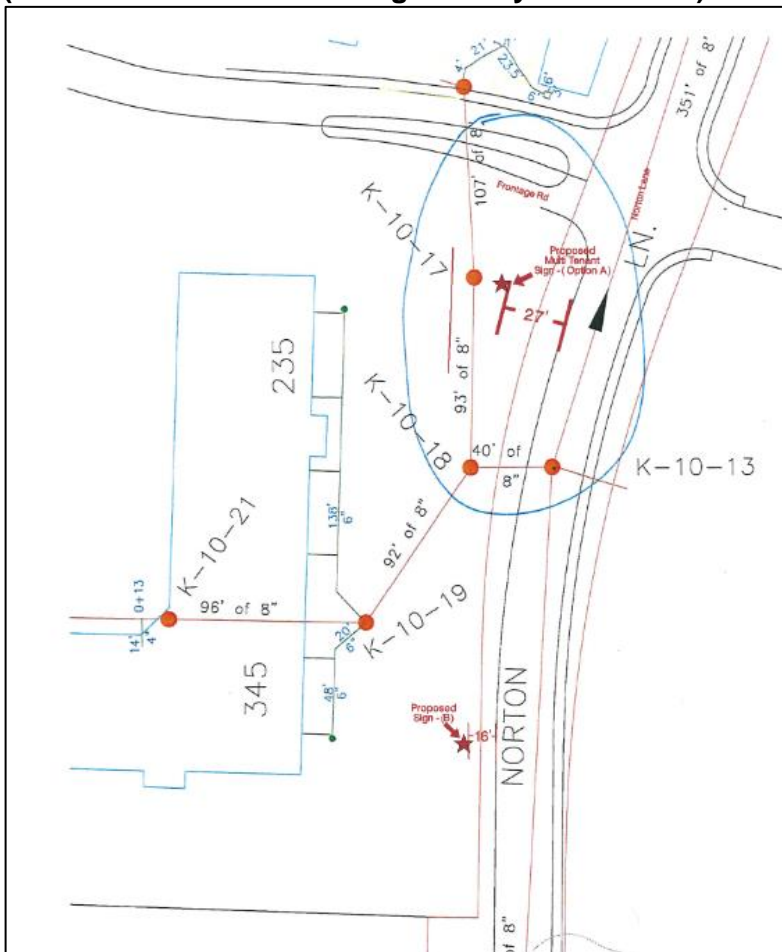


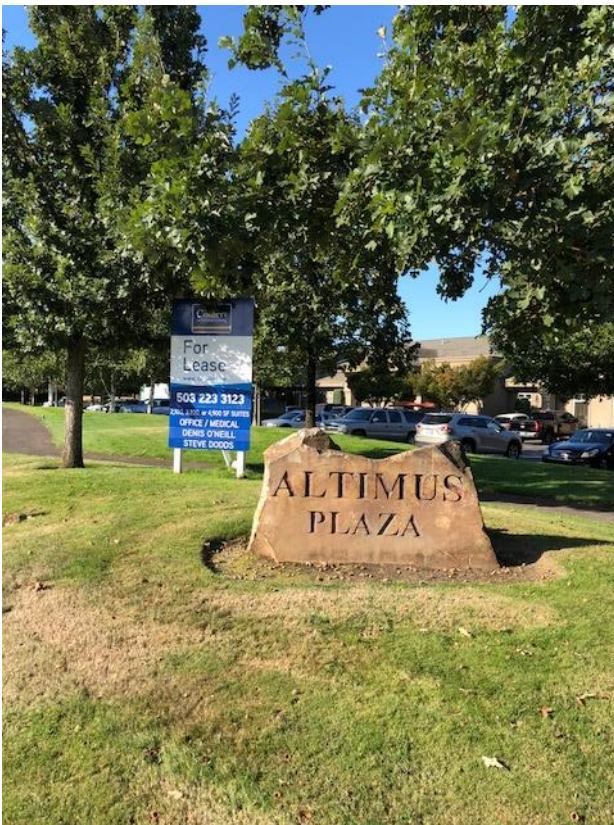
Exhibit 6B. Location of Proposed Signs A and B, Revised Submittal (shown in relation to existing sanitary sewer main)



Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

Exhibit 7. Existing Signs on the Properties Shown in Exhibit 3.



Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

Exhibit 8. Staff Annotation - Approximate Location of Sign A (27' from curb per applicant)



Exhibit 9. Approximate 7.5' from Centerline of 15' Sanitary Sewer Easement



Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

Exhibit 10. Staff Annotation - Approximate Location of Sign B (16' from curb per applicant)**II. CONDITIONS OF APPROVAL**

The approval of this application will expire 12 months from the date of issuance if the work hasn't been initiated and completed.

1. The applicant shall flag the footprints of the signs and contact the City of McMinnville and McMinnville Water & Light to verify the signs and footings will not be within easements or impact water, sewer, or other utilities. The applicant shall obtain verification that the location doesn't impact utilities or easements from the City and McMinnville Water & Light before commencing work.
2. All landscaping damaged or removed to accommodate the signs shall be repaired and replaced in good condition. Landscaping matching the existing landscaping shall be installed where the existing rock monument sign is removed. Note: existing trees and shrubs shall not be removed to increase visibility of the proposed signs without prior approval of modification of the landscape plan.
3. The applicant shall complete the requirements to obtain the permit for the signs and obtain that permit (Permit #569-19-000115-STR).

III. ATTACHMENTS

1. Three Mile Lane Development Review Application (on file with the Planning Department).

Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

IV. COMMENTS

Agency Comments

This matter was referred to public agencies for comment, including the following: 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 the Oregon Department of State Lands.

- The Engineering Department and Fire Department replied with no comments.
- McMinnville Water and Light provided the following comments:

There are potentially three easements in our records that could be impacted by these sign locations. Of course there may be others that MW&L is not aware of.

- 01-40
 - This is a public access, parking and utility easement. It appears to be just outside of the proposed sign “B” location and thus may not be impacted. (It is shown on page 3 of the enclosed document).
- 199516552
 - 10’ PUE to the City – runs parallel to Norton
- 200009053
 - This document references another 10’ PUE in the same area as 199516552 above. Our 10” water main appears to reside in this easement.

Since these three easements are public in nature there doesn’t appear to be any specific sign restrictions. However, we have a requirement to provide a minimum 3’ horizontal separation from water mains (even more would be desirable). Therefore the applicant would need to call for locates and mark the extents of the footings. MW&L will need to meet onsite to approve the sign location.

Public Comments

Public notice of the application was provided by the City of McMinnville as Three Mile Lane Design Review Committee. Applications are reviewed by the process described in Section 17.72.110 (Applications and Permits – Director’s Review with Notification) of the McMinnville Zoning Ordinance, which requires public notification to property owners within 100 feet of the subject property. No public comments were received prior to the Planning Director’s decision.

V. FINDINGS OF FACT – PROCEDURAL FINDINGS

1. The application was submitted on March 20, 2019.
2. The application was deemed incomplete on April 17, 2019.
3. The applicant submitted additional materials on July 1, 2019
4. The application was deemed complete on July 1, 2019.

Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)

5. On August 8, 2019, notice of the application was mailed to property owners within 100 feet of the subject property in accordance with Section 17.72.110 of the Zoning Ordinance. No public comments were received during the 14-day comment period. No request for hearing was received during the 14-day comment period.
6. On August 9, 2019, notice of the application was referred to the public agencies noted in this document for comment, and comments received are noted in this document.
7. Serving as the Three Mile Lane Design Review Committee, the City of McMinnville approved the application. On September 6, 2019, the Planning Director issued this decision.

VI. FINDINGS OF FACT – GENERAL FINDINGS

1. **Address:** 375 SE Norton Ln.
2. **Map & Tax Lot:** Tax Lot 402, Section 27, T. 4 S., R. 4 W., W.M.
3. **Lot Size:** 2.57 acres
4. **Comprehensive Plan Map Designation:** Predominantly Commercial with a small portion of Industrial
5. **Zoning & Overlay Zones:**
 - C-3 PD (General Commercial), Planned Developed Ordinance 4667
 - Three Mile Lane Planned Development Overlay, Zone 3
 - Airport Overlay (Horizontal Zone)
6. **Current Use:** Multi-tenant medical office building, with shared access and parking with adjoining properties
7. **Inventoried Significant Resources:** None Identified
8. **Other Features:** The site is generally level.
9. **Utilities:**
 - **Water:** The property is served by a 10” water main in Norton Lane and 10” and 8” water mains across the property and adjoining properties in public easements.
 - **Sewer:** The property is served by an 8” sanitary sewer main which is located in Norton Lane and across the property and adjoining properties in a public easement. A portion of the existing building, a covered breezeway, is constructed over a portion the sewer easement.
 - **Stormwater:** Curb and gutter are present along Norton, and catchbasins are present at the intersection of Stratus Avenue.
 - **Other Services:** Other services are available to the property, provided underground. Utility easements are present along the frontage of the public street and the shared private driveway access.
10. **Transportation:**
 - The property has frontage on Norton Lane, a Minor Collector. A shared private driveway access along the north property line of the subject property provides access from Norton Lane to a shared parking lot. The property also has driveway access to Norton Lane near the southeast corner of the property.

11. **Proposed Signage:** The applicant is proposing two signs. The original submittal proposed only “Sign A” below. The revised submittal includes Signs A and B. Both signs include concrete footings.
- **Sign A. See Exhibit 4.** The main sign is a multi-tenant sign to be located near the northeast corner of Tax Lot 402. The cabinet will be painted to match the building. It will have aluminum fabricated top cap. The “Altimus Plaza” text will be in matte black letters. It is a double-faced display with eight tenant spaces. It will be 6 feet tall to the highest point, and approximately 6’-6” wide. The sign has a concrete footing which is 2’-6” wide by 2’-6” wide by 3 feet deep. It will be non-illuminated. The cabinet will be of aluminum fabrication and the face for the tenant space will be white aluminum. The original submittal also indicated “Vinyl – To be Determined” which has been removed from the proposal with the revised submittal. The existing “Altimus Plaza” rock monument sign near the northeast corner of Tax Lot 402 will be removed.
 - **Sign B. See Exhibit 5.** The secondary sign is a single-tenant sign to be located near the southeast corner of Tax Lot 402 just north of the driveway access to Norton Lane. The cabinet will be painted to match the building. It will have aluminum fabricated top cap. It is a double-faced display with one tenant space. It will be 3 feet tall to the highest point and approximately 4 feet wide. The sign has a concrete footing which is 1-foot wide by 1-foot wide by 2 feet deep. It will be non-illuminated. The cabinet will be of aluminum fabrication and the face for the tenant space will be white aluminum. The tenant space of the proposed sign is approximately 1’ x 4’, approximately four square feet.

VII. CONCLUSIONARY FINDINGS

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for Three Mile Lane Design Review for the subject property are as follows:

- **Planned Development Ordinance 4667.**
 - Section 3. Conditions.
- **Three Mile Lane Planned Development Overlay.** This overlay was established by Ordinance 4131, and amended by Ordinances 4572, 4667, and 4988.
 - Section 1. Purpose.
 - Section 4. Policies.
 - Section 5. Signs.
 - Section 5(C). Zone 3.
 - Section 6. Procedures for Review.
- **Zoning Ordinance.**
 - Chapter 17.33. C-3 (General Commercial) Zone, Standards
 - Chapter 17.52. Airport Overlay Zone (Horizontal Zone).
 - Chapter 17.62. Signs.
- **Comprehensive Plan.** 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 requests 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.

PLANNED DEVELOPMENT ORDINANCE NO. 4667:

The following conditions in Section 3 of the ordinance are applicable to the application. The other conditions in Section 3 aren't applicable to the proposed signage.

Section 3(2). Detailed plans showing building elevations, site layout, signage, landscaping, parking, and lighting must be submitted to and approved by the McMinnville Three Mile Lane Design Review Committee before actual development may take place. To the extent possible, the site and building design should be compatible with surrounding development. The provisions of Chapter 17.51 [*Planned Development Overlay*] of the McMinnville Zoning Ordinance may be used to place conditions on any development and to determine whether or not specific uses are permissible. The applicant may appeal the decision of the Three Mile Lane Design Review Committee to the Planning Commission if notice of intent to appeal is filed in the Planning Department office within fifteen (15) days of the Committee's decision.

FINDING: SATISFIED. The proposal is for signage to serve the existing use and development. The applicant has submitted information and drawings with the sign design, location, materials, and colors. The design of the signage will be compatible with the design of the existing development and painted to match the building. It will have neutral rectangular shape with a sloped cap similar to the appearance of the building.

Section 3(4). That if outside lighting is to be provided, it must be directed down and away from residential areas and public streets.

FINDING: SATISFIED. No illumination is proposed.

Section 3(5). That the subject site, for purposes of signage, shall be re-designated to be a Zone 3 property on the Three Mile Plan Map as contained in City Ordinance 4572. The entire parcel shall be entitled to two "monument" signs – one serving the entrance to the office complex and one serving the commercial area at the northeast corner of the site. These signs shall conform to the standards as set forth in the City Ordinance No. 4572.

FINDING: SATISFIED. The "entire parcel" consists of several existing properties that have now been divided. These signage limitations apply to the entirety of those properties. The existing sign for Comfort Inn & Suites and The Diner in front of Tax Lot 403 is the first monument sign and the new proposed Sign A which will replace the rock monument sign is the second monument sign.

In addition to the monument sign on Tax Lot 403, there is one additional "entrance" sign for Comfort Inn & Suites. This is considered an "incidental directional sign" (Three Mile Lane Overlay Section 5(C)(3)). As addressed in Section I of this report, Sign B is found to constitute "Incidental Directional Signage."

Section 3(16). That final development plans as approved by the Three Mile Lane Design Review Committee shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer.

The developer will be responsible for requesting permission of the Planning Commission for any major change to the details of the adopted site plan. Minor changes to the details of the adopted site plan may be approved by the City Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Director may be

made only to the Commission. Review of the Planning Director’s decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

FINDING: SATISFIED. The proposed signage is a minor change to the site plan that doesn’t require approval of the Planning Commission.

Section 3(19). That the subject site is subject to the provisions of the Three Mile Lane Planned Development Ordinance, as amended.

FINDING: SATISFIED. As addressed in Section I of this report, Sign B is found to constitute “Incidental Directional Signage.” With that finding, the proposed signage is found to comply with the Three Mile Lane Planned Development Ordinance.

THREE MILE LANE PLANNED DEVELOPMENT OVERLAY (Ordinance 4131, as amended by Ordinances 4572, 4667 and 4988):

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

FINDING: SATISFIED. The application is consistent with the statement of purpose by ensuring development along Three Mile Lane is of good quality and design as further addressed more specifically in regard to the design, materials, and color below.

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

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

FINDING: SATISFIED WITH CONDITIONS. See responses to Goals and Policies below. Compliance with other applicable regulations and standards are addressed for the proposed signage through compliance with the standards of the applicable zone and overlays as addressed herein. This includes a condition verifying the specific placement of the signage to verify no impact on utility easements or utilities.

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

FINDING: SATISFIED. The proposed signage is more than 120-feet from the centerline of the highway.

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

1. The minimization of entrances onto Three Mile Lane;

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

FINDING: NOT APPLICABLE. No change to access or circulation is proposed.

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

FINDING: NOT APPLICABLE. No change to the landscaping or buffering is proposed, except for the footprint of the proposed signage.

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

FINDING: NOT APPLICABLE. The area is not designated as residential, and no residential use is proposed.

- F. Temporary signage shall be allowed as per Section 17.62.060(B)(3) of the McMinnville Zoning Ordinance (No. 3380). (Ord. 4988 §1, 2015)

FINDING: NOT APPLICABLE. Temporary signage is not proposed as part of this application.

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

FINDING: SATISFIED. The subject property is designated commercial/industrial and zoned C-3 PD (Ordinance 4667). With this decision, the signage is approved by the Three Mile Lane Design Review Committee, with the City of McMinnville serving in that capacity and the Planning Director issuing the decision as specified in Sections 17.72.090 and 17.72.110 of the Zoning Ordinance. The design elements, size, location, and context of the proposed signs described above have been taken into account, and comply with the provisions of the ordinance and other applicable ordinances. With the finding that Sign B constitutes “incidental directional signage,” the proposal is compatible and consistent with the objectives of the ordinance.

The Three Mile Lane Planned Development Overlay area is hereby divided into three “sign zones” which are depicted on Exhibit “B” which is attached hereto and is by this reference herein incorporated. Signage shall be regulated within the various sign zones as follows:

Section 5(A) Zone 1, and Section 5(B) Zone 2.

FINDING: NOT APPLICABLE. The subject property is located within Zone 3 as a result of the amendment in Ordinance 4667.

Section 5(C). Zone 3.

C. Zone 3. The following regulations apply to commercially and industrially designated properties which fall within zone 3:

1. That free-standing signs are prohibited.

FINDING: SATISFIED. The proposed Sign A is a monument signs as defined in the Zoning Ordinance. While monument signs are a subcategory of freestanding signs, it is evident from the context of the Three Mile Lane Overlay that monument signs are permitted in Zone 3 and other subcategories of freestanding signs are prohibited. Sign B is “incidental directional signage.”

2. That one monument-type sign shall be allowed per parcel, except that a second monument sign shall be allowed if the parcel has more than 600 feet of frontage on Highway 18 or on the Highway 18 frontage road, subject to the following:

a) Maximum square footage per sign face shall be 80 square feet and there shall be a maximum of two sign faces per monument sign.

b) Maximum sign height shall be eight feet, and the top of the sign shall not be more than ten feet above the center line grade of Highway 18 or the Highway 18 frontage road, whichever is applicable.

c) Monument signs shall be non-illuminated, indirectly illuminated, neon, or may have individually back—lit letters, providing that no plastic sign cabinets are allowed.

FINDING: SATISFIED. Ordinance 4667 made clear that two monument signs were authorized for the subject property as it was comprised before it was divided. **See Exhibit 3.** One of those monument signs is the sign for Comfort Inn & Suites and the Diner, and the second monument sign is the proposed Sign A for Altimus Plaza, which will replace the existing rock monument sign for Altimus Plaza. Other signs on the subject properties that were part of the original single site include a directional entrance sign, which is considered incidental. Sign B proposed by the applicant is found to constitute “incidental directional signage.”

Sign A is less than 40 square feet per sign face. It doesn’t exceed 6 feet in height. Based on topography and the berm height where the sign is proposed to be located, the height would be less than 10 feet above the centerline grade of Highway 18 or its frontage road. The proposed signs are non-illuminated, and the cabinets and faces are proposed to be made of aluminum.

3. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than 12 inches from the building face, subject to the following:
 - a) Total area of building signage may not exceed eight percent of the total area of the face of the building which is most closely parallel to Highway 18 or the frontage road and may not exceed four percent on the other sides.
 - b) The area of building signs shall be measured as the area around or enclosing each sign cabinet, or where sign cabinets are not used, the area shall be that within a single continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message.
 - c) Signage for the third building in the Tanger Factory Outlet Mall shall be consistent in terms of sizes and percent of coverage with that on buildings one and two.

FINDING: SATISFIED. The signs are not proposed building signage – they are not mounted to the buildings. As proposed, Sign B is found to be “incidental directional signage,” and is therefore authorized.

4. Portable signs and signs with flashing or moving parts are prohibited.

FINDING: SATISFIED. No portable signs or signs with flashing or moving parts are proposed.

Section 6. Procedures for Review:

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

FINDING: SATISFIED. The City of McMinnville serves as the Three Mile Lane Design Review Committee, with the Planning Director issuing the decision as specified in the Three Mile Lane Overlay Ordinance and the Zoning Ordinance.

ZONING ORDINANCE:

Chapter 17.33. C-3 (General Commercial) Zone Standards (Setbacks, Height, Use Limitations)

FINDING: SATISFIED. There are no abutting residential zones to the east, north, or south, and the signage is consistent with applicable setbacks, height limits, and use limitations of the C-3 zone.

Chapter 17.52. Airport Overlay Zone (Horizontal Zone)

Section 17.52.060. Horizontal Zone Restrictions. The following uses are prohibited in the Horizontal Zone: Any structure which exceeds a height greater than 309 feet above MSL except that a structure may be constructed to a vertical height no greater than 35 feet above the ground in Eola Hills.

FINDING: SATISFIED. The nearest 5-foot contour lines are 145 feet elevation, and the sign is approximately six feet tall, so it is well below the height of 309 feet above MSL.

Chapter 17.62. Signs.

Section 17.62.020. Scope. "...this Chapter does not apply to lands within the areas ...in the Three Mile Lane Ordinances 4572 and 4131."

FINDING: SATISFIED. Chapter 17.62 is not applicable to the areas in the Three Mile Lane Ordinances, except as specified in the Three Mile Overlay Ordinance for temporary signs, which doesn't apply to the proposal.

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 city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application. Therefore, where applicable standards exist, subsequent findings regarding the parallel comprehensive plan policies are not made when they are duplicative or a restatement of the specific standards which achieve and implement the applicable goals and policies.

The following additional findings are made relating to specific Goals and Policies. Policies applicable to this application are addressed through implementation standards, except as provided below.

GOAL IV 3: TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

Policy 34.00: The City of McMinnville shall develop and maintain guidelines concerning the size, placement, and type of signs in commercial areas.

FINDING: SATISFIED WITH CONDITIONS. Goal IV 3 and Policy 34.00 are satisfied in that McMinnville has established guidelines concerning the size, placement and types of signs in commercial areas in the McMinnville Zoning Ordinance (Ordinance 3380) and the Three Mile Lane Planned Development Overlay and requires proposed commercial signage in the Three Mile Lane corridor to be reviewed against those criteria. Ordinance 4667 provides site-specific provisions as part of the C-3 PD zoning for the subject property, including specific provisions regarding signage. With conditions verifying the specific placement of the location of the signage so as to not impact the utility easement and utilities, this criterion is satisfied.

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

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

FINDING: SATISFIED. Goal X 1 and Policy 188.00 are satisfied in that the procedures for this application provide opportunities for notification and public comment prior to issuance of the decision by the Three Mile Lane Design Review Committee and the Planning Director.

TS:sjs

Attachments:

Attachment 1 – Three Mile Lane Development Review Application (TML 1-19)