



Norton Lane Planned Development Amendment

OWNERS: Burch Feero, Inc
APPLICANT: Housing Authority of Yamhill County
APPLICANT REPRESENTATIVE: Structure Development Advisors, LLC



Norton Lane
Planned Development Amendment

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June 12, 2020

Heather Richards, Planning Director
Planning Department
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128

Re: 235 SE Norton Lane
R442700409
Planned Development Amendment

Dear Ms. Richards;

On behalf of the Housing Authority of Yamhill County, and with the consent of the property owners, please find the enclosed application to amend the existing Planned Development overlay Ordinance No 4667 relating to above reference property.

We appreciate the guidance and support provided by you and your department as we've developed this application and an overall approach to entitlements needed to support this project.

Housing Authority of Yamhill County intends to develop affordable housing on the subject site. Their experience as a developer and owner of affordable housing positions them well for this important project.

We are available to answer any questions you may have and look forward to working with you to move this application forward.

Best regards,



Michael Andrews
Principal

Cc: Joyce Morrow
Vickie Ybarguen

Norton Lane
Planned Development Amendment

APPLICATION FORM



Planning Department
231 NE Fifth Street o McMinnville, OR 97128
(503) 434-7311 Office o (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:
File No.
Date Received
Fee
Receipt No.
Received by

Planned Development Amendment Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other

Applicant Name Housing Authority of Yamhill County Phone 503-833-4334
Contact Name Structure Development Advisors (Mike Andrews) Phone 503-318-5658
Address 135 NE Dunn Pl,
City, State, Zip McMinnville, OR 97128
Contact Email vybarguen@hayc.org

Property Owner Information

Property Owner Name Burch Feero, Inc. Phone 503-434-0500 - Steve
Contact Name Steve Burch / Doug Burch Phone 503-237-4494 - Doug
Address 20325 SW Power House Hill
City, State, Zip McMinnville, OR 97128
Contact Email steverburch@hotmail.com & dburch@viclink.com

Site Location and Description

Property Address 235 SE Norton LN C, McMinnville, OR 97128
Assessor Map No. R442700400 - Total Site Area 6.98 cares
Subdivision Block Lot
Comprehensive Plan Designation Commercial Zoning Designation C-3 PD

1. Show in detail how your request seeks to amend the existing planned development overlay. State the reason(s) for the request and the intended use(s) of the property: _____

See attached supplemental information for response.

2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Volume II): _____

See attached supplemental information for response.

3. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely: _____

See attached supplemental information for response.

4. Describe any changes in the neighborhood or surrounding area which might support or warrant the request: _____

See attached supplemental information for response.

5. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use: _____

See attached supplemental information for response.


6. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation? _____

See attached supplemental information for response.

In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, legible, and of a reproducible size). The site plan should show existing and proposed features such as: access; lot and street lines with dimensions in feet; distances from property lines; improvements; north direction arrow, and significant features (slope, vegetation, adjacent development, drainage, etc.).
- A copy of the current planned development overlay ordinance.
- A legal description of the subject site, preferably taken from the deed.
- Compliance of Neighborhood Meeting Requirements.
- Payment of the applicable review fee, which can be found on the Planning Department web page.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.


Applicant's Signature

6-12-2020
Date

DocuSigned by:

Property Owner's Signature

6/11/2020 | 8:18 PM PDT
Date

Norton Lane
Planned Development Amendment

Supplemental Information and Findings

**Norton Lane
Planned Development Amendment
Supplemental Information and Findings**

I. FACT SHEET

Owner: Burch Feero, Inc
Steve Burch

Applicant: Housing Authority of Yamhill County
Vickie Ybarguen, Executive Director
503-883-4318
vybarguen@hayc.org

Applicant Representative: Structure Development Advisors, LLC
Mike Andrews, Principal
503-318-5658
Mike@structurepdx.com

Community Meeting Date: June 10, 2020 @ 6PM

Location: 235 NE Norton LN C
McMinnville, OR 97128

Tax Lots R4427 00400 (Parent tax lot), R4427 00404 and R4427 00405

Size: 6.98 acres

Comprehensive Plan
Map Designation: Commercial

Zoning: C-3 PD (General Commercial Planned Development)

Overlay Zone / Special Districts: Three Mile Lane Planned Development Overlay District
(Ordinance No. 4131 and Ordinance 4572)

Current Use: Undeveloped

Inventoried Significant Resources:
Historic Resources: None
Other: None

Other Features: The slight is generally flat. There are no significant natural features associated with this property.

Utilities:

Water: Water service is available to the site.
Electric: Power service is available to the site.
Sewer: Sanitary service is available to the site.
Stormwater: Storm sewer service is available to the site.
Other: Other franchise utility service is available to the site. Gas is available to the site.

Transportation: The site is approximate to SE Norton Lane, which is identified as a minor collector in the McMinnville Transportation System Plan.

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II. SUMMARY:

Existing Conditions:

The Site is currently undeveloped and used for farming. The site is generally flat. There are no significant or distinguishing natural features associated with this property.

Access to the property is off SE Stratus Avenue, which is accessible from SE Norton Ln. Access to Highway 18 via Norton Lane is within 400 feet of the site. There is a signalized intersection of Norton Lane (SE & NE) with Highway 18. Immediately south of Highway 18, there is a three-way stop intersection of SE Norton Lane and SE Stratus Avenue. Stratus Avenue loops around the Medical Center and intersects back with SE Norton Lane across from the subject site.

Access and Utilities:

The Site fronts on the south side of SE Stratus Avenue for approximately 376 feet. Access available along this frontage. Additionally, easements with the properties to the east provide access from SE Norton Lane. Ordinance No. 4667 Conditions 18 and 19 provide for Oregon Department of Transportation review and approval, as required, of Highway 18 frontage improvements.

Included as an Attachment is a tax parcel map reflecting utility locations.

Surrounding Uses:

- North Immediately north of the site is SE Status Avenue and Highway 18. Across Highway 18 are a variety of commercial uses, including the offices of the Applicant.
- East The property immediately north of the subject property is the Altimus Plaza medical offices. Further to the north at the Stratus Avenue intersection are the Comfort Inn & Suites and the Diner restaurant.
- South The property immediately south is currently undeveloped. In 2019 Planned Development Overlay Ordinance No. 5072 was passed amending a prior Ordinance relating to this site.
- West The property immediately west of the subject property is the Evergreen Estates Mobile Home Park, which is zoned R-4.

Following is a Vicinity and Zoning map of the Site.

Figure 1: Vicinity Map

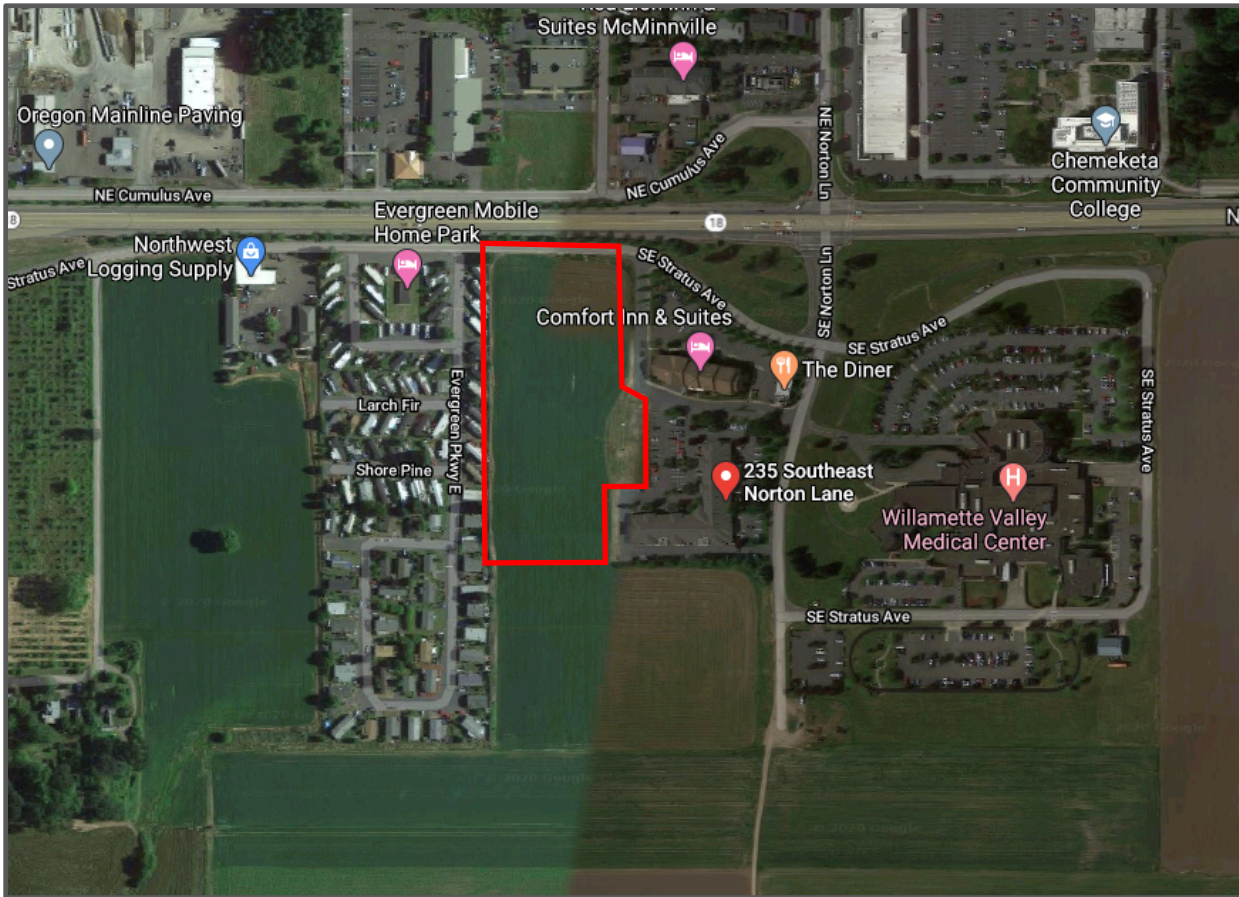
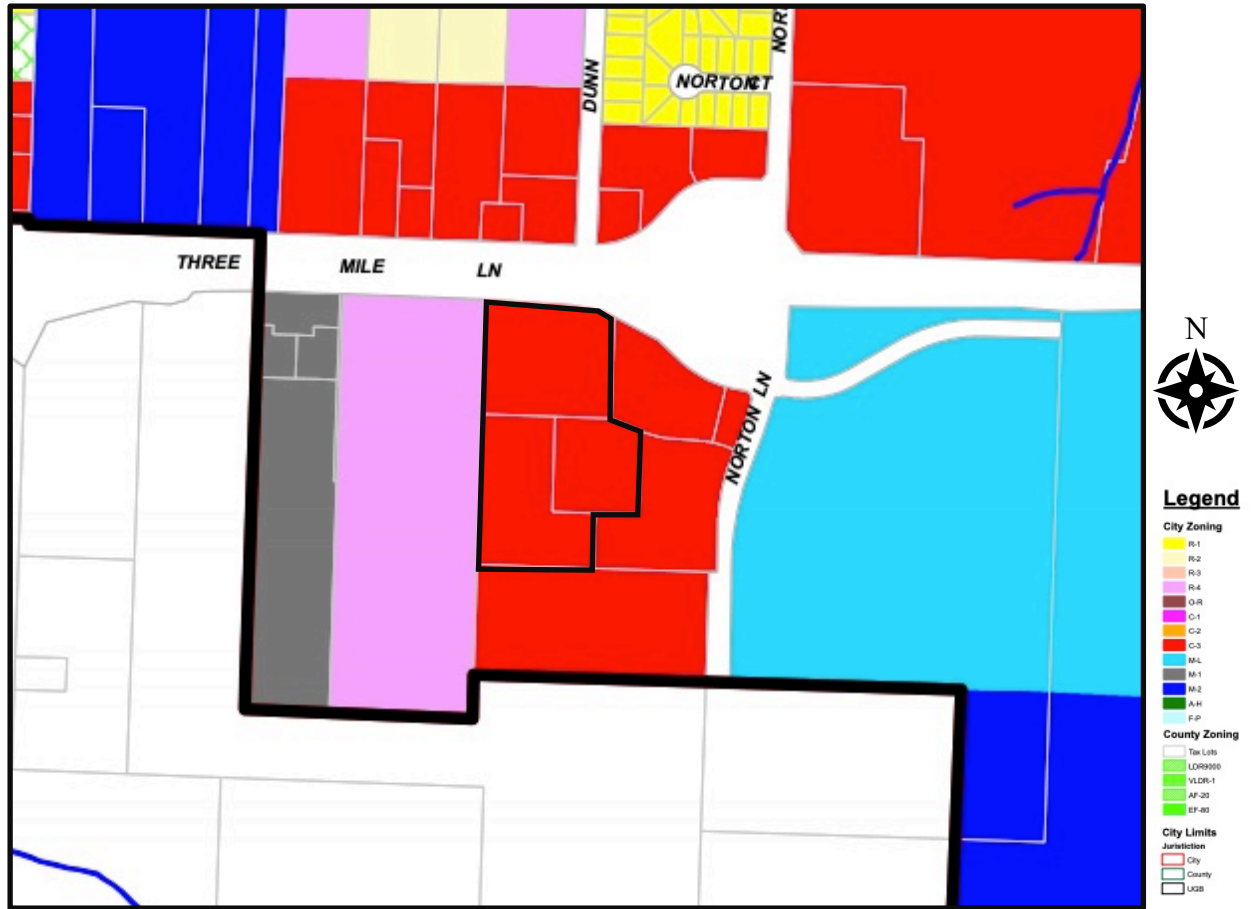


Figure 2: Zoning Map



Property Description:

The Subject Site consists of three tax lots; R4427 00400 (Parent tax lot), R4427 00404 and R4427 00405 and is known for address purposes of 235 SE Norton LN C. The Subject Site is 6.98 acres and is zoned C-3 PD.

Background:

The subject site is within the Three Mile Lane Planned Development Overlay area, originally established by Ordinance 4131 in 1981 and updated by Ordinance 4572 in 1994.

By Ordinance 4131, the City of McMinnville established Planned Development requirements for the Three Mile Lane area (Oregon Highway 18 Corridor). The area covered by this requirement extends north and south of Highway 18 from the eastern city limits west to the vicinity of the Three Mile Lane Spur intersection with Highway 18.

In 1994, Ordinance 4131 was amended to add specific development policies (Section 4) and signage regulations for Commercial lands (Section 5) by Ordinance 4572.

In 1998, the Owner made application for and received approval for Planned Development Amendment, Ordinance No. 4667. The Master Plan submitted in support of Ordinance 4667 include the Subject Site and two additional parcel (R4427 00402 and R4427 00401) that are no longer owned by the current owner and are not part of this application. The Master Plan called for development of an office park on the Subject Site and additional two tax lots. Development did not occur.

The owners have made the Subject Site available for sale. The Applicant and Owners originally entered into a Purchase and Sales Agreement on February 2020. This agreement has been amended. Owner and Applicant are cooperating to make this amendment.

Requested Amendments to Ordinance No. 4667:

The applicant requests the following amendments to the existing Planned Development Overlay ordinance for the Subject Site:

- 1) Amend Condition 7 to add the **bold** language:

“That the subject site, outside of that area identified for “future development” is limited to professional office use, medical office use, **Multiple-Family Dwellings, community buildings appurtenant to residential uses** or other compatible, small-scale commercial uses such as a delicatessen, florist, or day care facility. Uses other than a professional office use, or medical office use, or **Multiple-Family Dwellings, community buildings appurtenant to residential uses** may not exceed fifteen (15) percent of the total floor area proposed to be constructed within the subject site.”

DISCUSSION: The intent of this amendment is to add Multi-Family Dwelling as defined in Chapter 17.21 to the existing Planned Development Overlay as a permitted use. Additionally, propose adding language related to community buildings that is not currently allowed for in the C-3 PD zone. The intent is to allow for residential otherwise permitted in C-3 and for community rooms, meeting rooms, management space that is not residential but critical to the successful operations of the residential use.

- 2) Amend Condition 16 to add **bold** language and remove the ~~stricken~~ language:

~~“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 developer.~~

The developer will be responsible for requesting permission of the Planning Commission for any major change of the details of the adopted site plan. Minor changes to the details of the adopted 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 ~~him~~ **the Planning 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.”

DISCUSSION: Removal of the first sentence is proposed as a procedural accommodation to avoid confusion or conflict that would exist with two master plans simultaneously existing as part of the zone and both binding on the developer. City maintains standing to approve the new master plan.

- 3) Amend Condition 3 to remove stricken language:

~~“No building shall exceed the height of 35 feet.”~~

DISCUSSION: The prior master plan called for the development of an office park with one or two story buildings. For this master plan, 35 feet was feasible. A residential project may include buildings that are three floors or greater. In an R-4 zone, a building shall not exceed sixty feet in height (17.21.050). This amendment restores the base zone requirements. Additionally, the project is subject to design review which will allow for consideration of design criteria prior to issuing a permit. This change is consistent with the height limited on the property to the south with the same zone. The Comfort Inn Suites, Medical Center and Chemketa Community College are nearby buildings that each exceed 35 feet.

- 4) Add new Condition reflected in **bold** language:

“The master plan previously approved relating to Ordinance No. 4667 does not apply to the undeveloped portions of the subject site. An updated master plan shall be submitted to the Planning Commission for review and approval prior to any development of the existing, undeveloped portions of the subject site.”

DISCUSSION: An additional procedural and housekeeping accommodation responding to the fact tax lots R4427 00402 and R4427 00401 are not part of this application.

- 5) Add new Condition reflected in **bold** language:

“If the site is developed as multiple family dwellings, an area equivalent to 10 percent of the gross area of the site shall be reserved for usable open space for residents of the multiple-family development site. The open space area shall be contained within the boundaries of the Subject Site and does not need to be contagious. Area calculated and included as part of the 10 percent requirement must have dimensions of at least 20 feet. Any area may be located adjacent to the front yard setback area and may include 5 feet of the front yard set back towards the 10 percent open space. All open space areas may be counted towards the minimum 25 percent of the site area that must be landscaped.”

DISCUSSION: Open space is a critical element to a successful multifamily family project on the Subject Site. Due to the size of the Subject Site, the Applicant proposes the ability to have multiple areas contributing to the open space requirement. This will allow for parents or guardians to more easily maintain verbal and visual contact with kids from or near their units.

A single open space will undoubtedly be far from some units. A closer proximity will benefit family with kids.

Additionally, multiple open spaces allow for a variety of programming of the space. For example, one space could be set up with play equipment for younger kids and another set up with just benches for adults without kids to enjoy.

In a Multi-Family housing setting, the notion of a front yard is functionally different than distinct private and public space. Allowing overlap between the front yard setback and the open space fosters the notion communal space while maintaining the full front yard setback.

Public Comments:

The applicant requested and received mailing address from the City of McMinnville for every property owner required to receive a notice. Notices were mailed on May 20, 2020. A notice was also mailed to the City of McMinnville Planning Department. A sign was posted on the site within 20' of the ROW on May 21, 2020. Copies of the mailing list, notice and picture of the sign are included.

The public meeting was held via a Zoom call on June 10, 2020 at 6PM. The Applicant, the Owners and the Applicant's Representative attended the call. Two members of the public not related to the project also attended. These members asked factual questions and expressed support for the project planned by the Applicant. Notes from this meeting are included. The application will also send to City a .mp4 file that is a recording of the meeting.

III. MCMINNVILLE ZONING ORDINANCE

Chapter 17.06.015 – General Definitions

Apartment House - See "Dwelling, Multifamily."

Dwelling, Multi-Family - A building containing three or more dwelling units. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Dwelling Unit - A residence containing one or more rooms designed for occupancy by one family and having not more than one cooking facility. This includes both buildings constructed on-site and off-site, such as manufactured homes. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Family - For the purpose of this Zoning Ordinance, "family" refers to:

An individual or two or more persons related by blood, marriage, adoption, or legal guardianship, or other duly-authorized custodial relationship, living together as one

housekeeping unit using one kitchen, and providing means of lodging to not more than two additional persons, excluding servants, or a group of not more than five unrelated persons, excluding servants, living together as one housekeeping unit using one kitchen. (Ord. 4988 §1, 2015; Ord. 4479A §1, 1991; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

RESPONSE: Referencing definitions as a basis for proposed amendments.

CHAPTER 17.21. R-4 MULTIPLE-FAMILY RESIDENTIAL ZONE

17.21.010 – Permitted Uses (A to T). In an R-4 zone, the following uses and their accessory uses are permitted.

C. Multi-Family dwelling

17.21.050 - Building height. In an R-4 zone, a building shall not exceed sixty feet in height. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.010 – Permitted Uses. In a C-3 Zone, the following and their accessory uses are permitted:

3. Multi-Family Dwelling subject to the provisions of the R-4 zone.

RESPONSE: The base C-3 zone allows for Multi-Family Dwellings as a permitted use, subject to the R-4 zoning standards and density, per Chapter 17.21.

CHAPTER 17.51 PLANNED DEVELOPMENT OVERLAY

17.51.010 Purpose, section B, “The Council, the Commission, or the property owner of a particular parcel may apply for a planned development designation to overlay an existing zone without submitting any development plans; however, no development of any kind may occur until a final plan has been submitted and approved.”

17.51.030 Procedure. The following procedures shall be observed when a planned development proposal is submitted for consideration:

- C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:
1. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
 2. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
 3. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;

4. The plan can be completed within a reasonable period of time;
5. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
6. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
7. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole;

RESPONSE: No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date.

CHAPTER 17.74 REVIEW CRITERIA

17.74.070 Planned Development Amendment - Review Criteria. An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:

- An increase in the amount of land within the subject site;
- An increase in density including the number of housing units;
- A reduction in the amount of open space; or
- Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas and access

RESPONSE: Applicant has submitted a Planned Development Amendment request to be reviewed by the Planning Commission.

17.74.070 An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;

RESPONSE: The base zone of this site is C-3, which permits R-4. This amendment will restore the ability to include Multi-Family dwellings on this site. Developing Multi-Family housing in McMinnville will address the shortage of housing supply resulting from a decline in housing starts compared to households created, which is behind the rise in housing cost in Yamhill County. Oregon Housing and Community Services' statewide housing plan estimated the shortage of housing in Yamhill County affordable to families earning less than 80% of the Area Median Income to be 4,945 units. More supply of housing is needed in the City of McMinnville.

- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;

RESPONSE: Findings supporting the claim that allowing Mullit-Family Dwellings on this site is not inconsistent with the Comprehensive Plan Volume II objectives are contained in Section IV of this supplemental information.

Removing Condition 3 would not result in a condition inconsistent with the Comprehensive Plan objectives. By removing the condition, the 60' height limit permissible in the base zone would be allowed. This height is consistent with the development pattern, character of the surrounding area, and the intent of the Three Mile Lane Development Plan.

- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;

RESPONSE: Access to the Subject Site is from SE Stratus Avenue, which connects from SE Norton Lane and Highway 18. This proposed amendment does not alter access to the site or increase demand beyond estimated trip generation attributable to the current Planned Development Overlay Ordinance.

- D. The plan can be completed within a reasonable period of time;

RESPONSE: The applicant is under contract to purchase the Subject Site. Closing will occur either before July 1, 2020 or (for reasons related to tax implications, after January 1, 2021). The applicant is in the process of engaging an architectural and engineering team need to support the creation of a master plan. Development efforts will continue in earnest.

- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;

RESPONSE: The existing streets serving the property are designed and constructed to City standards, with adequate capacity, based on the C-3 zoning. As part of the Planned Development Amendment process resulting in Ordinance 5072 for the property to the south, the owner commissioned a Traffic Impact Report, prepared from Lancaster Engineering, which is part of the public record. The report compares the Multi-Family traffic impacts to those of the allowed commercial offices and Multi-Family housing. Below is a table reflecting the trip generation information.

Type Use	Average Weekly Trip Rate	Total Weekly Trips	PM Peak Hours Trips
Senior Apartments *	3.70/unit	463	.26/hr = 33
Multi-Family Apartments **	7.32/unit	842	.56/hr = 64
Medical Office ***	34.8/1,000 sf	4,486	3.46/hr = 446

*Senior units estimated using R-4 standards, at 25/acre = 125 units, with 1-2 bed units, 2-story structures.

**Multi-Family estimated using R-4, at 23/acre = 115 units, with 2, 3 & 4 bed units, and mix of 2 and 3-story structures.

***Office use estimated at 128,900 square feet.

- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;

RESPONSE: All necessary public and franchise utilities are available to the site. Stormwater services are also available and will be made part of a larger stormwater management plan once the project is fully designed.

- G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

RESPONSE: The noise, air, and water pollutants caused by the Multi-Family development allowed by this amendment will not result in any substantial change as compared to the current list of allowed uses, in particular the senior housing, which is substantially similar in potential impacts.

IV. CONSISTENCY WITH COMPREHENSIVE PLAN VOLUME II OBJECTIVES

GOAL IV 1: TO ENCOURAGE THE CONTINUED GROWTH AND DIVERSIFICATION OF McMinnville's Economy in order to enhance the general well-being of the community and provide employment opportunities for its citizens.

GOAL IV 2: TO ENCOURAGE THE CONTINUED GROWTH OF McMinnville as the commercial center of Yamhill County in order to provide employment opportunities, goods, and services for the city and county residents.

Policy 21.01 The City shall periodically update its economic opportunities analysis to ensure that it has within its urban growth boundary (UGB) a 20-year supply of lands designated for commercial and industrial uses. The City

shall provide an adequate number of suitable, serviceable sites in appropriate locations within its UGB. If it should find that it does not have an adequate supply of lands designated for commercial or industrial use it shall take corrective actions which may include, but are not limited to, redesignation of lands for such purposes, or amending the UGB to include lands appropriate for industrial or commercial use. (Ord.4796, October 14, 2003)

RESPONSE: The comprehensive plan map is already consistent with these Goals and this Policy. The subject site and surrounding properties to the south and east are designated commercial and zoned C-3PD.

The proposed amendment does not change this designation, and the property remains zoned C-3PD. The amendment only adds Multi-Family apartments to the list of allowed uses.

GOAL IV3: 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 24.50 The location, type, and amount of commercial activity within the urban growth boundary shall be based on community needs as identified in the Economic Opportunities Analysis. (Ord.4796, October 14, 2003)

Policy 25.00 Commercial uses will be located in areas where conflicts with adjacent land uses can be minimized and where city services commensurate with the scale of development are or can be made available prior to development.

Policy 29.00 New direct access to arterials by large-scale commercial developments shall be granted only after consideration is given to the land uses and traffic patterns in the area of development as well as at the specific site. Internal circulation roads, acceleration/deceleration lanes, common access collection points, signalization, and other traffic improvements shall be required wherever necessary, through the use of planned development overlays.

RESPONSE: As noted, the Subject Property is designated commercial, consistent with these policies. The designation does not change with this proposed amendment. Section 17.33.01 provides that Multifamily dwelling is permitted in C-3 zones. With this request, the applicant is requesting that the Multi-Family Dwellings not be excluded from base zone.

The provisions of Policy 29.00 remain in effect and have been implemented by the existing transportation improvements in the immediate area. As demonstrated by the traffic impact report attached with this application, the proposed Multi-Family use will generate less traffic impacts than the base commercial office uses.

Proposal 6.00

A planned development overlay should be placed on the large cluster commercial development areas and the entrances to the City to allow for review of site design, on-site and off-site circulation, parking, and landscaping. The areas to be overlaid by this designation shall be noted on the zoning map and/or comprehensive plan map.

RESPONSE: The Three Mile Lane Planned Development is consistent with this proposal. The PD Overlay remains in effect, the amendment simply adds Multi-Family apartments as an allowed use and will maintain consistency with the underlying C-3 zoning.

Restoring the height permissible in the R-4 zone will allow for more options to site and design a project in a manner that allows for open space, circulation and achieving an optimal development capacity.

GOAL V 1:

TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

Policy 58.00

City land development ordinances shall provide opportunities for development of a variety of housing types and densities.

Policy 59.00

Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.

Policy 61.00

The City of McMinnville shall monitor the conversion of lands to residential use to ensure that adequate opportunities for development of all housing types are assured. Annual reports on the housing development pattern, housing density and mix shall be prepared for city review.

RESPONSE: The City has implemented these Policies through adoption of the Zoning Code, which includes residential zones accommodating various densities and housing types. Further, the underlying C-3 zone allows Multi-Family development, consistent with R-4 standards, per Section

17.33.010.3. The proposed amendment simply adds this allowed use, maintaining consistency with the C-3 code.

There is residential R-4 land immediately to the west of the subject site. The Planned Development Amendment controlling the lot to the south was recently amended to allow for Multi-Family. There is basis for concluding that R-4 residential is compatible with the professional and medical office commercial designation for the remainder of the Planned Development Area.

The requested change will not alter the current density allocated for the property. The allowed density will remain consistent with the R-4 standards for Multi-Family housing.

Therefore, the requested amendment maintains consistency with the applicable zoning.

Policy 64.00

The City of McMinnville shall work in cooperation with other governmental agencies, including the Mid-Willamette Valley Council of Governments and the Yamhill County Housing Authority, and private groups to determine housing needs, provide better housing opportunities and improve housing conditions for low and moderate income families.

Policy 66.00

The City of McMinnville shall continue to allow development of its fair share of the region's low-cost housing. The share accepted will be based on quantifiable studies which take into account the amount of the low-cost housing already in the community and the overall housing opportunities in the city and region

RESPONSE: Oregon's Statewide Housing Plan defines a shortage of 4,945 units of affordable housing in Yamhill County. Applicant is a "housing authority" defined by ORS Chapter 456, operating in Yamhill County for the purpose of providing, "To provide decent, safe and sanitary urban or rural housing for persons or families of lower income."

Housing Authority of Yamhill County is the applicant.

GOAL V 2:

TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

Policy 70.00 The City of McMinnville shall continue to update zoning and subdivision ordinances to include innovative land development techniques and incentives that provide for a variety of housing types, densities, and price ranges that will adequately meet the present and future needs of the community.

Policy 71.00 The City of McMinnville shall designate specific lands inside the urban growth boundary as residential to meet future projected housing needs. Lands so designated may be developed for a variety of housing types. All residential zoning classifications shall be allowed in areas designated as residential on the Comprehensive Plan Map.

Policy 71.05 The City of McMinnville shall encourage annexations and rezoning which are consistent with the policies of the Comprehensive Plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types. (Ord.4840, January 11, 2006; Ord. 4243, April 5, 1983; Ord. 4218, November 23, 1982)

RESPONSE: The area of the proposed amendment is zoned C-3 Commercial and therefore is not committed to low density development. The existing C-3 zoning is consistent with Goal V2 and the Policies 68, and 71.05.

Utilizing the existing Planned Development Amendment process to permit the development of Multi-Family is an innovation use of a zoning ordinance that is likely to result in creation of housing that will expand the variety of type and price available in McMinnville.

Restoring the height allowable by the base zone will allow for greater flexibility in development options. The base zone height of 60' is in keeping with the surrounding development pattern (Comfort Inn, medical center, and community college).

It is also worth noting the site is located in the Airport Overlay Zone, and specifically within the Horizontal Zone as defined by 17.52.060. A 60' height limit on the Subject Site will not cause the buildings to exceeds the limits allowed in a Horizontal Zone.

Policy 71.09 Medium and High-Density Residential (R-3 and R-4) - The majority of residential lands in McMinnville are planned to develop at medium density

range (4 - 8 units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes and triplexes, and townhouses. High density residential development (8 - 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments. The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

1. Areas that are not committed to low density development;

RESPONSE: The site is zoned C-3 Commercial and therefore is not committed to low density development. The existing C-3 zoning is consistent with Goal V2 and the Policies 68, 71.05 and 71.09.

The current Planned Development Overlay is consistent with the criteria for location of medium and high density residential, which is allowed under Policy 71.09 and also specifically allowed in the C-3 zone.

Ordinance 4667 did not list Multi-Family dwelling as a permitted use. Except for not having been listed in Ordinance 4667 the C-3 zone would otherwise allow Multi-Family Dwelling, consistent with R-4 standards, as a permitted use.

The applicant's intent is to develop Multi-Family Dwellings consistent with the R-4 standards, as required by the C-3 zone. Under the C-3 zoning, the density is not being increased, as the R-4 standards will be applied.

2. *Areas that have direct access from collector or arterial streets;*

RESPONSE: The subject site has direct access from the Highway 18 via from SE Stratus Avenue and SE Norton Lane.

3. *Areas that are not subject to development limitations such as topography, flooding, or poor drainage;*

RESPONSE: The subject site is an open generally flat field, with no development restrictions.

4. *Areas where the existing facilities have the capacity for additional development;*

RESPONSE: The commercial area along Norton Lane is served by a full range of urban services including sanitary sewer, water, storm drainage

and franchise utilities. All of these services generally have sufficient capacity to serve the proposed development.

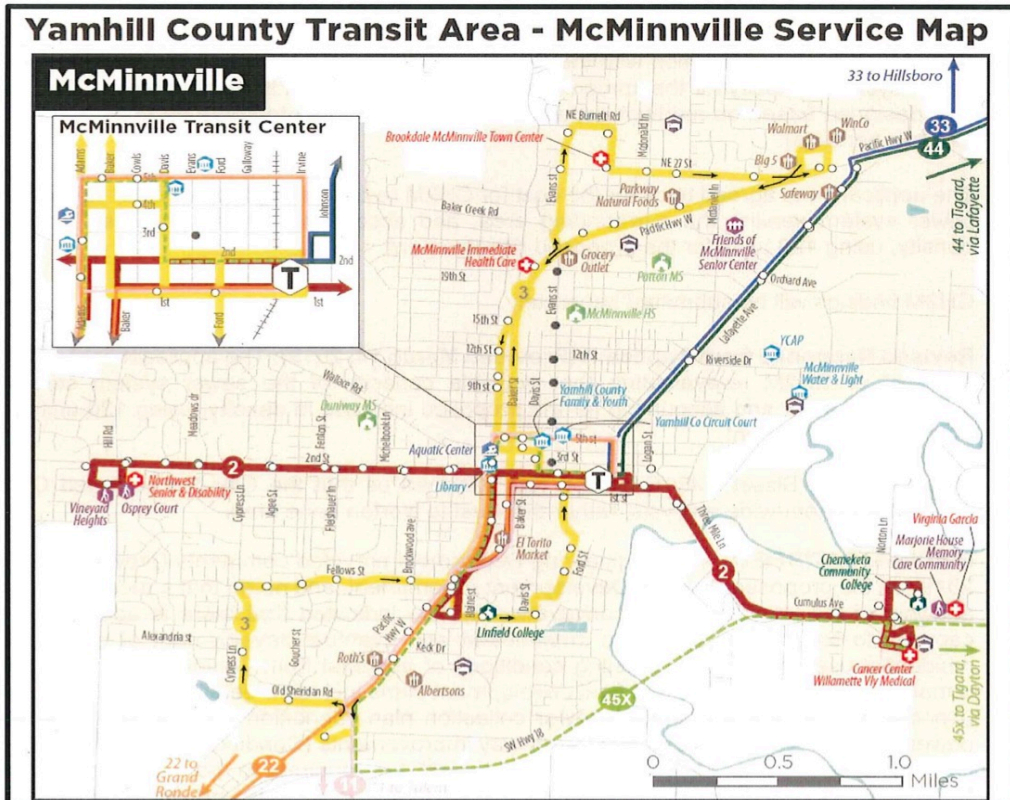
With respect to Sewer capacity, in 2019 the property owner to the south commissioned a study to determine conveyance capacity for additional residential development. The study, performed by CH2M, determined capacity for additional residential development.

- 5. Areas within one-quarter mile of existing or planned public transportation; and,

RESPONSE: Local Transit Routes 2 runs on the Highway and on SE Norton Lane to the Willamette Valley Medical Center, which is located across the street from the subject site. See the attached Route Map and Schedule, at the end of this Compliance Narrative.

Route 2 provides regularly scheduled weekday service. This route connects to the Transit Center for connection to the Yamhill County Transit route for access to the other parts of town.

Figure 3: Transit Map



6. *Areas that can be buffered from low density residential areas in order to maximize the privacy of established low-density residential areas.*

RESPONSE: And, there is residential R-4 land immediately to the west of the subject site, which establishes the buffer of lower density residential per criteria 6.

The requested change will not alter the current density allocated to the property. The density will remain as is consistent with the R-4 standards for Multi-Family housing.

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;*

RESPONSE: The subject property is zoned C-3 General Commercial with a PD overlay. The C-3 zone allows high density residential use. Therefore it is 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;*

RESPONSE: There is no designated low density residential in the surrounding neighborhood. There is R-4 zoning to the west, which provides a buffer between the site and other zoning. Therefore this criterion is met.

3. *Areas which have direct access from a major collector or arterial street;*

RESPONSE: The subject site has direct access from the Highway 18 via SE Norton Lane. Therefore this criterion is met.

4. *Areas which are not subject to development limitations;*

RESPONSE: The subject site is an open generally flat field, with no development restrictions. Therefore this criterion is met.

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

RESPONSE: Sewer capacity in the immediate area was analyzed by CH2M as part of the Planned Development Amendment recently approved for the lot immediately south. This study found sufficient capacity in the system to convey additional residential development.

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

RESPONSE: Local Transit Route 2 runs on the Highway 18 and on SE Norton Lane to the Willamette Valley Medical Center. The Medical Center is located with 250 feet of the site. See the attached route map and schedule included as an appendix. Therefore this criterion is met.

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

RESPONSE: The City's zoning for Neighborhood Commercial is C-1, which General Commercial is C-2.

The subject property and adjacent property to the north (770 feet) to Stratus Avenue is zoned C-2, General Commercial, with a PD overlay. There is also C-2 zoning on the north side of the Highway 18 on both sides of NE Norton Lane.

The closest C-1 zoning is approximately 1/4 mile east of the Norton Lane intersection with the Highway 18.

Therefore this criterion is met.

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

RESPONSE: The closest public open space to the site is Joe Dancer Park, which is located on E. Brooks Street, approximately 1.4 miles to the northwest.

Ordinance 4667 Conditions 1 & 2 requires approval of site design prior to issuance of a building permit. These conditions will ensure adequate open space is provided in the development. Therefore this criterion is met.

Applicant proposes a condition to provide for adequate open space in the Multi-Family housing project.

Policy 72.00

Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.

RESPONSE: The existing Planned Development Amendment, Ordinance 4667 includes development standards to ensure a residential development. Condition 2 requires “to the extent possible, the site and building design should be compatible with the surrounding development.”

Policy 73.00

Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.

RESPONSE: The proposed amendment will allow for Multi-Family Dwelling in the C-3 zone by removing its exclusions. The anticipate residential development will offer housing that is affordable, thus adding a missing housing type within the larger vicinity and City.

Policy 74.00

Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.

RESPONSE: There are no distinctive natural, topographic or aesthetic features associated with the site. The property is flat, and currently abuts farm land to the south, a mobile home part to the west, and office and hospitality to the east.

Policy 75.00

Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.

Policy 77.00

The internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways.

RESPONSE: No specific development plans are being proposed at this time. However, the applicant is proposing an apartment development. Typical development plans provide landscaped open space, circulation for pedestrians and bicycles.

Site plan details will be provided as required by Condition 2 of Ordinance 4667.

Policy 78.00

Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.

RESPONSE: Traffic system improvements have been developed in the immediate neighborhood, including the Highway 18 intersection with

Norton Lane, and the SE Norton Lane intersection with SE Stratus Avenue. These improvements provide basic and adequate circulation into, out of, and throughout the immediate neighborhood. These street improvements were made to meet the anticipated development within the area.

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Streets

Policy 117.00 The City of McMinnville shall endeavor to ensure that the roadway network provides safe and easy access to every parcel.

Policy 118.00 The City of McMinnville shall encourage development of roads that include the following design factors:

- 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.*
- 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.*
- 4. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.*
- 5. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)*

Policy 119.00 The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.

Policy 120.00 The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.

Policy 121.00 The City of McMinnville shall discourage the direct access of small-scale residential developments onto major or minor arterial streets and major collector streets.

RESPONSE: The City's transportation Goal and Policies are further refined and implemented through the Transportation System Plan (TSP). The TSP provides the functional classification of streets, including arterial, collector and local designations.

The TSP identifies corridor improvements for the Highway 18 Corridor:

ODOT, the City of McMinnville and Yamhill County have mutually approved the Highway 18 Corridor Refinement Plan, which was completed in 1996. The Plan includes a series of traffic control and frontage roads improvements north and south of Highway 18, to include closing of the existing Norton Lane intersection, construction of a new interchange near the Evergreen Air Museum, and redesign of the current East McMinnville (Three Mile Lane) interchange for full, directional access.

Some frontage road improvements have been completed since the 1996 Plan was adopted. Exhibit 4-10 illustrates the current state of the Plan. It is important to note, however, that the northernmost collector access road depicted in the Highway 18 Corridor Refinement Plan is not shown in the TSP due to the fact that it is located outside of McMinnville's current urban growth boundary. Under Oregon Administrative Rule (OAR 660-012), transportation facilities outside of urban growth boundaries are not permitted as part of a TSP unless a "reasons" exception to the applicable goal(s) has been approved by the City. In this case, McMinnville finds such action premature due to the lack of certainty as to the street corridor's location and design. An amendment to this plan, and a Goal 2 (Land Use) exception, would be part of any future proposal to add this element to the TSP and permit its construction and use for urban purposes.

Some of the corridor improvements have already been completed, including the Norton Lane intersection and Stratus Avenue frontage road. The future interchange discussed is further to the east, at Cumulus Avenue. However, no decision regarding an interchange has yet been made.

The proposed amendment does not substantially alter the demand for transportation and public service improvement to any greater degree than the currently allowed uses.

Primary access to the property is from Highway 18, designated as an arterial street. SE Norton Lane intersects with Highway 18 north of the subject property. The property fronts on the west side of SE Norton Lane, just south of the intersection with SE Stratus Avenue. Stratus Avenue is classified as a collector.

Parking

Policy 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

Policy 127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes.

Bike Paths

Policy 130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connects residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities. (Ord.4922, February 23, 2010)

Policy 131.00 The City of McMinnville shall encourage development of bicycle and footpaths in scenic and recreational areas as part of future parks and activities.

Policy 132.00 The City of McMinnville shall encourage development of subdivision designs that include bike and foot paths that interconnect neighborhoods and lead to schools, parks, and other activity areas. (Ord. 4922, February 23, 2010; Ord. 4260, August 2, 1983)

Policy 132.15 The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.

RESPONSE: Conditions 1 and 2 of Ordinance 4667, and the proposed open space condition, require site plan review and approval by the Planning Commission prior to any development of the subject site. These reviews would ensure review of site design, including off-street parking and bike and pedestrian connections associated with the future development plan.

Supportive of General Land Use Plan Designations and Development Patterns

Policy 132.27.00 The provision of transportation facilities and services shall reflect and support the land use designations and development patterns identified in the McMinnville Comprehensive Plan. The design and implementation of transportation facilities an service shall be based on serving current and future travel demand-both short- term and long-term planned uses. (Ord. 4922, February 23, 2010)

RESPONSE: See response to Policies 117.00-121.00 above.

Livability

Policy 132.35.00 Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways. (Ord. 4922, February 23, 2010)

Policy 132.41.20 Modal Balance – The improvement of roadway circulation must not impair the safe and efficient movement of pedestrians and bicycle traffic. (Ord. 4922, February 23, 2010)

Policy 132.41.25 Consolidate Access – Efforts should be made to consolidate access points to properties along major arterial, minor arterial, and collector roadways. (Ord. 4922, February 23, 2010)

Pedestrian Programs

Policy 132.54.00 Promoting Walking for Health and Community Livability – The City will encourage efforts that inform and promote the health, economic, and environmental benefits of walking for the individual and McMinnville community. Walking for travel and recreation should be encouraged to achieve a more healthful environment that reduces pollution and noise to foster a more livable community. (Ord. 4922, February 23, 2010)

RESPONSE: Conditions 1 and 2 of Ordinance 4667, and the proposed open space condition, require site plan review and approval by the Planning Commission prior to any development of the subject site. These reviews would ensure review of site design and on-site and off-site circulation to ensure that the proposed access to serve future development will be compatible with the surrounding transportation system.

Sanitary Sewer System

Policy 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines within the framework outlined below:

- 1. Sufficient municipal treatment plant capacities exist to handle maximum flows of effluents.*
- 2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*

3. *Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized.*
4. *Extensions will implement applicable goals and policies of the comprehensive plan. Storm Drainage*

Policy 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00 The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Water System

Policy 144.00 The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

RESPONSE: The surrounding development along SE Norton Lane has been constructed consistent with the Public Facilities Goal and these Policies for specific utilities. All required urban services are currently available and adequate to support development of the property consistent with these policies, assuming that CH2M makes positive findings with their sewer system analysis, being paid for by the applicant.

The proposed amendment will not result in development that will create substantially greater demands on the available services than the types of development that is already allowed.

Policy 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

1. *Facilities are placed in locations and in such a manner as to insure compatibility with surrounding land uses.*
2. *Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
3. *For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the*

water services are to be utilized.

4. *Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

Policy 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Water and Sewer-Land Development Criteria

Policy 151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

1. *Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
2. *Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
3. *Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
4. *Federal, state, and local water and wastewater quality standards can be adhered to.*
5. *Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

RESPONSE: Conditions 2, 12, and 13 of the existing Ordinance remain in effect. Additionally, given the nature of the proposal development, application will adhere to the standards of the implementing regulations for the National Environmental Policy Act promulgated by the U.S. Department of Housing and Urban Development in CFR Part 58.

GOAL IX 1: TO PROVIDE ADEQUATE LANDS TO SERVICE THE NEEDS OF THE PROJECTED POPULATION TO THE YEAR 2023, AND TO ENSURE THE CONVERSION OF THESE LANDS IN AN ORDERLY, TIMELY MANNER TO URBAN USES.

Policy 187.50 The McMinnville Great Neighborhood Principles are provided below. Each Great Neighborhood Principle is identified by number below (numbers 1 – 13), and is followed by more specific direction on how to achieve each individual principle

11. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.

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

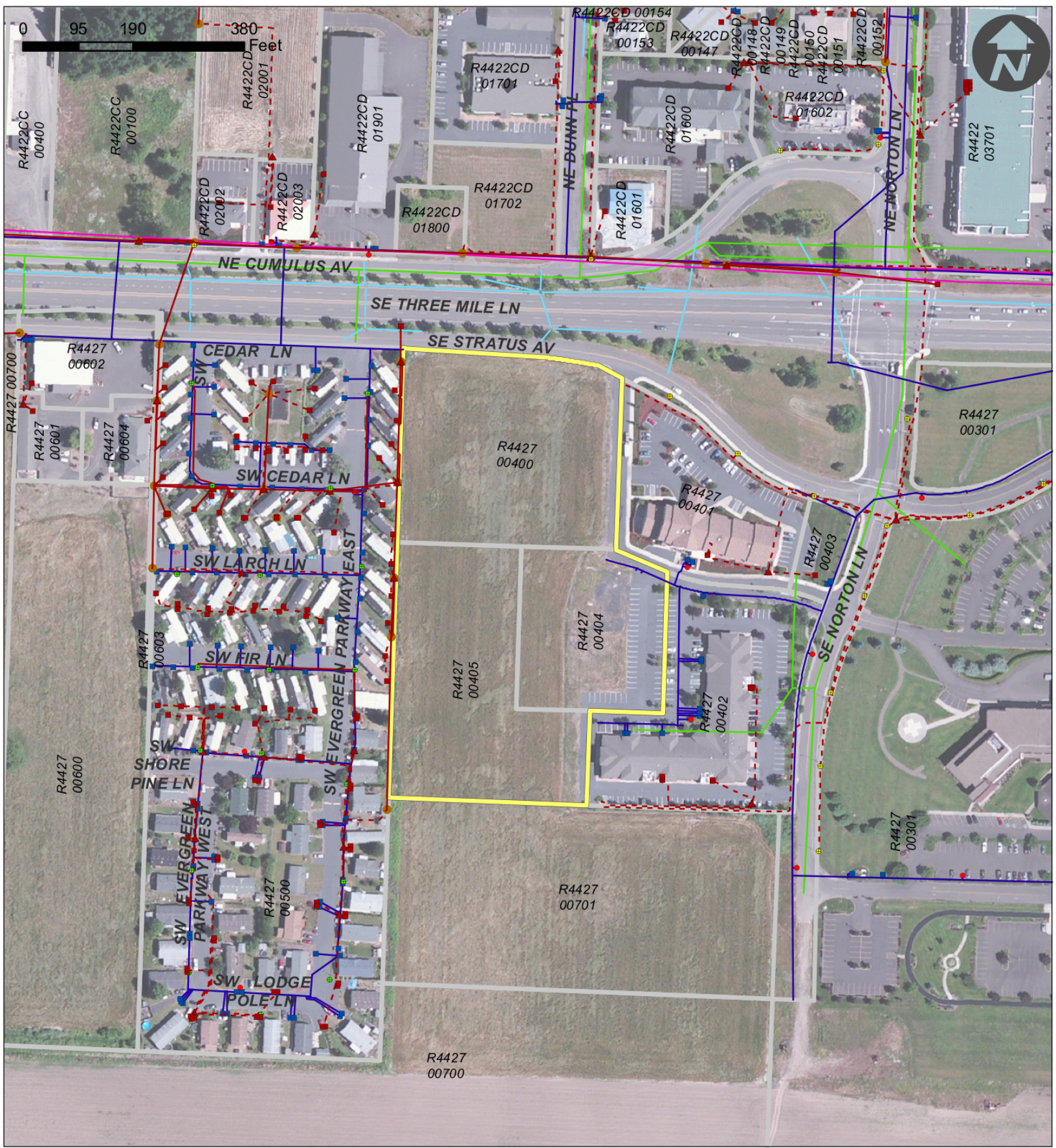
GOAL X 2: TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

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.

RESPONSE: [site public meeting]

Norton Lane
Planned Development Amendment

SITE DESCRIPTION



- | | | | | |
|-------------------|-----------------------------|-------------------|---------------|------------------|
| ■ Power Meter | ▲ Transformer | ● Pole | ■ Water Meter | — Storm Sewer |
| ⊕ Municipal Light | - - - - - Underground Power | ● City Hydrant | — Water Mains | — Sanitary Sewer |
| ● Rental Light | — Overhead Power | ● Private Hydrant | — Fiber Optic | |

235 SE Norton Lane / Hwy 18

PARTITION 2001-40

for: **Burch Feero, Inc.**
City of McMinnville Docket No. MP-1-01

Location: The NW 1/4 of Section 27, Township 4 South, Range 4 West, Willamette Meridian, within the N. Martin Donation Land Claim No. 83, City of McMinnville, Yamhill County, Oregon.

Tax Lot: 4427-302 & 400
Date: 25 September 2001

SURVEYOR'S CERTIFICATE

I, Matt Duncel, do hereby certify that I have correctly surveyed and marked with proper monuments the land hereon shown as Parcel 1, 2 and 3, the boundary of which is described as follows:

Beginning at the INITIAL POINT, a 5/8" iron rod with a yellow plastic cap marked "Duncel LS 1942" set in CS-10518 on the west margin of Norton Lane, said point being held as the southeast corner of Parcel 2 of the BURCH FEERO, INC. tract as recorded in Instrument No. 199923228; thence South 88°54'07" West 24.13 feet to the southwest corner of said Parcel 2; thence North 89°57'11" West 670.96 feet to the southwest corner of Parcel 1 of said BURCH FEERO, INC. tract; thence North 01°61'17" West 770.68 feet to the northwest corner of said Parcel 1, said point being on the southerly margin to the portion of the road, thence South 89°59'29" East 680 feet along said southerly margin to the point of beginning, said point being on the southerly margin of said parcel, along said spiral curve offset and said southerly margin (spiral curve offset, along South 88°23'52" East 238.00 feet) to the beginning of a curve having a radius of 1409.39 feet and being concave to the south; thence easterly 90.37 feet along said curve and margin (Chord= South 83°21'17" East 90.35 feet); thence South 54°03'22" East 190.34 feet along said southerly margin; thence South 47°57'44" East 81.43 feet along said southerly margin to the beginning of a curve having a radius of 337.00 feet and being concave to the northeast; thence southeasterly 128.29 feet along said curve and margin (Chord= South 58°52'04" East 127.52 feet) to the beginning of a curve having a radius of 337.00 feet and being concave to the northeast; thence southeasterly 128.29 feet along said curve and margin (Chord= South 58°52'04" East 127.52 feet); thence South 81°07'44" East 217.3 feet to the beginning of a curve having a radius of 26.00 feet and being concave to the southwest; thence Southeasterly 42.78 feet along said curve (Chord= South 33°59'47" East 38.11 feet) to a point on the westerly margin of Norton Lane, said point being the beginning of a curve having a radius of 730.16 feet and being concave to the northwest; thence southeasterly 75.91 feet along said curve (Chord= South 18°08'52" West 73.88 feet) and margin; thence South 19°05'35" West 112.60 feet along said curve and margin (Chord= South 18°08'52" West 108.79 feet) to the beginning of a curve having a radius of 183.79 feet and being concave to the northwest; thence South 18°08'52" West 182.82 feet; thence South 105°33' East 138.38 feet to the POINT OF BEGINNING, containing 11.60 acres, more or less.

Legend

- = monument found flush to 0.2" down in good condition per CS-10518 unless otherwise stated
- ✕ = monument found in monument box per CS-10518
- = set 5/8" iron rod with yellow plastic cap marked "Duncel LS 1942" unless otherwise stated
- = New or Existing Easement
- - - - - = New or Existing Easement

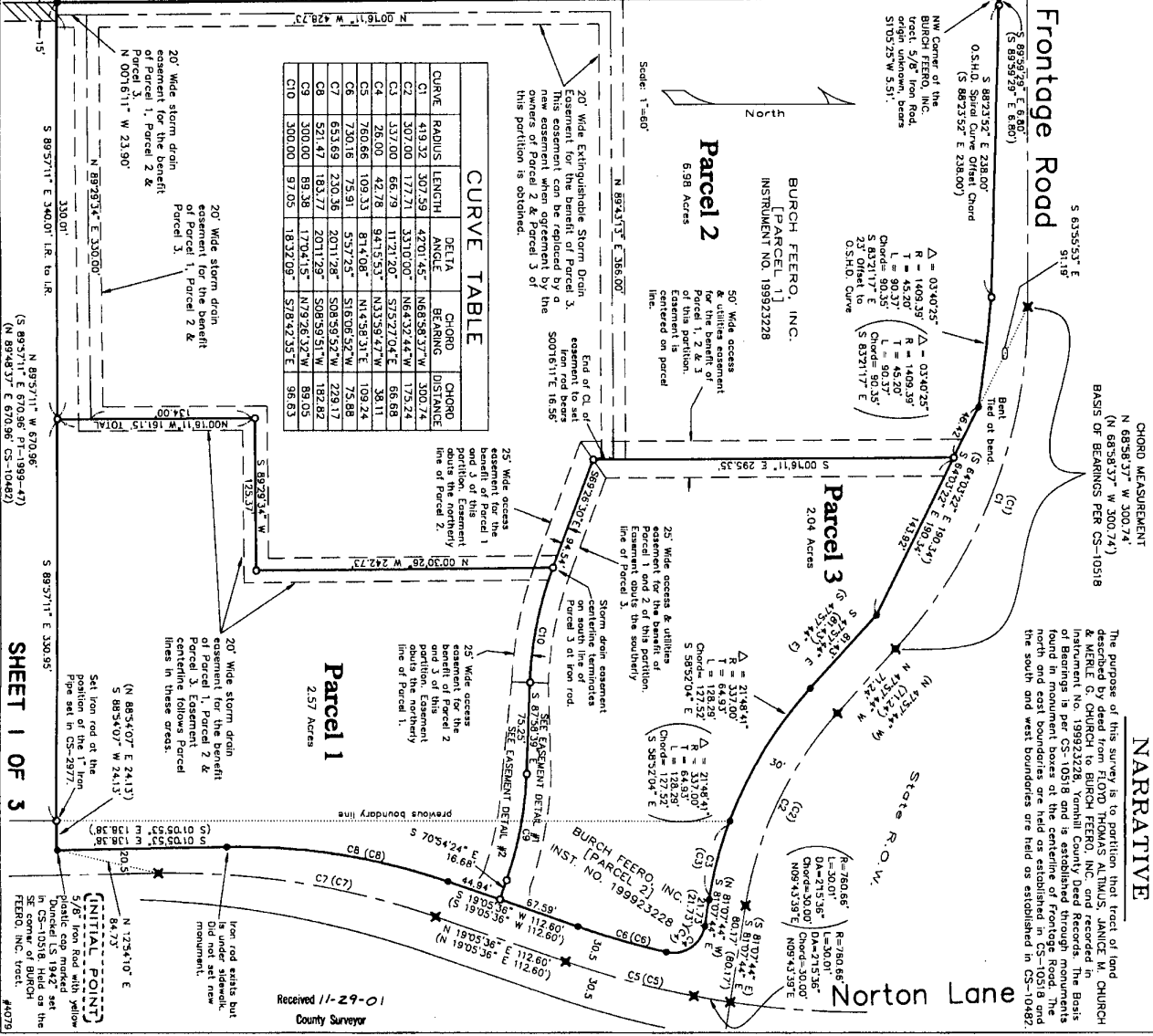
REGISTERED PROFESSIONAL LAND SURVEYOR
MATT DUNCAL

OREGON
3765 Riverside Drive
McMinnville, Oregon 97128
Phone: 472-7904
Fax: 472-0587

By: Matt Duncel & Assoc.
3765 Riverside Drive
McMinnville, Oregon 97128
Phone: 472-7904
Fax: 472-0587
E-mail: sduncel@spasson.com

Existing 15' wide drainage easement per instrument No. 1989-1870. Easement benefits Parcel 1, 2 & 3 of this partition.

Drawn By: Nathan Megness



PARTITION 2001-40

for: **Burch Feero, Inc.**

City of McMinnville Docket No. MP-1-01

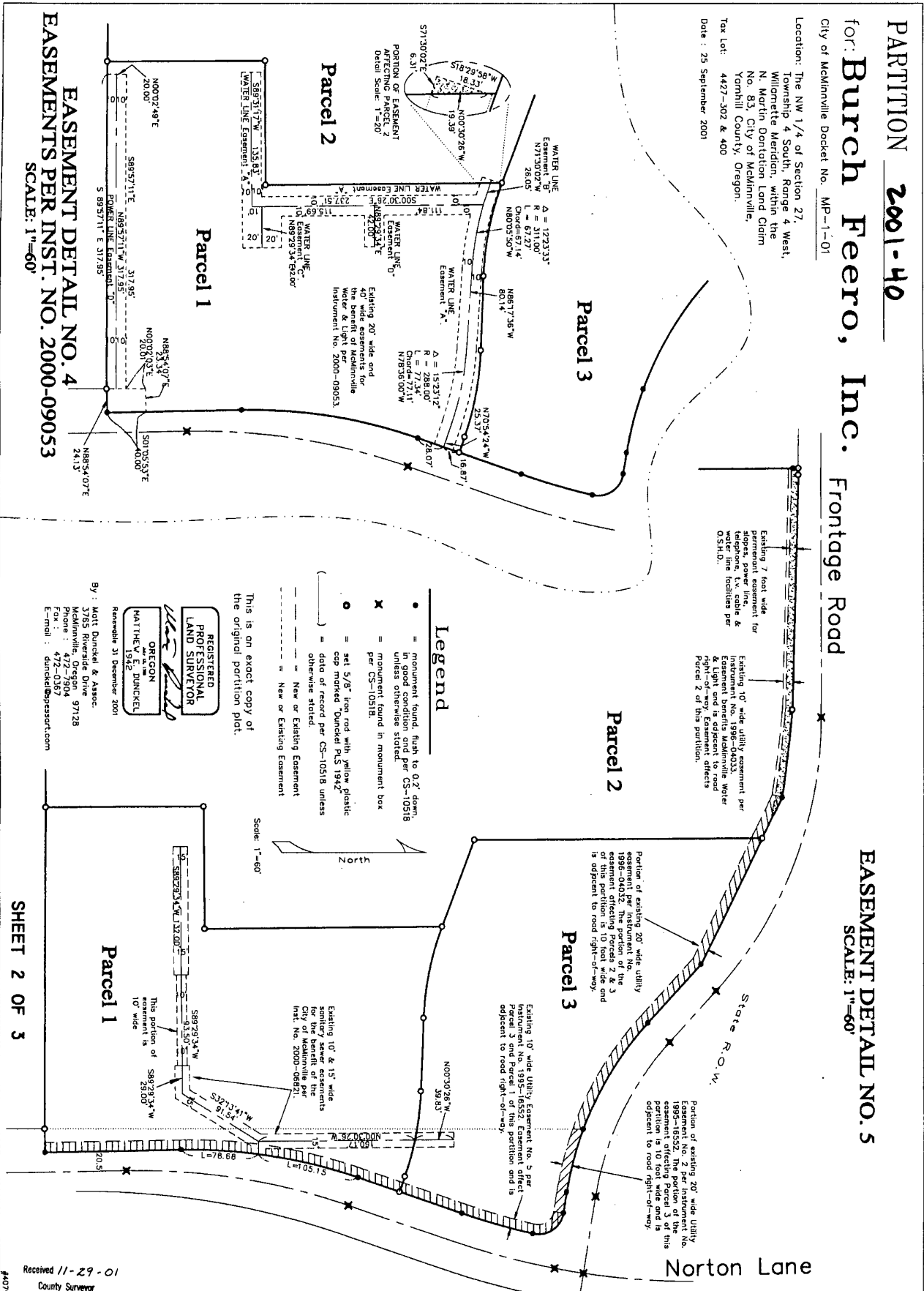
Location: The NW 1/4 of Section 27,
Township 4 South, Range 4 West,
Willamette Meridian, within the
N. Martin Donation Land Claim
No. 83, City of McMinnville,
Yamhill County, Oregon.

Top Lot: 4427-302 & 400

Date: 25 September 2001

EASEMENT DETAIL NO. 5

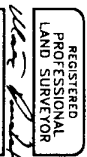
SCALE: 1"=60'



Legend

- = monument found, flush to 0.2" down, in good condition and per CS-10518 unless otherwise stated.
- ✕ = monument found in monument box per CS-10518.
- = set 5/8" iron rod with yellow plastic cap marked "Dunkel PLS 1942" date of record per CS-10518 unless otherwise stated.
- = New or Existing Easement
- - - = New or Existing Easement

This is an exact copy of the original partition plot.



By: Matt Dunkel & Assoc.
3755 Riverside Drive
McMinnville, OR 97128
Phone: 472-9904
Fax: 472-0367
E-mail: dunkel@peasurf.com

Revised 31 December 2001

Scale: 1"=60'

North

SHEET 2 OF 3

Received 11-29-01
County Surveyor

PARTITION 2001-40

for: Burch Feero, Inc.

City of McMinnville Docket No. MP-1-01

Location: The NW 1/4 of Section 27,
Township 4 South, Range 4 West,
Willamette Meridian, within the
N. Martin Donation Land Claim
No. 83, City of McMinnville,
Yamhill County, Oregon.

Tax Lot: 4427-302 & 400

Date: 25 September 2001

APPROVALS:

Steve Burck
Yamhill County Surveyor
City of McMinnville Planning Director

Steve Burck
Yamhill County Tax Collector

OFFICIAL YAMHILL COUNTY RECORDS
PHILIP S. STEIN, COUNTY CLERK
200121025 3:18:21 PM 11/29/2001
\$55.00
Pre-Paper Cost: \$11.00
\$45.00 plus per \$11.00

Yamhill County Clerk
This is an exact copy of
the original partition plat.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

By: Matt Dundel & Assoc.
3765 Riverside Drive
McMinnville, Oregon 97128
Phone: 472-7904
Fax: 472-7904
E-mail: dundel@passport.com

DECLARATION

KNOW ALL MEN BY THESE PRESENTS that we BURCH FEERO, INC., an Oregon Limited Liability Corporation, is the owner of the lands represented on the attached map and more particularly described in the Surveyors Certificate and have caused said lands to be partitioned into the parcels and easements as shown.

Steve Burck
STEVE BURCH
General Partner, BURCH FEERO, INC.

ACKNOWLEDGMENT

Notary Public *Mellic Dumlak*
STATE OF OREGON)
COUNTY OF YAMHILL)
On this day the 25th of Sept., 2001, did personally appear STEVE BURCH, in the capacity shown in the above Declaration, who being duly sworn, did say that he is the identified person named in the foregoing instrument and that he executed said instrument freely and voluntarily.

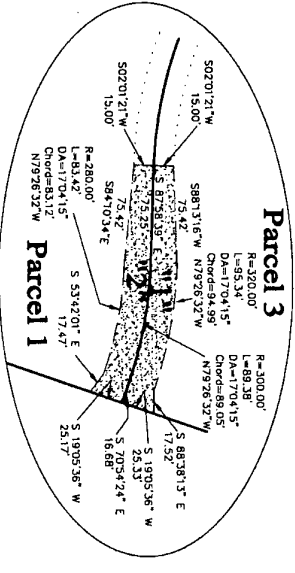
Mellic Dumlak
KURT FEERO
General Partner, BURCH FEERO, INC.

ACKNOWLEDGMENT

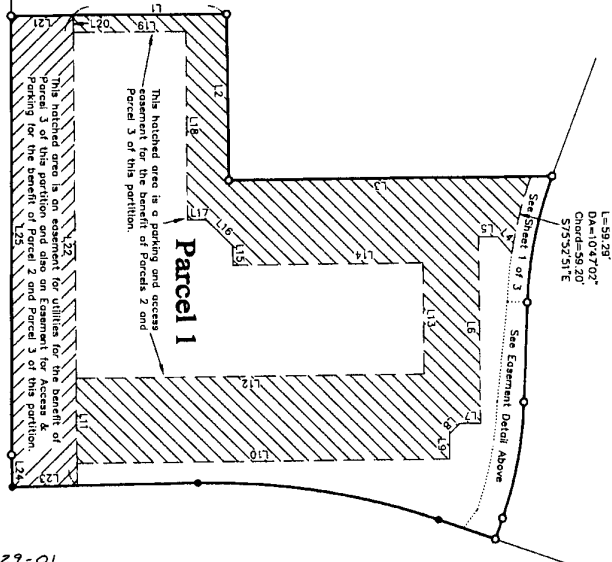
Notary Public *Mellic Dumlak*
STATE OF OREGON)
COUNTY OF YAMHILL)
On this day the 25th of Sept., 2001, did personally appear KURT FEERO in the capacity shown in the above Declaration, who being duly sworn, did say that he is the identified person named in the foregoing instrument and that he executed said instrument freely and voluntarily.

Notes
1) All parcels have legal access to the public roads.

LINE	BEARING	DISTANCE
L1	N00°16'11"W	114.67
L2	N89°29'34"E	125.37
L3	N00°30'26"W	228.72
L4	S49°41'45"W	16.09
L5	S00°30'20"E	14.47
L6	N89°29'34"E	14.00
L7	S00°30'26"E	15.00
L8	S43°30'26"E	10.61
L9	N89°29'34"E	19.00
L10	S00°30'26"E	279.53
L11	S89°43'23"W	64.00
L12	N00°30'26"W	260.77
L13	S89°29'34"W	84.00
L14	S00°30'26"E	142.50
L15	S89°43'23"W	14.56
L16	S44°29'34"W	27.37
L17	S00°30'26"W	14.92
L18	S89°43'23"W	14.92
L19	S00°30'26"E	84.03
L20	S89°43'23"W	13.00
L21	N00°16'11"W	46.48
L22	N89°43'23"E	354.38
L23	S00°30'26"E	48.01
L24	S89°43'23"W	24.13
L25	N89°37'11"W	330.95



"1" = Access & Utility Easement for the benefit of Parcel 1 & 2 of this partition.
"2" = Access Easement for the benefit of Parcel 2 & 3 of this partition.
EASEMENTS DETAIL #1 & #2
SCALE: 1"=60'



EASEMENTS DETAIL NO. 3
SCALE: 1"=60'

SHEET 3 OF 3

Received 11-29-01
County Surveyor

Norton Lane
Planned Development Amendment

LEGAL DESCRIPTION

Norton Lane

Legal Description

Parcels 1, 2, and 3, of Partition Plat 2007-12 recorded March 7, 2007 as Instrument No. 200705096, Deed and Mortgage Records, Yamhill County, State of Oregon.

Norton Lane
Planned Development Amendment

CURRENT PLANNED DEVELOPMENT OVERLAY
ORDINANCE NO. 4667
ORDINANCE NO. 4131
ORDINANCE NO. 4572

ORDINANCE NO. 4667

An ordinance amending the City of McMinnville Comprehensive Plan Map from an existing Industrial designation to a Commercial designation and rezoning certain property from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone to a City C-3 PD (General Commercial Planned Development) zone on a parcel of land approximately eleven acres in size.

RECITALS

The Planning Commission received an application (CPA 3-98 / ZC 6-98) from Burch/Feero, Inc., dated March 13, 1998, for a comprehensive plan map amendment from an industrial designation to a commercial designation and zone change from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone to a C-3 PD (General Commercial Planned Development) zone on a parcel of land approximately eleven acres in size and described as Tax Lot 400, Section 27, T. 4 S., R. 4 W., W.M.

A public hearing was held on April 23, 1998, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on April 18, 1998, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said request found that said change conformed to the review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the plan amendment and zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan map amendment and zone change and has recommended said change to Council; and

Subsequently, additional material was received from the Department of Land Conservation and Development, requiring a public hearing before the City Council. In accordance with City ordinances, the public hearing was scheduled for June 9, 1998 at 7:30 p.m. in the City Council Chambers and was continued to June 23, 1998. Notice of said hearing was given by written notice to affected property owners and to the general public by legal notice in the local newspaper; and

The McMinnville City Council conducted the scheduled hearing at the time and date specified above in accordance with the standards adopted in City of McMinnville Ordinance No. 3682. The testimony of the proponents and opponents was received and, in addition, the record generated by the McMinnville Planning Commission, supplemental staff reports, supplemental reports from other agencies, and additional exhibits were duly incorporated into the record and were considered by the Council; and

The City Council, being fully informed about said request, found that said change conformed to the review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the plan amendment and zone change are consistent with the Comprehensive Plan; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Burch/Feero, Inc.

Section 2. That the Comprehensive Plan Map shall be amended from an industrial designation to a commercial designation for the property described in Exhibit "A" which is attached hereto and incorporated herein by this reference.

Section 3. That the property described in Exhibit "A" is hereby rezoned from a County EF-40 (Exclusive Farm Use - 40-acre Minimum) zone to a C-3 PD (General Commercial Planned Development) zone, subject to the following conditions:

1. That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee. A minimum of 14 percent of the site must be landscaped with emphasis placed at the street frontages. An arborvitae hedge or some similar type of planted visual screen shall be required along the property lines adjacent to residentially zoned lands. Street tree planting, as required by the City's tree ordinance, shall be provided as well.
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 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.

3. No building shall exceed the height of 35 feet.
4. That if outside lighting is to be provided, it must be directed down and away from residential areas and public streets.
5. 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.
6. All business, storage, or displays shall be conducted wholly within an enclosed building; except for off-street parking and loading. No drive up food service or beverage facility or facilities shall be permitted on the subject site.
7. That the subject site, outside of that area identified for "future development" is limited to professional office use, medical office use, or other compatible, small-scale commercial uses such as a delicatessen, florist, or day care facility. Uses other than professional office use or medical office use may not exceed fifteen (15) percent of the total floor area proposed to be constructed within the subject site.
8. That this zone change shall not take effect until and unless CPA 3-98 is approved by the City Council.
9. That the conceptual master plan for that portion of the applicant's property identified for "future development" shall in no way be binding on the City.
10. That if restrictive covenants are proposed for the development they must meet with the approval of the Planning Director.
11. That the Planning Director shall be granted authority to amend the submitted site plan as may be necessary to accommodate the

requirements of the Oregon Department of Transportation. All amendments shall be consistent with the City's development codes.

12. That a drainage and grading plan be submitted to the City Engineer for review and approval prior to the issuance of any development permits. At a minimum, the plan should include the finished grades of proposed public streets, and the nature and extent of street and utility construction. Where any cut or fill will exceed three feet in depth, a cross section shall also be submitted.
13. That utilities shall be extended to the property (or project) boundaries by the applicant, as may be required by the City Engineer or McMinnville Water and Light.
14. That any and all fill in areas of proposed construction of buildings shall be engineered and shall meet the approval of the Building Department.
15. That areas identified on the submitted site plan for future development shall be subject to the requirements of this zone change approval.
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 of the details of the adopted site plan. Minor changes to the details of the adopted 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 him 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.

17. That the applicant secure from the Oregon Department of Transportation (ODOT) a permit for access to Highway 18, and the south frontage road, pursuant to OAR 734-50 (Highway Approach Roads, Crossings, Access Control, and Weight Restrictions). Evidence of such permit shall be required prior to release of any permits for this project.
18. That improvements to the Highway 18 frontage, as required by ODOT and the City of McMinnville, be done at the applicant's expense and be finalized prior to occupancy.

19. That the subject site is subject to the provisions of the Three Mile Lane Planned Development Ordinance, as amended.
20. That the proposed off-street parking lot be amended by removing the four spaces adjacent to the frontage road nearest the area proposed for "future development" and in their place provide landscaping. In addition, the applicant shall agree to in the future close the proposed southern access to Norton Lane, if warranted by the development of the property to the south.
21. That the owner must grant to the Willamette Valley Medical Center and the City of McMinnville the right to cause all airspace above the surface of the subject site such noise, vibrations, fumes, dust, fuel particles, and all other effects as may be caused by the operation of aircraft landing at or taking off from or operating at or on the Medical Center property and the McMinnville Municipal Airport. The owner must fully waive any right or cause of action which he may now or in the future raise against the Willamette Valley Medical Center and the City of McMinnville due to such circumstances noted above.

Passed by the Council this 23rd day of June, 1998, by the following votes:

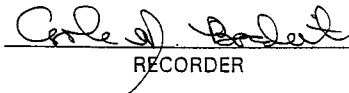
Ayes: Aleman, Hughes, Kirchner, Massey, Payne

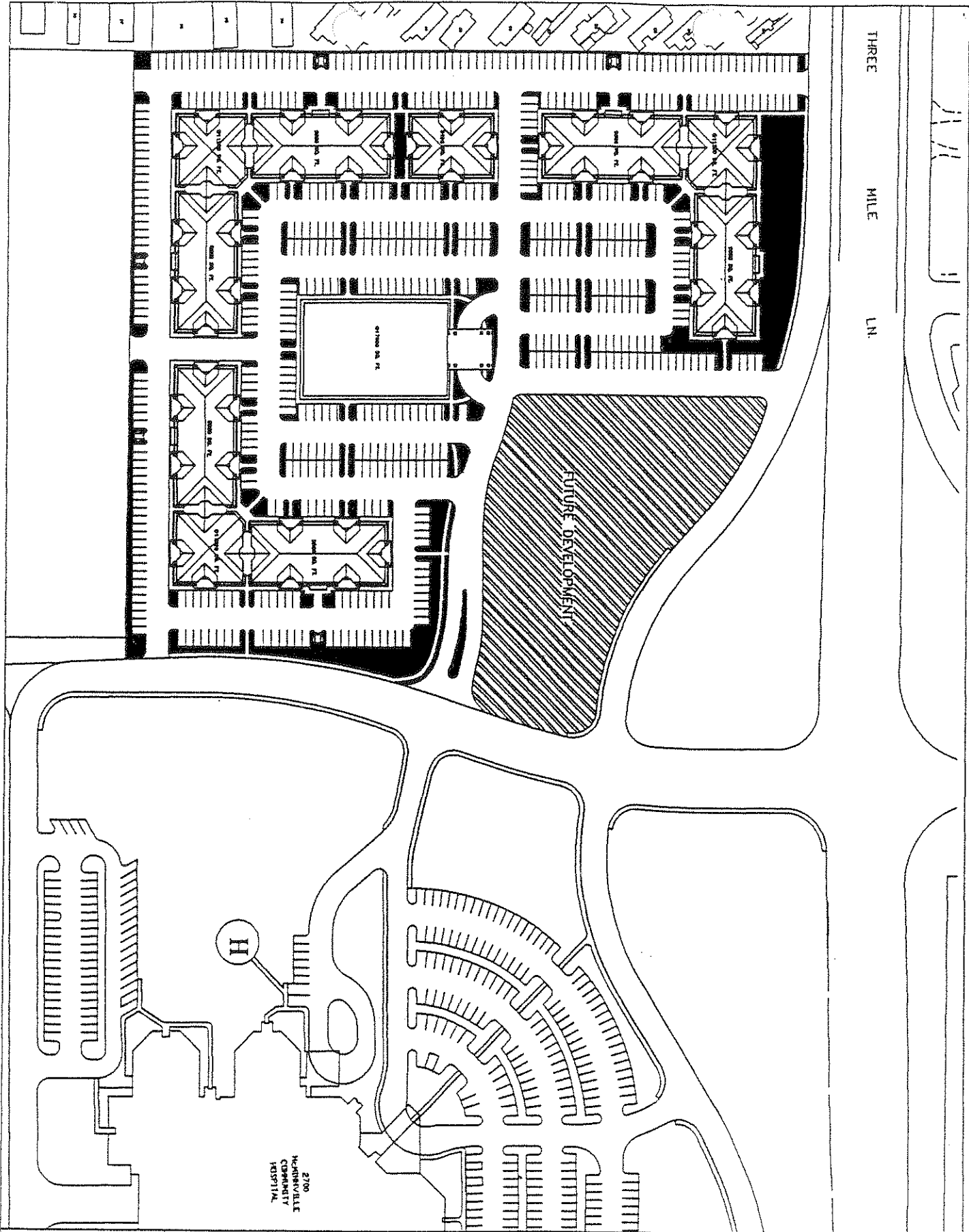
Nays:

Approved this 23rd day of June, 1998.


MAYOR

Attest:


RECORDER



Date: 3/9/98

Plot

Norton Lane PD Amendment

BURCH / FEERO, Inc.
Burch/Feero Property Development

Site Plan
Preliminary Design

R. A. Feero Designs & Associates
Rhonda Feero, Allied Member A.S.I.D.

180 N.E. 7th Street
McMinnville, OR 97128

R. A. FEERO
DESIGNS
& ASSOCIATES

Housing Authority of Yamhill County
503-434-6601

ORDINANCE NO. 4131

THREE MILE LANE

An Ordinance enacting conditions for development in an area hereinafter described, and commonly known as Three Mile Lane; now, therefore,

THE CITY OF McMinnville ORDAINS AS FOLLOWS:

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

Section 2. Planned Development Overlay. The planned development overlay which is created and implemented by this ordinance shall be placed over areas to the north and south of Oregon Highway 18 from the eastern city limits west to the vicinity of the Three Mile Lane Spur intersection with Highway 18. The affected area is further described by map in Exhibit "A". Areas within and without the city limits shall carry this designation. The policies and procedures set by this ordinance shall be applied to all land use decisions under the jurisdiction of the City of McMinnville. The overlay shall not impinge the legal jurisdiction of Yamhill County for areas outside the city limits.

Section 3. Notation on Zoning and Comprehensive Plan Maps. The perimeters of the areas affected by this ordinance shall be noted on the official McMinnville Comprehensive Plan Map of 1980 and the official McMinnville Zoning Map of 1980.

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.
- (b) A one hundred twenty (120) foot setback from the centerline of Highway 18 shall be established both north and south of the highway.
- (c) Access requirements adopted hereafter in an access plan for this area shall be adhered to. Provisions of the plan shall include:

1. The minimization of entrances onto Three Mile Lane;
 2. The development of on-site circulation systems, connecting to adjoining properties;
 3. The provisions of acceleration-deceleration lanes and left-turn refuges when and where necessary and practicable.
 4. The provision of bikeways along frontage roads or on-site circulation systems. Bikeway connections accessing Three Mile Lane shall be provided so that the frontage road or on-site circulation system can serve as an alternative route for cyclists traveling along Three Mile Lane.
- (d) Landscaping and buffer strips along the highway frontage may be required including noise buffering methods, such as berms and/or plantings.
- (e) Residentially designated areas covered by this ordinance shall be developed at R-1 zoning classification densities. Mixed housing-type residential developments shall be allowed and encouraged.
- (f) Residential developments shall provide parkland under the provisions of Section 35 of Ordinance No. 3702, unless safe and convenient pedestrian access is provided to an existing park. If no land is required, money in lieu of land shall be required.

The following policies shall apply to specified properties north and south of Three Mile Lane, described on the map in Exhibit "B". The written descriptions, uses, and written policies included below are to apply to the interpretation of the map and be of at least equal weight and importance.

Municipal Airport (Area 1)

The airport shall be designated as industrial on the McMinnville Comprehensive Plan Map of 1980 to accommodate aviation related facilities in keeping with the Airport Master Plan, as amended. Facilities identified in the plan for upgrading and expanding the aviation aspects of the airport shall be exempted from review by the provisions of the planned development overlay. Any private or public aviation related industrial development that may in the future be contemplated shall be subject to the provisions of this ordinance. The adoption of an airport zoning ordinance in the future may be appropriate, and additional requirements of such a zone shall be applied in conjunction with the requirements of this ordinance.

West of Municipal Airport (Area 2)

This area shall be designated as industrial on the McMinnville Comprehensive Plan Map of 1980. The City shall encourage the location of aviation related industries or industries requiring extensive use of airport services, in this area. Zone changes to M-L (Limited Light Industrial), to M-1 (Light Industrial) and AH (Agricultural Holding) shall be allowed. Zone changes to M-2 (General Industrial) may be allowed upon findings that the intended use of the property shall be an aviation related industry, or an industry which requires extensive use of the airport services for its operation.

West of Municipal Airport to Mobile Home Park (Area 3)

This area shall be designated as industrial on the McMinnville Comprehensive Plan Map of 1980. The City shall allow zone changes to M-L (Limited Light Industrial) and AH (Agricultural Holding) designations.

East of Pacific Avenue - Industrial Area (Area 4)

This area shall be designated as industrial on the McMinnville Comprehensive Plan Map of 1980 to accommodate the existing industrial uses. Expansion of those uses may take place if compatibility with surrounding properties is insured.

Airport Rendezvous (Area 5)

This area shall be designated as industrial on the McMinnville Comprehensive Plan Map of 1980. The areas designated AH (Agricultural Holding) on the map shall remain so designated until completion of the update of the Airport Master Plan. The adoption of an airport zoning ordinance, recommended land uses, and development controls for identified noise contours may be appropriate upon completion of the Airport Master Plan; any additional requirements enacted by the City shall be applied in conjunction with the requirements of this ordinance. Redesignation of the properties may be allowed after completion of the Airport Master Plan update and adoption of appropriate Master Plan recommendations, provided that the requirements of this ordinance are met, and upon determination that the proposed use is compatible with surrounding properties.

Remainder of Planned Development Area

The remainder of the properties within the area covered by this ordinance shall be developed according to the designations on the McMinnville Comprehensive Plan Map. Site plan review as required in Chapter 17.51 of Ordinance No. 3380 shall include conditions to insure compatibility of allowed developments with proposed uses in surrounding areas.

Section 5. Procedures for Review.

- (a) Annexation to the City of lands within the area covered by this ordinance shall meet the requirements of the annexation ordinance.
- (b) Comprehensive Plan Map amendments shall be processed under procedures set out in Ordinance No. 4127.
- (c) Zone changes and land divisions submitted for approval shall be processed under the requirements and standards of Chapter 17.51 of Ordinance No. 3380 (Zoning Ordinance). If standards and requirements of Chapter 17.51 differ with those established elsewhere by the City, the more restrictive standards and requirements shall be adhered to.
- (d) Land division requests shall also be processed under the requirements of Ordinance No. 3702 (Land Division Ordinance).
- (e) Amendments to this ordinance shall be processed under procedures set out in Chapter 17.51 of Ordinance No. 3380 (Zoning Ordinance).

Passed by the City Council on April 7, 1981.



EXHIBIT A
Three Mile Lane
Planned Development Overlay

Ordinance No. 4131

CITY OF McMINNVILLE

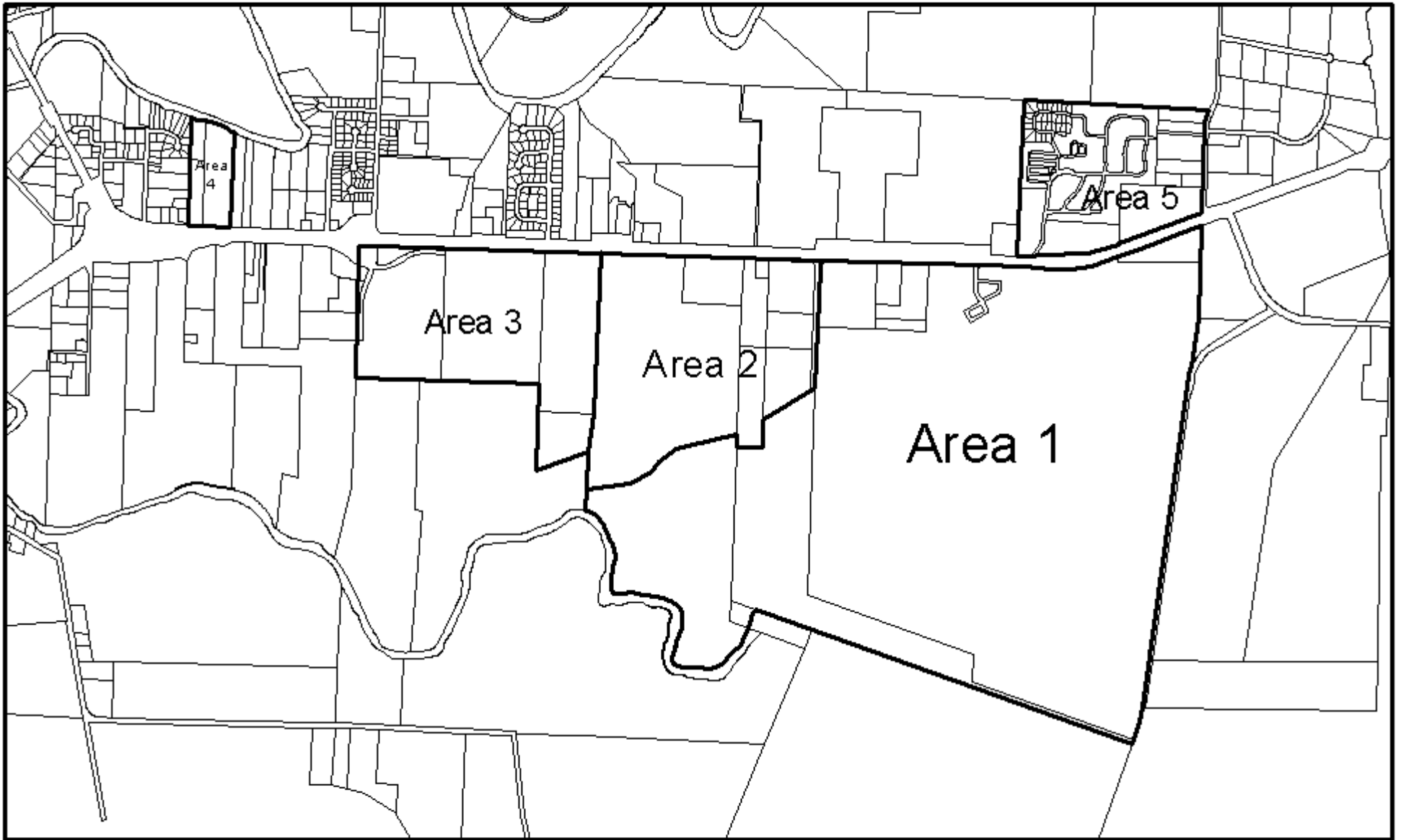


EXHIBIT B
Three Mile Lane
Planned Development Overlay

Ordinance No. 4131

CITY OF McMINNVILLE

ORDINANCE NO. 4572

An Ordinance amending Ordinance 4131 (Three Mile Lane Planned Development Overlay) by supplanting the terms and provisions of Sections 4 and 5 and by adding new sections, and amending Ordinance 4506 (Commercial Lands) by repealing subsections 10(h) and 10(i).

RECITALS

The City of McMinnville has found that certain terms and provisions of the Three Mile Lane Planned Development Overlay have become dated since the 1981 passage of the ordinance and are in need of replacement. The City Council believes it is also in the best interest of the citizens of McMinnville and of the community as a whole to regulate commercial signage along the Three Mile Lane corridor as it leads into McMinnville.

At the direction of the City Council, staff developed amendments to the Three Mile Lane Planned Development Overlay which included regulations governing the use of commercial signage. The McMinnville Planning Commission held a work session on September 8, 1994 and a public hearing on October 13, 1994 on the proposed amendments, after which they recommended that the amendments be approved; now, therefore,

THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

Section 1. The terms and provisions of Section 4 of Ordinance 4131 are hereby supplanted with the following terms and provisions:

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.
- B. A one hundred twenty (120) foot setback from the centerline of Highway 18 shall be established both north and south of the highway.
- C. Access requirements adopted hereafter in an access plan for this area shall be adhered to. Provisions of the plan shall include:
 - 1. The minimization of entrances onto Three Mile Lane;
 - 2. The development of on-site circulation systems, connecting to adjoining properties, including public frontage roads;
 - 3. The provisions of acceleration-deceleration lanes and left-turn refuges when and where necessary and practicable.
 - 4. The provision of bikeways along frontage roads or on-site circulation systems. Bikeway connections accessing Three Mile Lane shall be provided so that the frontage road or on-site circulation system can serve as an alternative route for cyclists traveling along Three Mile Lane.
- D. Landscaping and buffer strips along the highway frontage may be required including noise buffering methods, such as berms and/or plantings.

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

Section 2. The terms and provisions of Section 5 of Ordinance 4131 are hereby supplanted with the following terms and provisions:

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.

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:

- A. Zone 1. The following regulations apply to commercially or industrially designated properties which fall within zone 1:
1. That only one free-standing sign shall be allowed per parcel as they exist at the time of the passage of this ordinance and as they are represented on Exhibit "B", subject to the following:
 - a) The maximum height of any free-standing sign shall be 15 feet.
 - b) The maximum square footage per sign face is 24 square feet and there shall be a maximum of two sign faces per free-standing sign.
 - c) A free-standing sign is allowed only on properties with frontage on the Highway 18 frontage road.
 2. In lieu of a free-standing sign as listed in subsection 1 above, one monument-type sign shall be allowed per parcel as they exist at the time of the passage of this ordinance and as they are represented on Exhibit "B", subject to the following:
 - a) Maximum square footage per sign face shall be 50 square feet, and there shall be a maximum of two sign faces per monument sign.

- b) Maximum sign height shall be six feet, and the top of the sign shall not be more than eight feet above the center line grade of the Three Mile Lane frontage road.
 - c) Monument signs shall be non-illuminated, indirectly illuminated, neon, or may have individually back-lit letters, providing that no plastic sign cabinets are allowed.
3. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than 12 inches from the building face, subject to the following:
- a) Total area of building signage may not exceed eight percent of the total area of the face of the building which is most closely parallel to Highway 18 or the frontage road and may not exceed four percent on the other sides.
 - b) The area of building signs shall be measured as the area around or enclosing each sign cabinet, or where sign cabinets are not used, the area shall be that within a single continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message.
4. If a parcel is divided after the date of the adoption of this ordinance, the sign allowances established in subsections 1 and 2 above will apply only to the original parcel or what remains of it and newly created parcels are limited to the sign allowances established in subsection 3 above except as provided in subsection (A) (5) below.
5. The Three Mile Lane Design Review Committee may allow the sharing of a single free-standing sign by an original parcel or what remains of it and parcels divided after the date of the adoption of this ordinance. The total sign size shall not exceed that allowed for the original parcel.
6. Portable signs and signs with flashing or moving parts are prohibited.
- B. Zone 2. The following regulations apply to commercially and industrially designated properties which fall within zone 2:
- 1. That only one free-standing sign shall be allowed per parcel as they exist at the time of the passage of this ordinance and as they are represented on Exhibit "B", subject to the following:
 - a) The maximum height of any free-standing sign shall be 30 feet, except as provided in subsection (B) (1) (c) below.

- b) The maximum square footage per sign face is 64 square feet, and there shall be a maximum of two sign faces per free-standing sign, except as provided in subsection (B)(1)(c) below.
 - c) If two or more properties share a single free-standing sign, said sign shall be a maximum of 35 feet in height, and each property sharing the sign shall be entitled to up to 64 square feet of sign face per side on a maximum of two sides. The shared free-standing sign would exhaust the allowance for free-standing signs listed in subsection (B)(1)(a) above for all parcels represented.
 - d) A free-standing sign is allowed only on properties with frontage on the Highway 18 frontage road.
2. In lieu of a free-standing sign as listed in subsection 1 above, one monument-type sign shall be allowed per parcel as they exist at the time of the passage of this ordinance and as they are represented on Exhibit "B", subject to the following:
- a) Maximum square footage per sign face shall be 50 square feet, and there shall be a maximum of two sign faces per monument sign.
 - b) Maximum sign height shall be six feet, and the top of the sign shall not be more than eight feet above the center line grade of the Three Mile Lane frontage road.
 - c) Monument signs shall be non-illuminated, indirectly illuminated, neon, or may have individually back-lit letters, providing that no plastic sign cabinets are allowed.
3. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than 12 inches from the building face, subject to the following:
- a) Total area of building signage may not exceed eight percent of the total area of the face of the building which is most closely parallel to Highway 18 or the frontage road and may not exceed four percent on the other sides.
 - b) The area of building signs shall be measured as the area around or enclosing each sign cabinet, or where sign cabinets are not used, the area shall be that within a single continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message.

4. If a parcel is divided after the date of the adoption of this ordinance, the sign allowances established in subsections 1 and 2 above will apply only to the original parcel or what remains of it and newly created parcels are limited to the sign allowances established in subsection 3 above except as provided in subsection (B) (5) below.
 5. The Three Mile Lane Design Review Committee may allow the sharing of a single free-standing sign by an original parcel or what remains of it and parcels divided after the date of the adoption of this ordinance. The total sign size shall not exceed that allowed for the original parcel.
 6. Portable signs and signs with flashing or moving parts are prohibited.
- 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.
 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.
 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 consistant in terms of sizes and percent of coverage with that on buildings one and two.
- 4. Portable signs and signs with flashing or moving parts are prohibited.

Section 3. That the following section is hereby added to Ordinance 4131:

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.
- B. Zone changes submitted for approval shall be processed under the requirements and standards of Chapter 17.51 of McMinnville Ordinance 3380 (Zoning Ordinance).

Section 4. Subsections 10(h) and 10 (i) of Ordinance 4506 are hereby repealed in their entirety.

Section 5. That this ordinance shall be subject to the terms and conditions of Ordinance 3823 entitled "Initiative and Referendum" for a period of thirty days.

First Reading - Read and passed by the Council this 8th day of November 1994 by the following votes:

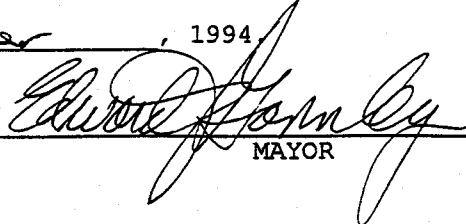
Ayes: Payne, Tomcho, Windle

Nays: Kirchner, Olson

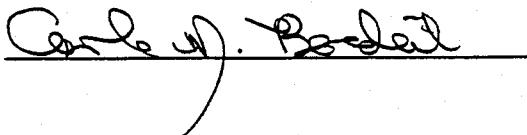
Second Reading - Read and passed by the Council this 22nd day of November 1994 by the following votes:

Ayes: Olson, Tomcho, Windle, Gormley

Nays: Kirchner, Massey, Payne

Approved this 22nd day of November, 1994.

MAYOR

Attest:



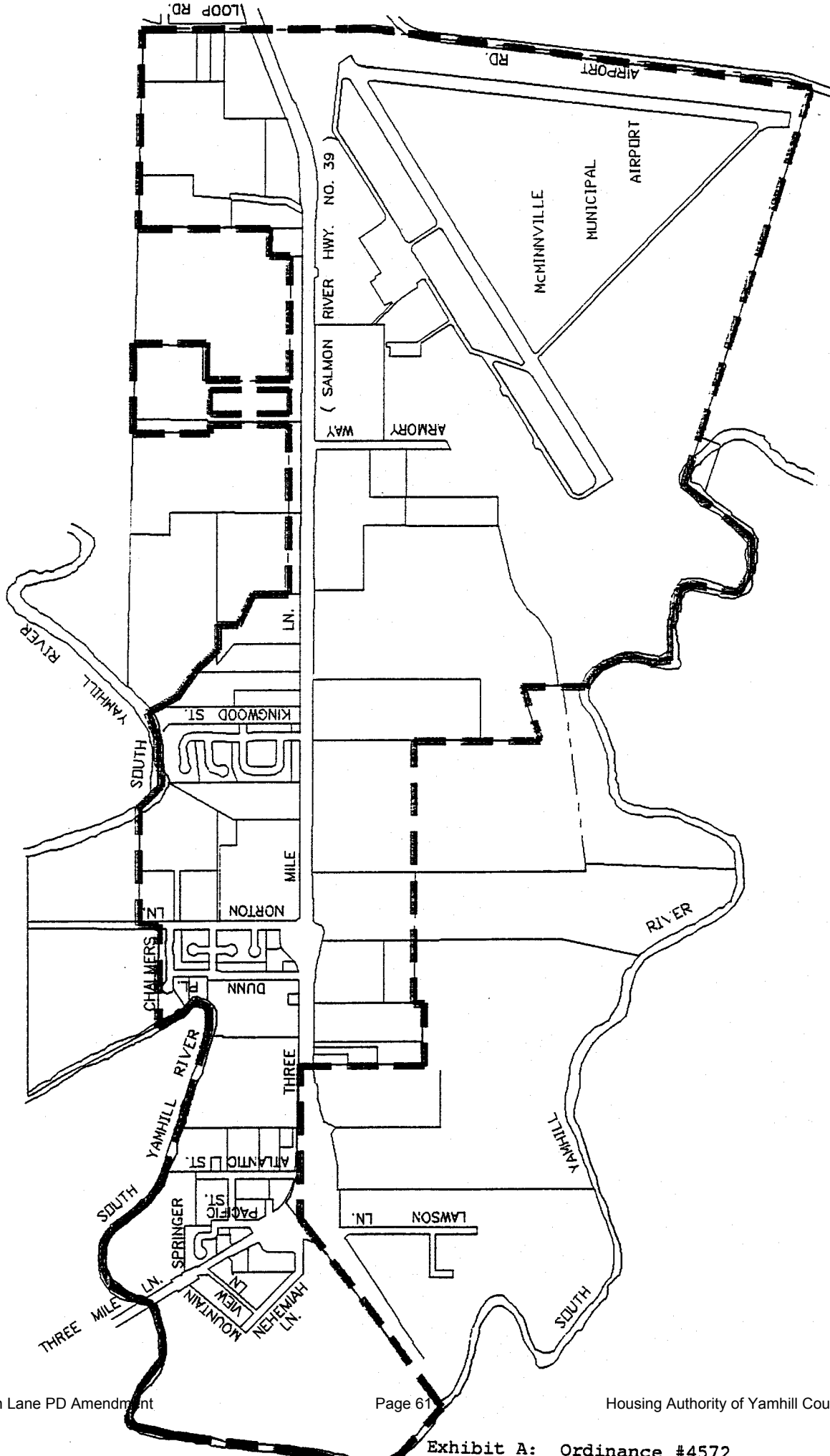
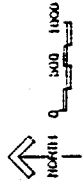


EXHIBIT "A"

Three Mile Lane
Planned Development Overlay
Ordinance No. 4131



URBAN GROWTH
BOUNDARY

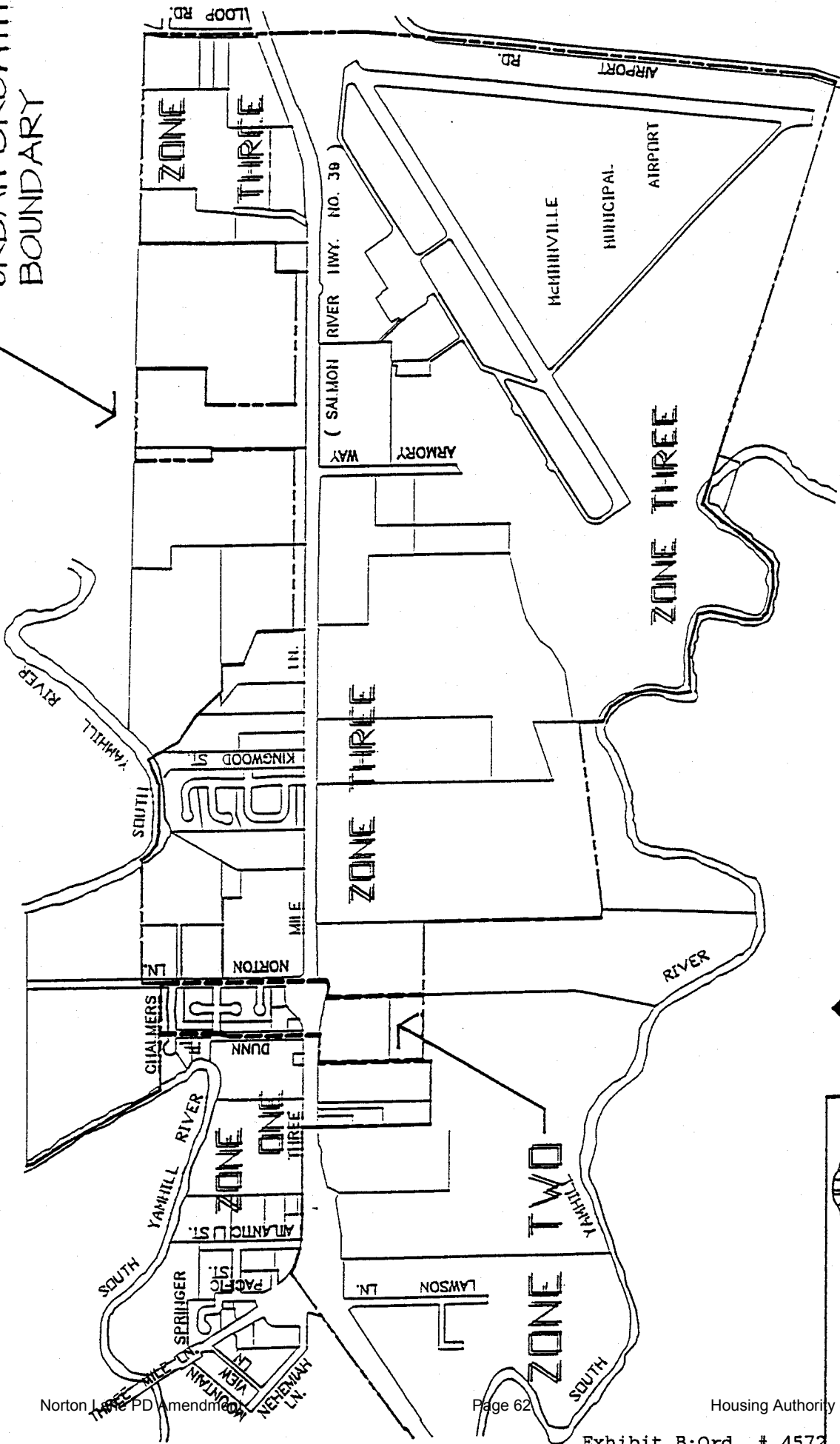
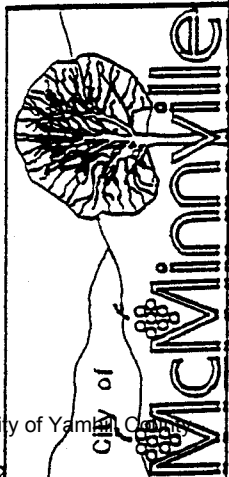
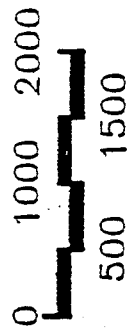


EXHIBIT "B"

Three Mile Lane
Planned Development Overlay
Ordinance No. 4131



Norton Lane
Planned Development Amendment

NEIGHBORHOOD MEETING REQUIREMENTS

May 19, 2020

RE: NOTICE OF NEIGHBORHOOD REVIEW MEETING
PLANNED DEVELOPMENT AMENDMENT (PDA) TO AMEND EXISTING CONDITIONS OF
APPROVAL IN PLANNED DEVELOPMENT OVERLAY ORDINANCE 4667

Dear Resident or Property Owner;

Structure Development Advisors is representing a developer of property located south of SE Stratus Avenue and west of SE Norton Lane, more specifically tax lots R4427 00400, R4427 00405, and R4427 00404, as show in the attached map. The developer is proposing an amendment to the current land use, under Ordinance 4667, to allow for a multifamily residential and to amend the master plan. The land is currently zoned C-3 PD General Commercial Planned Development.

Prior to applying to the City of McMinnville we would like to take the opportunity to discuss the proposal in more detail with you.

The purpose of this neighborhood meeting is to provide an informal forum for the applicant and surrounding property owners/residents to review the proposal and to identify issues so that such issues may be considered before the formal application is turned in to the City. This meeting gives you the opportunity to share with us any special information you know about the property involved. We will attempt to answer questions which may be relevant to meeting development standards consistent with City of McMinnville's Community Development Code.

Pursuant to Section 17.72.095 of the McMinnville Development Code, you are invited to attend a Neighborhood meeting on:

**Wednesday, June 10, 2020
at 6:00 pm**

Due to the health risks created by COVID-19 and to help slow its spread, Governor Brown has issued Executive Orders directing individuals to stay home. During this time, Public Meetings are to be held by telephone, video or electronic means. This meeting will be help via Zoom at:

<https://structurepdx.zoom.us/j/6124463297>

or

1- 253-215-8782 Meeting ID 612 446 3297

Please note this meeting will be an informational meeting to discuss the change in allowed use, but not specific development plans are proposed at this time. Depending upon the type of land use action required, you may receive a future official notice from the City for you to either participate with written comments and/or an opportunity to attend a public hearing.

I look forward to more specifically discussing the proposal with you. Please feel free to contact me at 503-318-5658 or email at mike@structurepdx.com if you have any questions.

Mike Andrews
Principal

**NOTICE OF NEIGHBORHOOD REVIEW MEETING
PLANNED DEVELOPMENT AMENDMENT (PDA) TO AMEND EXISTING CONDITIONS OF APPROVAL
IN PLANNED DEVELOPMENT OVERLAY ORDINANCE 4667**

Zoning Map and Aerial Photo

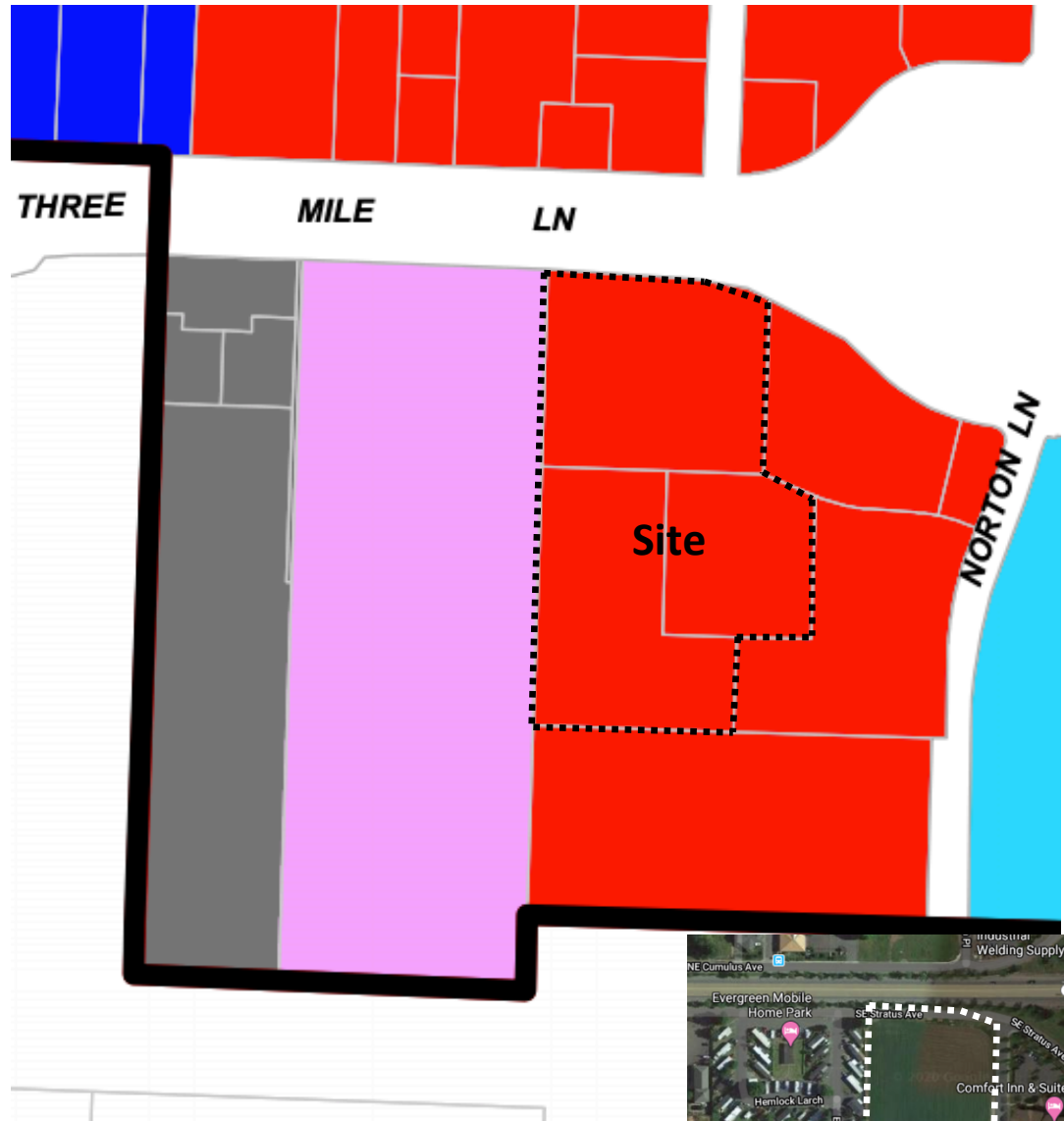


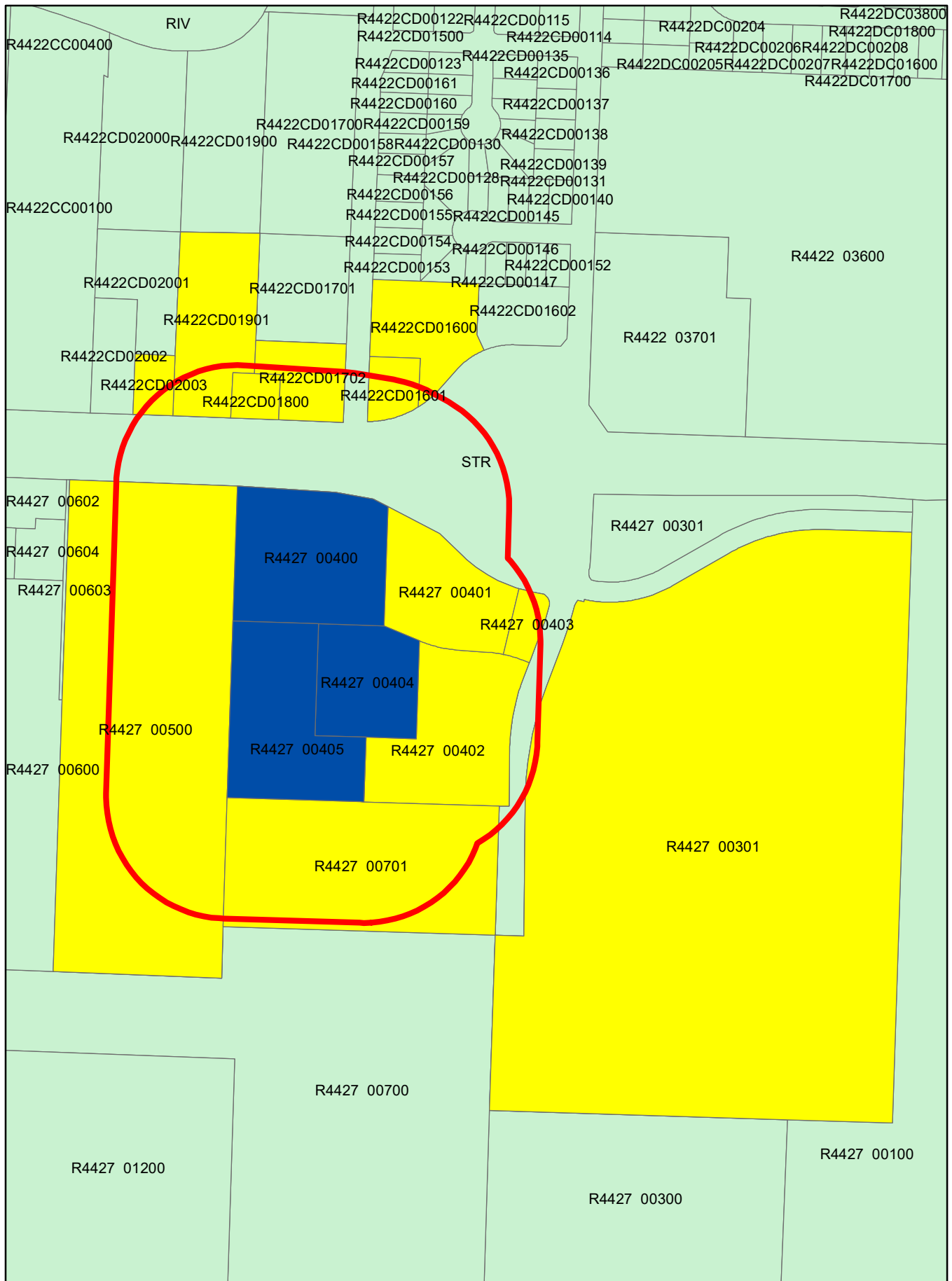
Figure 1 City of McMinnville Zoning



Figure 2 Google Maps

Norton Lane Public Meeting
Mailing List

Tax Lot	SITUS	Owner	Add1	Add2	Add3	Add4	Zipcode
R4427 00301	2700 SE STRATUS AVE	MPT OF MCMINNVILLE-CAPELLA LLC	MPT OF MCMINNVILLE-CAPELLA LLC	1000 URBAN CENTER DR SUITE 501	BIRMINGHAM AL		35242
R4422CD01600	2535 NE CUMULUS AVE	EJJ PROPERTIES INC	EJJ PROPERTIES INC	2535 NE CUMULUS AVE	MCMINNVILLE OR		97128
R4427 00404	n/a	BURCH FEERO	BURCH FEERO INC	237 NE FORD ST STE 1	MCMINNVILLE OR		97128
R4427 00400	345 SE NORTON LN	BURCH FEERO INC	BURCH FEERO INC	237 NE FORD ST STE 1	MCMINNVILLE OR		97128
R4422CD01901	2435 NE CUMULUS AVE	PMC INVESTMENTS LLC	PMC INVESTMENTS LLC	2435 NE CUMULUS AVE STE A	MCMINNVILLE OR		97128
R4427 00402	375 SE NORTON LN	BURCH-FEERO PROPERTY I INC	BURCH-FEERO PROPERTY I INC	237 NE FORD ST STE 1	MCMINNVILLE OR		97128
R4427 00500	2400 SE STRATUS AVE	EVERGREEN MOBILE HOME PARK LLC	EVERGREEN MOBILE HOME PARK LLC	836 SW CURRY ST #1300	PORTLAND OR		97239
R4422CD02003	2397 NE CUMULUS AVE	K SHORE HOLDINGS LLC	K SHORE HOLDINGS LLC	9800 NE MEADOW LOOP RD	NEWBERG OR		97132
R4427 00401	2520 SE STRATUS AVE	MAC HOTEL PROPERTIES LLC	MAC HOTEL PROPERTIES LLC	2520 SE STRATUS AVE	MCMINNVILLE OR		97128
R4427 00403	2580 SE STRATUS AVE	MAC DINING LLC	MAC DINING LLC	2580 SE STRATUS AVE	MCMINNVILLE OR		97128
R4422CD01601	2525 NE CUMULUS AVE	LOISELLE ANDRE	LOISELLE ANDRE	15100 NW WILLIS RD	MCMINNVILLE OR		97128
R4427 00405	n/a	BURCH FEERO	BURCH FEERO INC	237 NE FORD ST STE 1	MCMINNVILLE OR		97128
R4427 00701	CNTY	MOYER PHYLLIS	MCMULLIN FAMILY RESIDUAL TRUST	6738 E HUBBELL	SCOTTSDALE AZ		85257
R4422CD01800	2445 NE CUMULUS AVE	HOUSING AUTHORITY OF YAMHILL COUNTY	HOUSING AUTHORITY OF YAMHILL COUNTY	135 NE DUNN PLACE	MCMINNVILLE OR		97128
R4422CD01702	2455 NE CUMULUS AVE	HOUSING AUTHORITY	HOUSING AUTHORITY OF YAMHILL COUNTY	135 NE DUNN PLACE	MCMINNVILLE OR		97128







Norton Lane

Community Meeting

Agenda:

- 1) Introductions
- 2) Housing Authority of Yamhill County
- 3) Amendment Request
- 4) Q&A



Project Examples



Deskins Commons

Housing Authority of Yamhill County

Our Mission...

To provide the opportunity for decent, safe, and affordable housing to individuals and families in our community and opportunities to position themselves for success.

The Housing Authority was created in 1951, and is an independent local public agency under federal and state



Tice Park

Projects / Site owned:

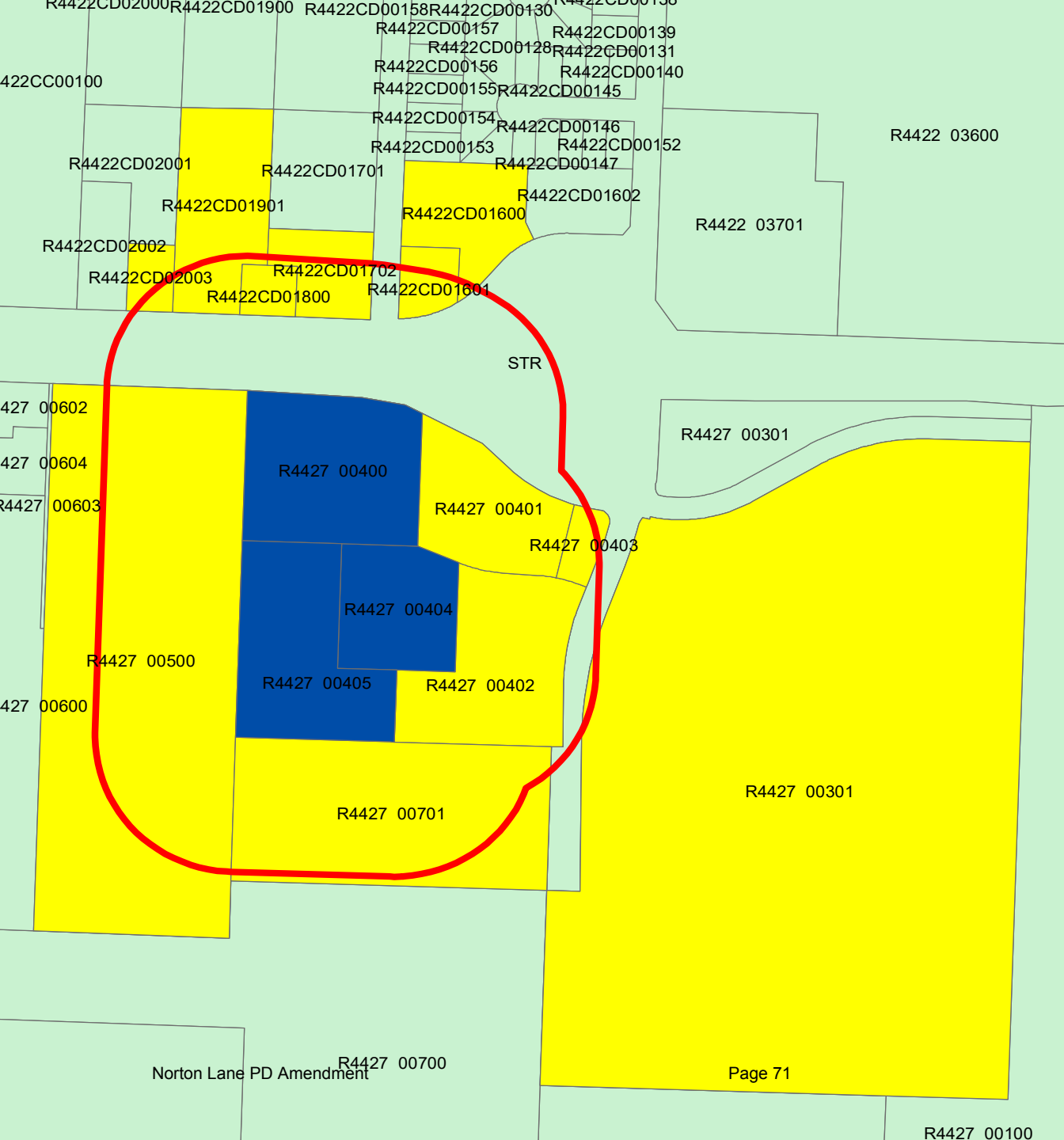
16 multifamily sites



Heritage Place

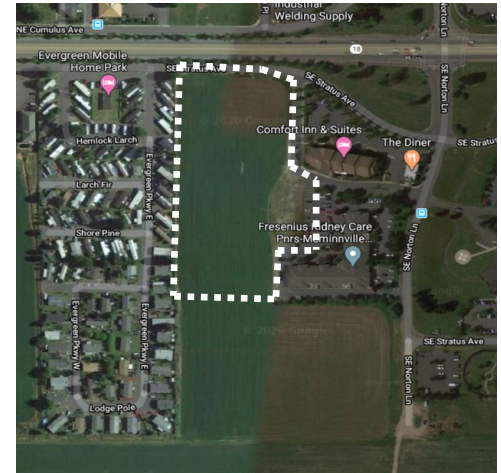
Units owned:

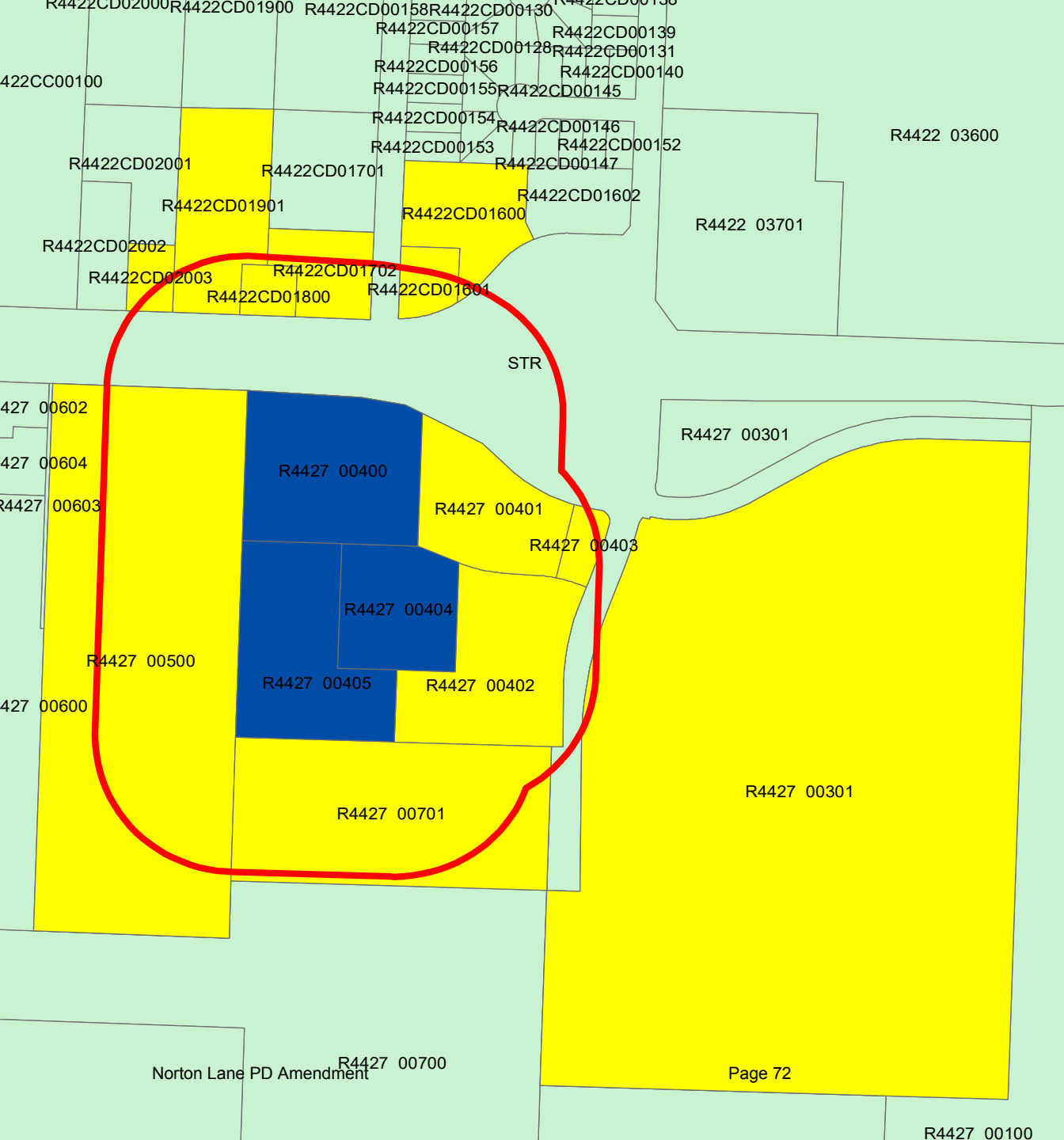
660 units



Norton Lane: Amendment Request

Site Overview

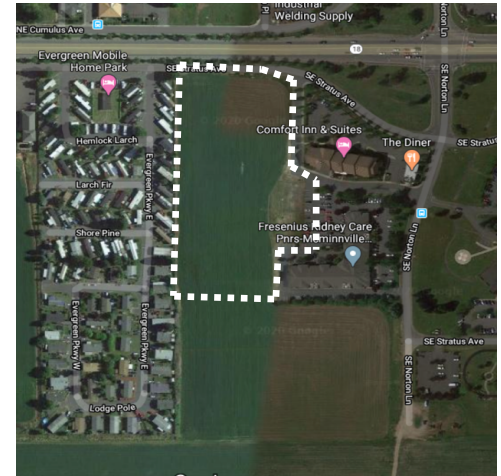


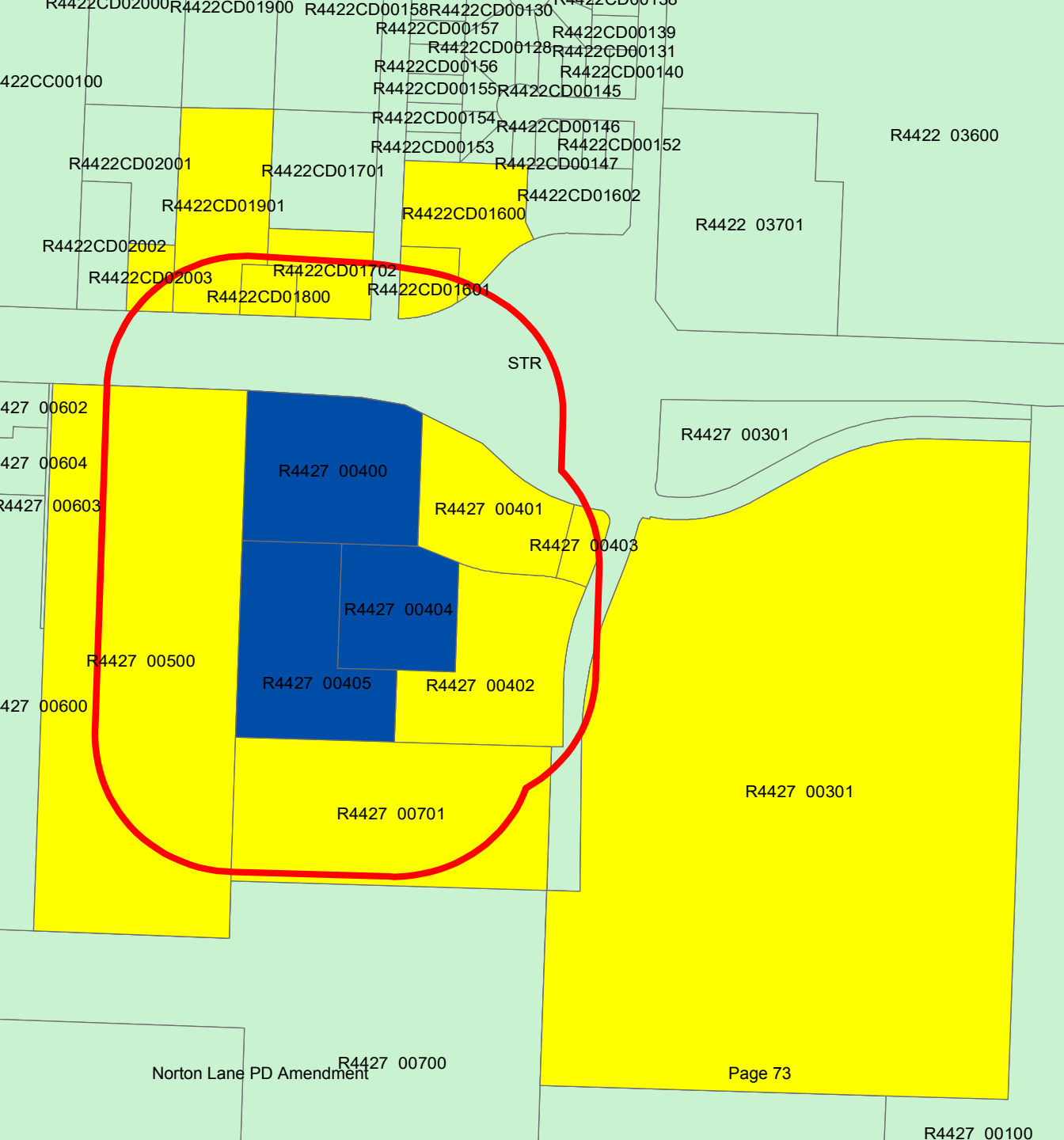


Norton Lane: Amendment Request

Summary of Amendment

- Add multifamily housing as allowable use
- Conform process to current code language

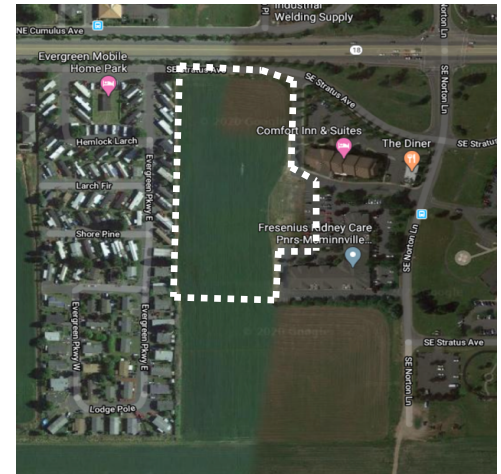


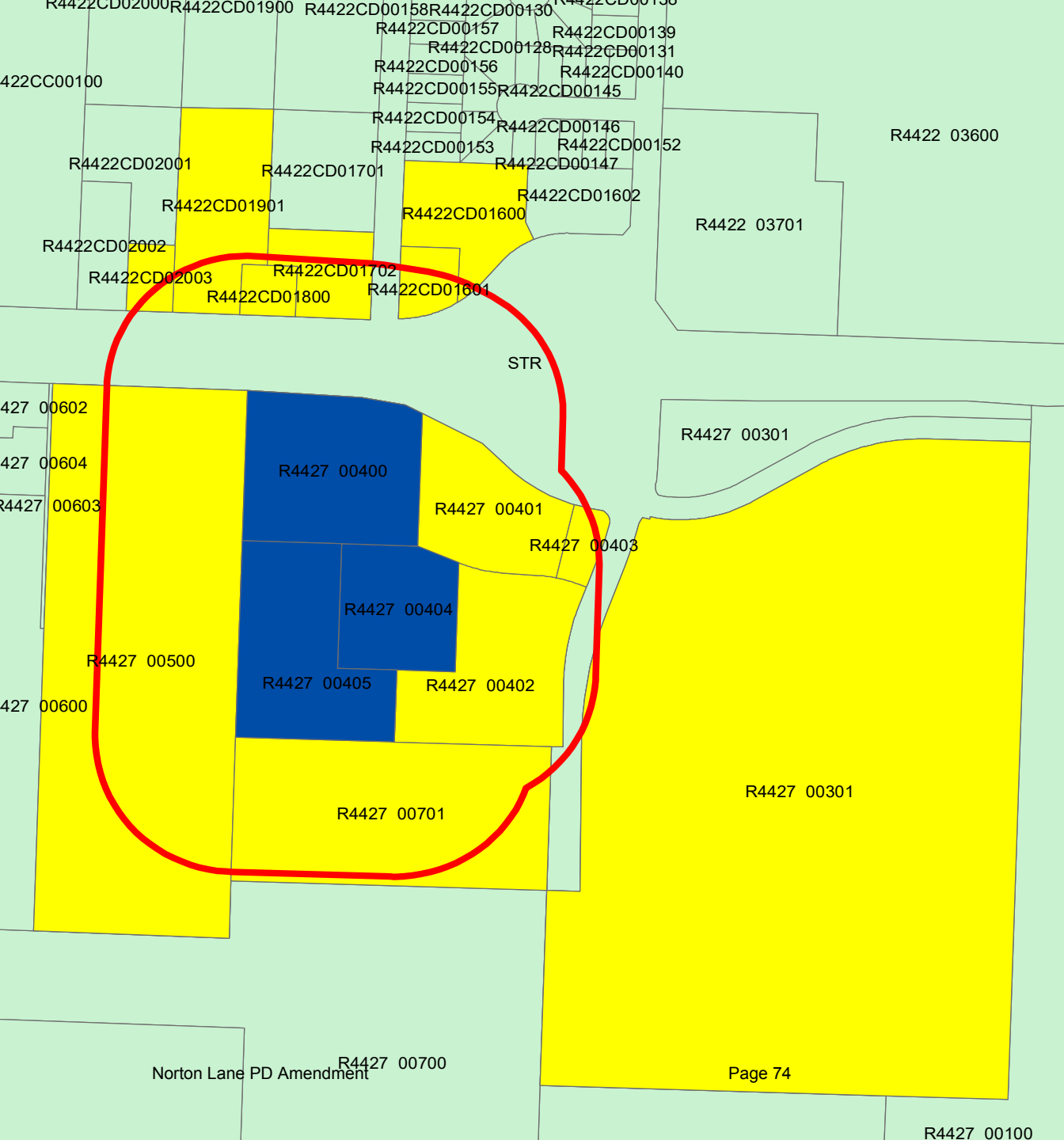


Norton Lane: Amendment Request

Next steps

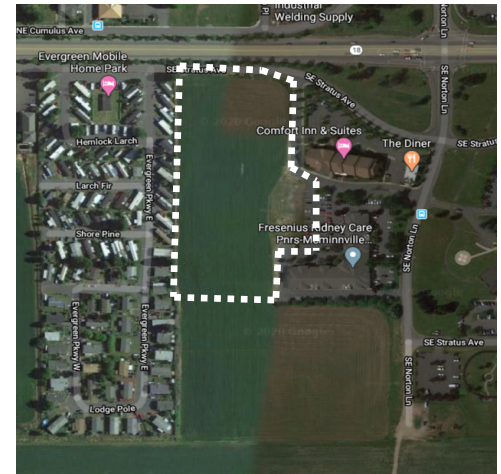
- Submit application to City of McMinnville
- Planning Commission meeting
- Develop schematic design
- Submit project specific request for approval of site plan and design





Norton Lane: Amendment Request

Questions & Answers



Meeting Participants

(X)	Name	Org	Email	Phone
X	Vickie Ybarguen	HAYC	Vickie@hayc.org	503-883-4318
X	Joyce Morrow	HAYC	joyce@hayc.org	503-883-4318
X	David Hummel	HAYC	david@hayc.org	503-883-4334
X	Fred Mickelson	HAYC		
X	Mike Andrews	Structure	mike@structurepdx.org	503-318-5658
X	Kim Hasty	Structure	kim@structurepdx.com	757-619-7561
X	James Lee	Structure	James@structurepdx.com	503-941-8774
X	Dean Klaus	Public Participant		
X	Dillon Kiger	Public Participant		
X	Steve Burch	Public Participant		
X	Stan Feero	Public Participant		
X	Doug Burch	Public Participant		

Norton Lane
Planning Development Amendment
Public Meeting

The meeting was held via Zoom as described in the meeting notice and post on the site sign. The meeting was recorded using the Zoom platform. All participants were made aware of the recording before the recording began.

The meeting was called to order at 6PM. Below is a summary of the meeting presentation and comments from the public. The meeting was adjourned at 6:20pm

Presentation Summary

- HAYC introduced themselves, reviewed their mission and previous developments
- A review of the site in the current state and the potential project was provided (PowerPoint)
- Explanation of the items being asked to the Planning Department includes removal of the current master plan and adding a new master plan; request to change the height limits

Questions and Public Comment

- What will the requested change in height limit be? The request will be to meet the city's limit of 60 feet
- How many "doors" will there be? Although a design has not been finalized, the approximate number of units will be 200
- Participant feels that this is a tremendous opportunity for the community and the project is an ideal location in proximity to services. A small grocery/community store would be nice to have.

Norton Lane
Planned Development Amendment

ATTACHMENTS



First American

First American Title Insurance Company

825 NE Evans Street
McMinnville, OR 97128
Phn - (503)376-7363
Fax - (866)800-7294

Order No.: 1031-3400828
February 21, 2020

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

MICHELLE GREGOR, Escrow Officer/Closer
Phone: (503)472-4627 - Fax: (866)800-7294 - Email:MGregor@firstam.com
First American Title Insurance Company
775 NE Evans Street, McMinnville, OR 97128

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Clayton Carter, Title Officer
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

Preliminary Title Report

County Tax Roll Situs Address: 235 NE Norton Lane C, McMinnville, OR 97128

2006 ALTA Owners Standard Coverage	Liability \$	2,371,501.00	Premium \$	4,158.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement 9.10, 22			Premium \$	
Govt Service Charge			Cost \$	60.00
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

Parcels 1, 2, and 3, of Partition Plat [2007-12](#) recorded March 7, 2007 as Instrument No. 200705096, Deed and Mortgage Records, Yamhill County, State of Oregon.

and as of February 13, 2020 at 8:00 a.m., title to the fee simple estate is vested in:

Burch Feero, Inc., an Oregon corporation

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
 6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
 7. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
 8. City liens, if any, of the City of McMinnville.
- Note: There are no liens as of February 17, 2020. All outstanding utility and user fees are not liens and therefore are excluded from coverage.
9. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
 10. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission recorded September 02, 1963, Yamhill County Circuit Court Case 23303 , which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

11. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation filed July 24, 1980, Yamhill County Circuit Court Case CV89-119 Deed of Records, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

Second Amended Stipulated Final Judgement record March 25, 1991, Film [Volume 253, Page 139](#), Deed and Mortgage Records.

12. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation filed September 06, 1990, Yamhill County Circuit Court Case CV89-137 Deed of Records, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

13. Easement, including terms and provisions contained therein:
Recording Information: March 18, 1996, Instrument No. [199604032](#), Deed and Mortgage Records
In Favor of: City of McMinnville, a municipal corporation of the State of Oregon acting by and through its Water & Light Commission
For: Utility

14. Easement, including terms and provisions contained therein:
Recording Information: March 18, 1996, Instrument No. [199604033](#), Deed and Mortgage Records
In Favor of: City of McMinnville, a municipal corporation of the State of Oregon acting by and through its Water & Light Commission
For: Utility

15. Easement, including terms and provisions contained therein:
Recording Information: August 25, 1998, Instrument No. [199816670](#), Deed and Mortgage Records
In Favor of: Burch Feero, Inc.
For: Drainage way

16. Easement, including terms and provisions contained therein:
Recording Information: June 30, 2000, Instrument No. [200009053](#), Deed and Mortgage Records
In Favor of: City of McMinnville, a Municipal Corporation of the State of Oregon, acting by and through its Water & Light Commission
For: Right-of-way

17. Easement as shown on the recorded plat/partition [2001-40](#)
For: 50 foot wide access & utilities

18. Easement as shown on the recorded plat/partition [2001-40](#)
For: 20 foot extinguishable storm drain

19. Easement as shown on the recorded plat/partition [2001-40](#)
For: 20 foot storm drain

- 20. Notes as they appear on the recorded Partition Plat [2001-40](#).
- 21. Restrictive Covenant to Waive Remonstrance, pertaining to abutting frontage road including the terms and provisions thereof
Recorded: June 28, 2006, Instrument No. [200614364](#), Deed and Mortgage Records
- 22. Easement as shown on the recorded plat/partition [2007-12](#)
For: Parking, access & utilities
- 23. Notes as they appear on the recorded Partition Plat [2007-12](#).
- 24. Declaration of Condition Covenants and Restrictions (Common Driveway and Access Maintenance and Shared Parking Easement), including terms and provisions thereof.
Recorded: February 22, 2018, Instrument No. [201802572](#), Deed and Mortgage Records
- 25. Any conveyance or encumbrance by Burch Feero, Inc. should be executed pursuant to their Operating Agreement , a copy of which should be submitted to this office for inspection.
- 26. Unrecorded leases or periodic tenancies, if any.

- END OF EXCEPTIONS -

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$38.75
Map No.:	R4427 00400
Property ID:	172431
Tax Code No.:	40.0

(Affects Parcel 1)

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$1,187.94
Map No.:	R4427 00404
Property ID:	537598
Tax Code No.:	40.0

(Affects Parcel 3)

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$36.12
Map No.:	R4427 00405
Property ID:	537601
Tax Code No.:	40.0

(Affects Parcel 2)

NOTE: This Preliminary Title Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering Crops and

Fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

Situs Address as disclosed on Yamhill County Tax Roll:

235 NE Norton Lane C, McMinnville, OR 97128

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION	
Filing Address:	Yamhill County 777 Commercial Street SE, Suite 100 Salem, OR 97301
Recording Fees:	\$ 81.00 for the first page \$ 5.00 for each additional page

- cc: Housing Authority Of Yamhill County
- cc: Burch Feero Inc
- cc: Jennifer Feero, Willamette West Realtors
708 NE Baker Street, McMinnville, OR 97128
- cc: Steve Roesch, NextHome Realty Connection
12923 NW Cornell Road, Suite 101, Portland, OR 97229



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



Privacy Notice

Effective: January 1, 2020

Notice Last Updated: January 1, 2020

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as "First American," "we," "us," or "our") collect, use, store, and share your information. This Privacy Notice applies to information we receive from you offline only, as well as from third parties. For more information about our privacy practices, please visit <https://www.firstam.com/privacy-policy/index.html>. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

What Type Of Information Do We Collect About You? We collect both **personal** and **non-personal information** about and from you. **Personal information** is non-public information that can be used to directly or indirectly identify or contact you. **Non-personal information** is any other type of information.

How Do We Collect Your Information? We collect your **personal** and **non-personal information**: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your personal information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. We may use your **non-personal information** for any purpose.

How Do We Share Your Personal Information? We do not sell your **personal information** to nonaffiliated third parties. We will only share your **personal information**, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. If you have any questions about how First American shares your **personal information**, you may contact us at dataprivacy@firstam.com or toll free at 1-866-718-0097.

How Do We Secure Your Personal Information? The security of your **personal information** is important to us. That is why we take commercially reasonable steps to make sure your **personal information** is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your **personal information**.

How Long Do We Keep Your Personal Information? We keep your **personal information** for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your **personal information**. In accordance with applicable law, your controls and choices. You can learn more about your choices, and exercise these controls and choices, by sending an email to dataprivacy@firstam.com or toll free at 1-866-718-0097.

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Contact Us dataprivacy@firstam.com or toll free at 1-866-718-0097.



For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 (“CCPA”). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of **personal information** we have collected about or from you; (2) the categories of sources from which the **personal information** was collected; (3) the business or commercial purpose for such collection and/or disclosure of your personal information; (4) the categories of third parties with whom we have shared your **personal information**; and (5) the specific pieces of your **personal information** we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097 and submitting written proof of such authorization to dataprivacy@firstam.com.

Right of Deletion. You also have a right to request that we delete the **personal information** we have collected from you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097 and submitting written proof of such authorization to dataprivacy@firstam.com.

Verification Process. For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right to Opt-Out. We do not sell your personal information to third parties, and do not plan to do so in the future.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

Collection Notice. The following is a list of the categories of personal information we may have collected about California residents in the twelve months preceding the date this Privacy Notice was last updated, including the business or commercial purpose for said collection, the categories of sources from which we may have collected the personal information, and the categories of third parties with whom we may have shared the personal information:

Categories of Personal Information Collected	The categories of personal information we have collected include, but may not be limited to: real name; signature; alias; SSN; physical characteristics or description, including protected characteristics under federal or state law; address; telephone number; passport number; driver’s license number; state identification card number; IP address; policy number; file number; employment history; bank account number; credit card number; debit card number; financial account numbers; commercial information; internet or other electronic network activity; geolocation data; audio and visual information; professional or employment information; and inferences drawn from the above categories to create a profile about a consumer.
Categories of Sources	Categories of sources from which we’ve collected personal information include, but may not be limited to: the consumer directly; public records; governmental entities; non-affiliated third parties; social media networks; affiliated third parties
Business Purpose for Collection	The business purposes for which we’ve collected personal information include, but may not be limited to: completing a transaction for our Products; verifying eligibility for employment; facilitating employment; performing services on behalf of affiliated and non-affiliated third parties; debugging to identify and repair errors that impair existing intended functionality on our Websites, Applications, or Products; protecting against malicious, deceptive, fraudulent, or illegal activity

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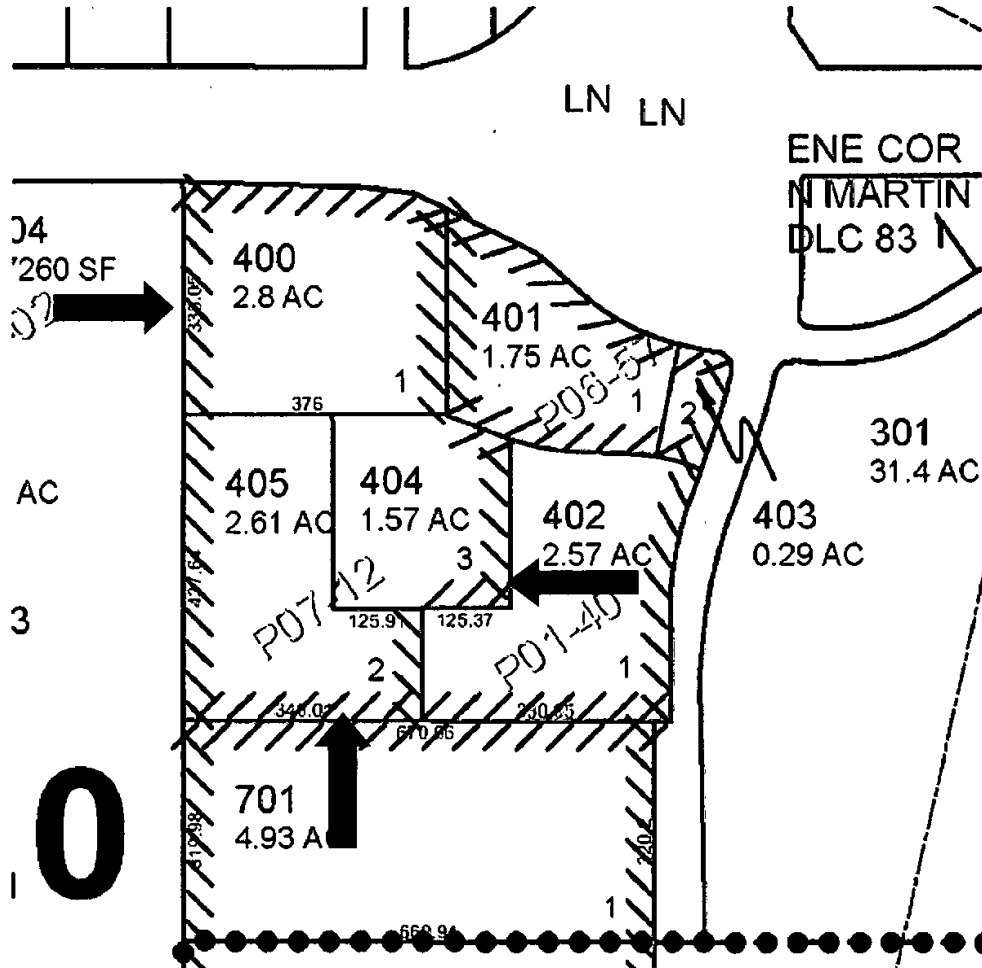
Categories of Third Parties Shared	The categories of third parties with whom we've shared personal information include, but may not be limited to: advertising networks; internet service providers; data analytics providers; service providers; government entities; operating systems and platforms; social media networks; non-affiliated third parties; affiliated third parties
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Categories of Personal Information We Have Sold In The Past Year. We have not sold any personal information of California residents to any third party in the twelve months preceding the date this Privacy Notice was last updated.

Categories of Personal Information Disclosed For A Business Purpose In The Past Year. The following is a list of the categories of **personal information** of California residents we may have disclosed for a business purpose in the 12 months preceding the date this Privacy Notice was last updated: The categories of personal information we have collected include, but may not be limited to: real name; signature; alias; SSN; physical characteristics or description, including protected characteristics under federal or state law; address; telephone number; passport number; driver's license number; state identification card number; IP address; policy number; file number; employment history; bank account number; credit card number; debit card number; financial account numbers; commercial information; internet or other electronic network activity; geolocation data; audio and visual information; professional or employment information; and inferences drawn from the above categories to create a profile about a consumer.

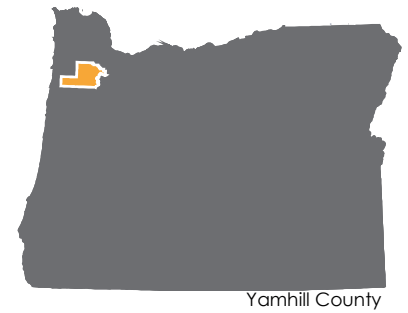


This map is furnished for illustration and to assist in property location. The company assumes no liability for any variation in dimensions by location ascertainable by actual survey



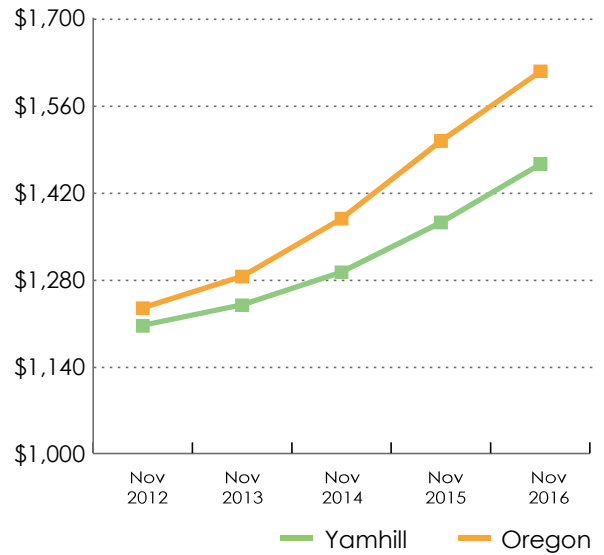
YAMHILL COUNTY

DEMOGRAPHIC & HOUSING PROFILES

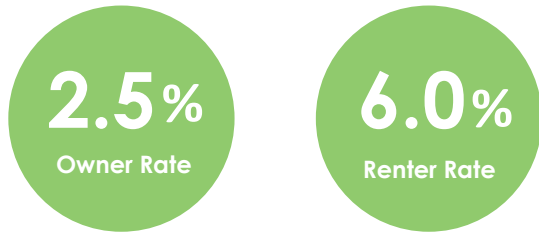


Population	Yamhill	Oregon	United States
Total (2015 est.)	102,659	4,028,977	312,418,820
# Change since 2010	3,466	197,903	12,673,282
% Change since 2010	3.5%	5.2%	4.1%

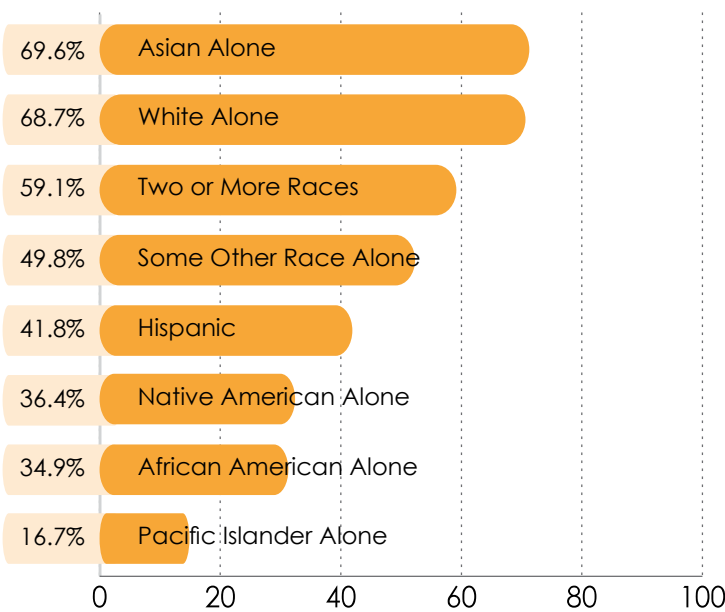
Median Rents, 2012-2016



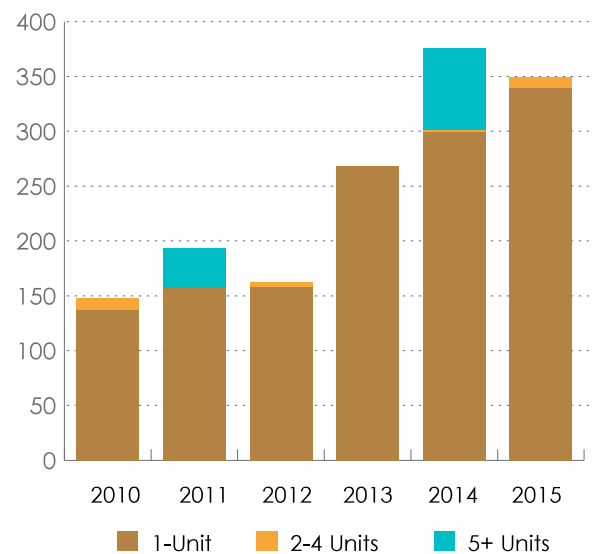
Vacancy Rates, 2011-2015



Homeownership Rates by Race/Ethnicity, 2011-2015



Building Permits Issued in County



YAMHILL COUNTY

Employment and Industry Growth

Jobs by Industry	2015	% Change Since 2009	2015 Average Wage
Natural Resources	2,052	-3.7%	\$30,506
Construction	2,564	-22.3%	\$43,412
Manufacturing	7,531	9.9%	\$49,585
Wholesale Trade **	1,490	6.0%	\$36,720
Retail Trade**	4,573	-6.0%	\$36,720
Transportation **	1,461	-30.3%	\$36,720
Information	597	-34.9%	\$45,771
Finance	2,403	3.1%	\$50,134
Professional, Scientific	3,820	34.2%	\$41,515
Education, Healthcare	9,499	-1.2%	\$41,461
Leisure, Hospitality	4,088	14.7%	\$17,903
Public Administration	2,158	17.2%	\$20,545
Other Services	1,878	-19.8%	Not Available
Total	44,114	0.0%	

** Combined average wage shown per BLS.

\$ 11.68

Yamhill County's mean renter wage

\$23.88

The hourly wage needed to afford a 2-bedroom apartment at HUD's Fair Market Rent.



Ninety-three hours per week at minimum wage is needed to afford a 2-bedroom apartment.

Median Home Sales by Region, 2015

Oregon Region*	Sales Price
Yamhill County	\$221,866
Central	\$276,545
Eastern	\$143,468
Gorge	\$238,045
North Coast	\$221,895
Portland Metropolitan Statistical Area	\$315,632
South Central	Not Available
Southwestern	\$212,159
Willamette Valley	\$217,611

*Regions are defined on the back cover.

1 out of 4

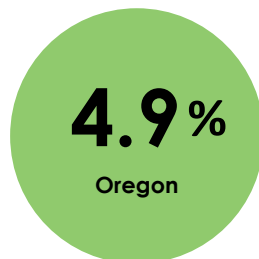
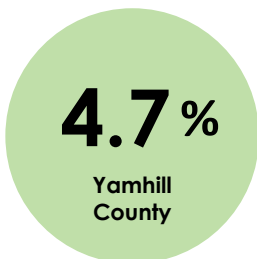


of all renters are paying more than 50% of their income in rent

3 out of 4



renters with extremely low incomes are paying more than 50% of their income in rent



Unemployment Rates, 2016

YAMHILL COUNTY

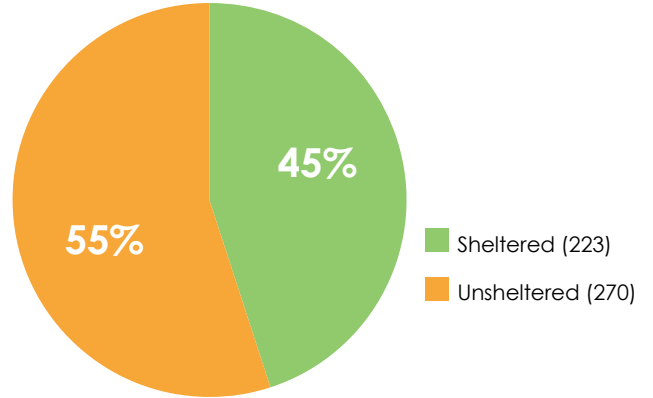
Shortage of Affordable Units, 2010-2014

Renter Affordability	< 30% MFI	< 50% MFI	< 80% MFI
Renter Households	2,905	5,180	7,515
Affordable Units	1,260	4,840	9,780
Surplus / (Deficit)	(1,645)	(340)	2,265
Affordable & Available*	770	3,010	6,875
Surplus / (Deficit)	(2,135)	(2,170)	(640)

*Number of affordable units either vacant or occupied by person(s) in income group.

Owner Affordability	... for MFI	.. for 80% MFI	.. for 50% MFI
Max Affordable Value	\$237,890	\$190,312	\$118,945
% of Stock Affordable	53.7%	40.2%	17.6%

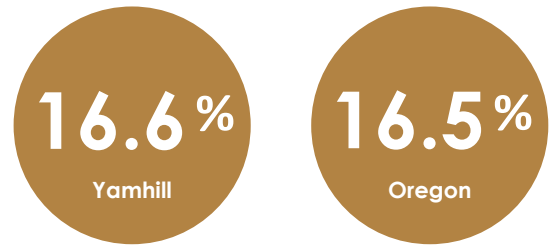
Point-in-Time Homelessness, 2017 Yamhill County: Total 493



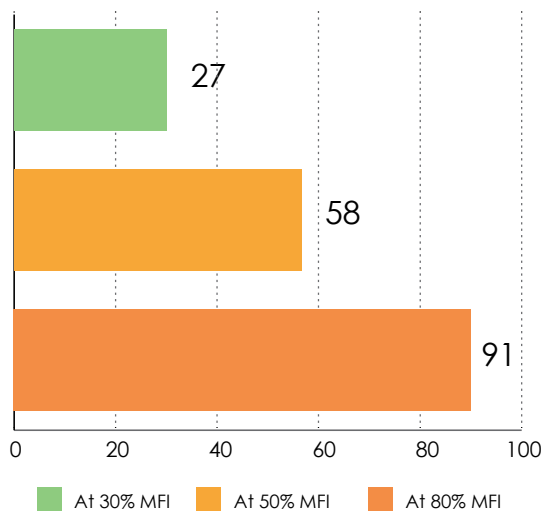
\$60,909

Yamhill County's
Median Family Income (MFI)

Poverty Rates, 2011-2015



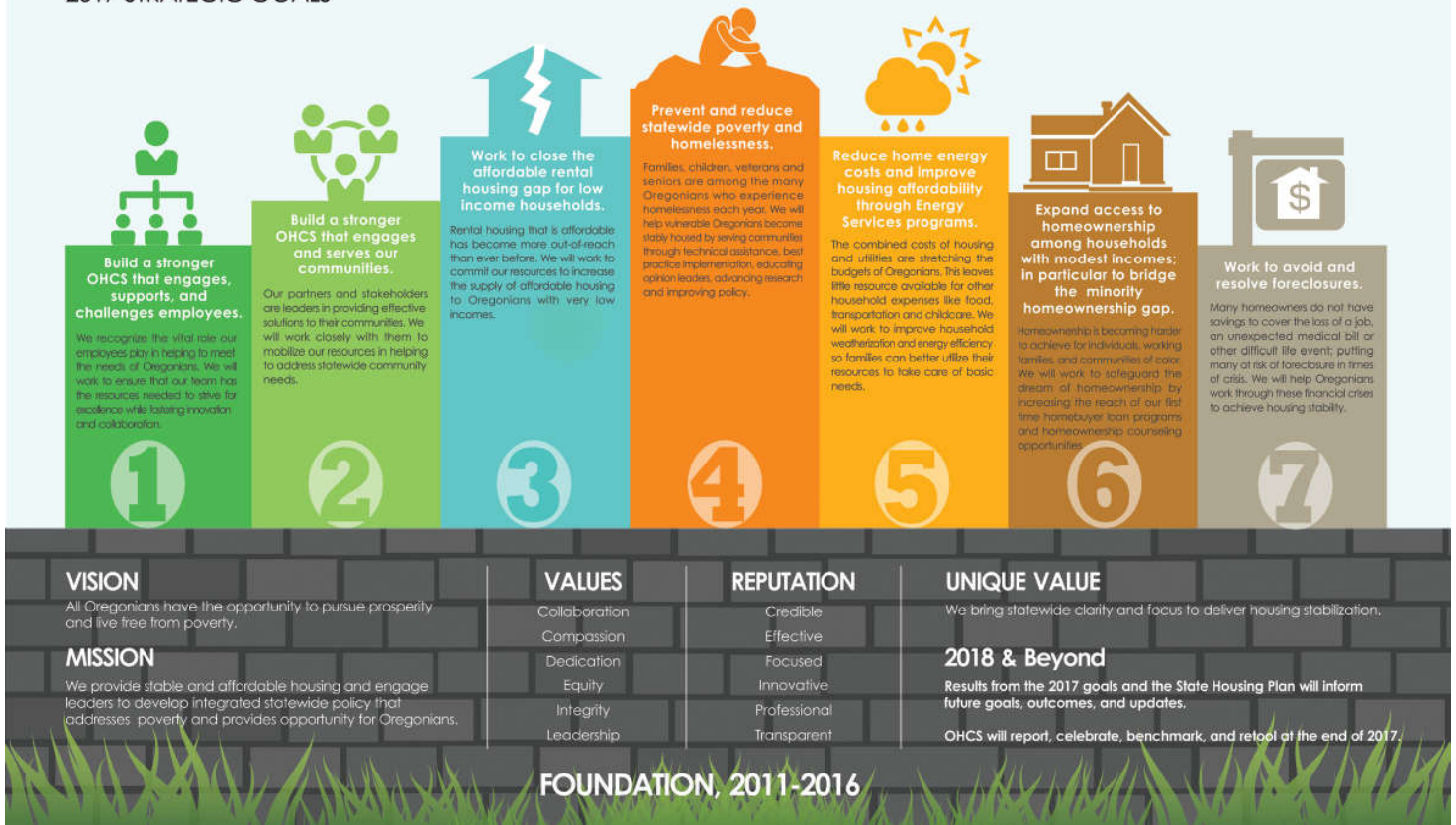
Affordable and Available Rental Homes per 100 Renter Households, 2015



Self-Sufficiency Standard for Select Counties and Family Types, 2014

	One Adult	One Adult One Preschooler	Two Adults One Preschooler One School-Age
Clackamas	\$24,469	\$47,211	\$65,490
Deschutes	\$20,631	\$40,088	\$49,572
Jackson	\$19,728	\$37,497	\$47,587
Klamath	\$19,264	\$27,477	\$41,817
Lane	\$19,892	\$43,125	\$60,005
Marion	\$19,642	\$31,149	\$43,779
Multnomah	\$19,993	\$47,037	\$65,027
Washington	\$24,353	\$47,571	\$65,800
Yamhill	\$22,635	\$39,305	\$49,635

OREGON HOUSING AND COMMUNITY SERVICES
2017 STRATEGIC GOALS



Data Sources

Page 1:

Population Estimates: U.S. Census Bureau, Annual Population Estimates, 2010 and 2015
Homeownership Rates by Race/Ethnicity: U.S. Census Bureau, 2011-2015 American Community Survey Estimates
Median Rents: Zillow Rent Index, 2010-2016
Vacancy Rates: U.S. Census Bureau, 2011-2015 American Community Survey Estimates
Building Permits: U.S. Census Bureau, Building Permit Survey, 2010-2015

Page 2:

Employment and Industry Growth: 2011-2015 American Community Survey Estimates and Oregon Employment Department, Employment and Wages by Industry
Median Home Sales by Region: RMLS Data from Local Administrators, 2015
Unemployment Rate: Oregon Employment Department, Unemployment Rates, 2016 Not Seasonally Adjusted
Oregon's Renter Wage, Housing Wage, and Hours Needed to Work at Minimum Wage: National Low Income Housing Coalition, Out of Reach 2016
Rent Burden Infographics: 2011-2015 American Community Survey Estimates

Regions:

Central: Crook, Deschutes, Jefferson
Eastern: Baker, Gilliam, Grant, Harney, Malheur, Morrow, Umatilla, Union, Wallowa, Wheeler
Gorge: Hood River, Sherman, Wasco
North Coast: Clatsop, Columbia, Tillamook
Portland Metropolitan Statistical Area: Clackamas, Multnomah, Washington
South Central: Klamath, Lake
Southwestern: Coos, Curry, Douglas, Jackson, Josephine
Willamette Valley: Benton, Lane, Lincoln, Linn, Marion, Polk, Yamhill

Page 3:

Shortage of Affordable Units: HUD, 2010-2014 Comprehensive Housing Affordability Strategy Data
Oregon's Median Family Income: 2011-2015 American Community Survey Estimates
Affordable and Available Rental Homes per 100 Renter Households: HUD, 2010-2014 Comprehensive Housing Affordability Strategy Data
Point-in-Time Homeless Count: 2017 Point-in-Time Count estimates from HUD Continuums of Care
Poverty Rate: 2016 American Community Survey Estimates
Self-Sufficiency Standard for Select Counties and Family Types: The Center for Women's Welfare, The Self-Sufficiency Standard for Oregon, 2014
Norton Lane PD Amendment



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Printed October 2017

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#oregonstatewidehousingplan

DATE: January 25, 2019
TO: BLI, HNA, and HS Project Advisory Committee
CC: Heather Richards and Tom Schauer, City of McMinnville
FROM: Bob Parker and Sadie DiNatale, ECONorthwest
SUBJECT: KEY THEMES FROM FOCUS GROUP 1

The City of McMinnville is developing a Housing Needs Analysis, Buildable Land Inventory, and Housing Strategy (the Project). To inform the Project and the Project Advisory Committee, the City and ECONorthwest hosted the first of two focus groups. The purpose of the focus group was to have a targeted discussion with realtors, developers, and housing providers to learn about what they see as opportunities and constraints associated with housing development in McMinnville for the next 5, 10, 20 and 50 years.

This memorandum distills key themes from the Focus Group that occurred on January 22, 2019.

Attendees

The focus group included realtors, developers, and housing providers. Participants were: Mary Stern (Habitat for Humanity), Massey Casper and Yanira Vera (Housing Authority), Alan Ruden and Brian Ruden (housing developers), Kathryn Jernstedt (Friends of Yamhill County), Robert Banagay (TTR, Executive Workforce), and Jen Feero.

Also present at the focus group were Heather Richards (Planning Director for the City of McMinnville), Tom Schauer (Senior Planner for the City of McMinnville), and Bob Parker and Sadie DiNatale (consultants from ECONorthwest).

Focus Group Themes

The focus group consisted of a series of questions posed to participants. The City and ECONorthwest asked six questions (see Appendix A), and other probing questions came up naturally. Themes coming out of the discussion were:

Housing products are becoming more expensive to produce.

Barely out of the recession (building activity didn't pick up until the past 3-5 years), participants explained there is a lot of pent up demand for housing. Price points for new construction, on the more affordable side, are between \$300,000 and \$350,000. Subsidized housing built for homeowners between about 40% and 60% of AMI are climbing in value as well. A specific example provided was a 1,300 square foot home in the Aspire complex (appraised originally at \$217,000, up to \$295,000 at the second appraisal). Another participant explained that five years ago, the average cost of a home in Yamhill County was about \$189,000 and today the average home is more like \$400,000.

When asked what is driving up the market value of housing products, participants explained there are just not enough products on the market for either ownership or rent. Some commented it is basic supply and demand intensified by new households migrating into the area with higher incomes. The cost of land, raw materials, and labor are all more expensive today than last year. For example, the recent spike in lumber adds about \$100,000 to hard costs for multifamily construction alone.

As a result of increased costs and competition, McMinnville is experiencing a decrease in first-time homebuyers due to limited options and competition from wealthier households. Prospective homebuyers are disappointed to find their options limited to mobile homes on their own land.

Land availability is the biggest barrier to developing housing in McMinnville.

Participants agree McMinnville must address land supply. The previous UGB process in the early 2000s brought in less than half the land needed, and the impacts are increasingly apparent. Participants also recognize the worth of developing compactly before taking large tracks of high-value farmland. Expanding the Urban Growth Boundary appears to be necessary based on the previous work but must be done thoughtfully. In the interim, developers are finding opportunities for infill development, but infill is more costly than larger greenfield developments. A participant explained this development pattern cannot always close the affordability gap, particularly in McMinnville's downtown.

Representatives from Yamhill County Housing Authority indicated that land availability restricts attempts to develop affordable housing complexes of 50-units or more – a requirement to receive Low Income Housing Tax Credit (LIHTC) funding. The State of Oregon previously identified McMinnville as an excellent candidate to receive LIHTC funding, but past attempts to find suitable land for this venture have failed.

If more land were available, developers would be more likely to build a broader range of housing products including “missing middle” housing. Participants indicated they felt demand exists for bungalows with accessory dwelling units above the garage, duplexes, tri- and four-plexes, and townhomes. Some participants commented on concerns that larger developers or national developers would acquire any newly available land to build “cookie cutter subdivisions” but as it stands now, there is no land to pursue. Planned Developments were viewed positively as they present fewer unknowns, less neighborhood resistance, and are more flexible and innovative. That said, Planned Developments still require land supply.

Neighborhood resistance is a challenge in McMinnville.

Stereotypes persist in McMinnville for both owner-occupied and renter-occupied affordable housing. Participants explained that the pre-development process for multifamily developments almost always comes with neighborhood resistance. Developers can expect packed public hearings “even for human scale development.” Stereotypes make it difficult to

sell single-family homes across from multifamily, affordable housing projects at financially feasible price points.

Addressing perceptions through education and public engagement is necessary to ensure that residents understand that affordable housing today is not built at the same standards as they were historically. Many residents resisting these projects may be unaware that they would be eligible to live there. Participants agree that residents must be engaged so compromises can be sought early on in the pre-development process.

Lower-income residents are especially burdened in McMinnville.

Because of heightened competition for housing, households inquiring about rental units are often unable to find suitable affordable housing. Participants indicated it is not uncommon for renters to get ultimatums - take the unit now or miss the opportunity. Attempts to engage landlords in the housing conversation are less than successful. "Economics doesn't lie," one participant says, and no measures exist to reduce landlords inflated rents.

One participant offered the solution of rent control. Rents are so high that housing subsidy programs (such as HUD's Section 8 Housing Choice Voucher Program) are going underused. The use rate for vouchers is about 58% (about 1,425 unused vouchers). Households literally cannot find housing that is affordable enough even with the housing subsidy. This has a long-term effect as HUD bases voucher funding on prior year utilization rates.

Households who cannot find suitable housing have limited choices. "Homelessness, RV living, or couch surfing" are among the options that households are faced. Some housing insecure households belong to religious congregations. These households are lucky to stay at the homes of congregation members, but not everyone has such a community. These matters, and concerns about gentrification and displacement of existing residents, are worsening. Participants are also worried employers, looking to locate in the area, will pass up the community because there is nowhere for their employees to live.

Participants agreed that the community must acknowledge the actual needs of home buyers and renters. Right now, need does not synch up with actual inventory.

McMinnville is moving in the right direction.

Participants were grateful for the City's Planning Department. The Department's approach is proactive, and changes previously made have provided relief. No participant had examples of any land use impediment to solve. Of course, there is always room to provide more flexibility in the zoning code to improve the use of space. Participants also recognize the support from City Council. Council appears to want to create "something good" for McMinnville.

Throughout the focus group, participants identified locations for residential development/infill/rehabilitation. Areas include: Urban Renewal District, downtown, along Northeast Gateway, around Alpine, and at the Yamhill Hotel (above Serendipity).



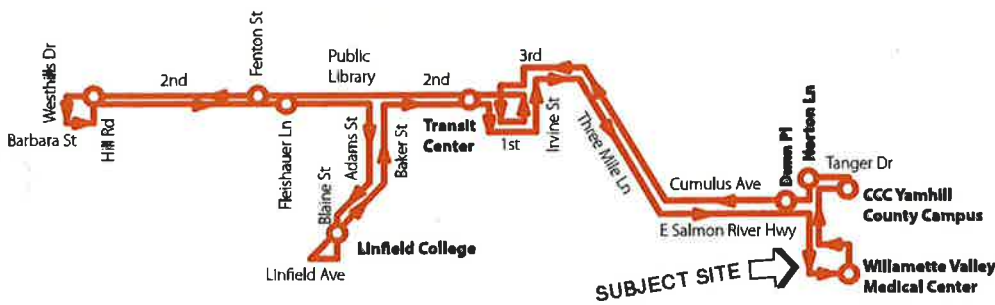
Yamhill County Transit Area

Routes 2&3

McMinnville

Route 2

McMinnville East-West Express



Route 3

McMinnville Local Loop



Routes 2 & 3 **McMinnville**

Route 2 McMinnville East-West Express										
McMinnville Transit Center	SE Norton Ln (Willamette Valley Medical)	NE Tanger Dr (CCC)	NE Tanger Dr & NE Norton Ln (DHS)	Cumulus & Dunn Pl	McMinnville Transit Center	W 2nd & Fenton	W 2nd & Hill Rd	W 2nd & Fleishauer	Founder Way & SW Blaine St (Linnfield College)	McMinnville Transit Center
7:00	7:05	7:15	7:17	7:20	7:30	7:35	7:40	7:45	7:50	7:55
8:00	8:05	8:15	8:17	8:20	8:30	8:35	8:40	8:45	8:50	8:55
9:00	9:05	9:15	9:17	9:20	9:30	9:35	9:40	9:45	9:50	9:55
10:00	10:05	10:15	10:17	10:20	10:30	10:35	10:40	10:45	10:50	10:55
11:00	11:05	11:15	11:17	11:20	11:30	11:35	11:40	11:45	11:50	11:55
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2:00	2:05	2:15	2:17	2:20	2:30	2:35	2:40	2:45	2:50	2:55
3:00	3:05	3:15	3:17	3:20	3:30	3:35	3:40	3:45	3:50	3:55
4:00	4:05	4:15	4:17	4:20	4:30	4:35	4:40	4:45	4:50	4:55
5:00	5:05	5:15	5:17	5:20	5:30	5:35	5:40	5:45	5:50	5:55

Weekday Service Only

PM times in **bold**

Yamhill County Transit Area (YCTA) operates eleven routes; including (4) local fixed routes in McMinnville and Newberg and (7) commuter, express Mon-Fri to Salem, Grand Ronde, Hillsboro, and Tigard. Saturday routes to Grand Ronde and Tigard. Customers can connect to TriMet at Hillsboro MAX station and Tigard Transit Center and to Cherriots at Glen Creek Transit Center and the Coastal Connector at Spirit Mountain. YCTA also offers paratransit service in Newberg and McMinnville and general public dial-a-ride on a limited basis.

Bus Stops - Flag Stops

Flag Stops are allowed on the McMinnville and Newberg local fixed routes. Customers may flag down a YCTA bus along these routes. Please check the website and google maps for the preferred safe flag stop locations. NO flag stops on Commuter Routes. Please check the website and google maps for the preferred safe bus stop locations. YCTA is working on installing bus stop signs and shelters along commuter routes.

Route 3 McMinnville Local Loop																	
McMinnville Transit Center	NE Evans & NE 8th St	NE Evans & NE 10th St	NE Evans & NE 12th St	Hemlock St & 27th St	NE 27th St & NE Newby St	Hwy 99W @ BIC'S Store	Hwy 99W @ Dutch business	Hwy 99W & 12th St	McMinnville Transit Center	4th & Cowie @CMI	Hwy 99W @ Fellows St	Hwy 99W & Keck Dr (B-Hard)	Beathland & Hwy 18	SW Cypress & SW Alcantara	Founder Way & SW Blaine St	Food St & Storey	McMinnville Transit Center
8:00	8:01	8:03	8:06	8:07	8:08	8:14	8:16	8:21	8:30	8:32	8:34	8:36	8:40	8:45	8:49	8:52	8:55
9:00	9:01	9:03	9:06	9:07	9:08	9:14	9:16	9:21	9:30	9:32	9:34	9:36	9:40	9:45	9:49	9:52	9:55
10:00	10:01	10:03	10:06	10:07	10:08	10:14	10:16	10:21	10:30	10:32	10:34	10:36	10:40	10:45	10:49	10:52	10:55
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12:00	12:01	12:03	12:06	12:07	12:08	12:14	12:16	12:21	12:30	12:32	12:34	12:36	12:40	12:45	12:49	12:52	12:55
1:00	1:01	1:03	1:06	1:07	1:08	1:14	1:16	1:21	1:30	1:32	1:34	1:36	1:40	1:45	1:49	1:52	1:55
2:00	2:01	2:03	2:06	2:07	2:08	2:14	2:16	2:21	2:30	2:32	2:34	2:36	2:40	2:45	2:49	2:52	2:55
3:00	3:01	3:03	3:06	3:07	3:08	3:14	3:16	3:21	3:30	3:32	3:34	3:36	3:40	3:45	3:49	3:52	3:55
4:00	4:01	4:03	4:06	4:07	4:08	4:14	4:16	4:21	4:30	4:32	4:34	4:36	4:40	4:45	4:49	4:52	4:55
5:00	5:01	5:03	5:06	5:07	5:08	5:14	5:16	5:21	5:30	5:32	5:34	5:36	5:40	5:45	5:49	5:52	5:55

Weekday Service Only

PM times in **bold**

Fare Information

Local & Commuter Routes
 Single one-way fare \$1.25
 Single day pass \$2.50
 Unlimited monthly pass \$35.00
 10 day pass book \$18.00

General Public Dial-A-Ride
 Single one-way fare \$1.75
 Unlimited monthly pass \$40.00
 Paratransit Single one-way fare \$2.50
 Children under 6 ride free

Passes Available at the following McMinnville locations
 Any YCTA driver (exact change only)
 Board of Commissioners Office 434 NE Evans Street (check or exact change)
 Transit Center (First Transit office) 800 NE 2nd Street (cash or check only)



YCTA
 Route and Schedule Information
 First Transit
 800 NE 2nd Street
 McMinnville, OR 97128
 503-474-4900 | 503-538-7433 (Newberg)
 www.yctatransitarea.org
 Oregon Relay Service 1-800-735-2900

Technical Memorandum

To: Kim McAvoy
KWDS, LLC

From: Daniel Stumpf, EI
William Farley, PE

Date: December 18, 2018

Subject: Norton Lane Planned Development Overlay Amendment
Trip Generation & Transportation Planning Rule Analysis



**LANCASTER
ENGINEERING**

321 SW 4th Ave., Suite 400
Portland, OR 97204
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Introduction

This memorandum reports the findings of a trip generation analysis conducted for an amendment to the Planned Development (PD) overlay on a property located west of SE Norton Lane and south of SE Stratus Avenue in McMinnville, Oregon. The study reviews the morning peak hour, evening peak hour, and average daily trip generation potentials of the site under both the existing overlay and the proposed amended overlay and addresses the Transportation Planning Rule (TPR) to ensure that the transportation system is capable of supporting any changes in traffic intensity resulting from the proposed amendment.

Location & Project Description

The project site, zoned as *General Commercial Zone (C-3)*, is located west of SE Norton Lane and south of SE Stratus Avenue in McMinnville, Oregon. The site includes a single tax lot, lot 701, which encompasses an approximate total of 4.93 acres. The site is currently vacant; however, upon amending the PD overlay, is planned for development as a 110 to 115-unit apartment facility.

The PD overlay on the site restricts development to professional and medical offices as well as a variety of senior housing, inclusive of condominiums, apartments, and assisted living facilities. The proposed amendment to the overlay will allow for the development of residential apartments.

The original overlay permitted the construction of office commercial uses, or other compatible uses, which was then expanded upon to include the allowable development of senior housing. The intent for imposing the overlay was to restrict the development of strip commercial uses, as was historically constructed within the area.

Figure 1 presents an aerial image of the nearby vicinity with the project site outlined in yellow.

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Figure 1: Aerial Photo of Site Vicinity (Image from Google Earth)

Trip Generation

The subject site is currently restricted to development of either professional/medical office or senior housing by a zoning overlay. An amendment to the PD overlay is proposed to include development of general apartment uses. To determine the impacts of the proposed PD amendment, trip generation between existing and proposed conditions were compared.

To estimate the number of trips that could be generated by the site, a variety of land uses provided within the *Trip Generation Manual*¹ were referenced and compared to one another. Table 1 presents trip generation rates for applicable land uses that are available within the trip generation manual.

¹ Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th Edition, 2017.



Table 1: Land Use Trip Generation Comparison

ITE Code		Variable	Morning Peak Hour Rate	Evening Peak Hour Rate	Weekday Rate
Proposed Conditions	Multifamily Housing (Low-Rise or 1 to 2 Floors)	220 trips/dwelling unit	0.46	0.56	7.32
	Multifamily Housing (Mid-Rise or 3 to 10 Floors)	221 trips/dwelling unit	0.36	0.44	5.44
	Multifamily Housing (High-Rise or 10+ Floors)	222 trips/dwelling unit	0.31	0.36	4.45
Existing Conditions	Senior Adult Housing - Detached	251 trips/dwelling unit	0.24	0.30	4.27
	Senior Adult Housing - Attached	252 trips/dwelling unit	0.20	0.26	3.70
	Congregate Care Facility	253 trips/dwelling unit	0.07	0.18	2.02
	Assisted Living	254 trips/bed	0.19	0.26	2.60
	Continuing Care Retirement Community	255 trips/unit	0.14	0.16	2.40
	Medical-Dental Office Building	720 trip/1,000 sq.ft.	2.78	3.46	34.80

BOLDED text indicates highest trip generating land use of each variable type (note trips/bed and trips/unit were treated as trips/dwelling unit).

Based on Table 1, the highest reported trip generating land use on a per dwelling unit basis was land use code 220, *Multifamily Housing (Low-Rise)*, while the highest trip generating land use on a per 1,000 square foot basis was land use code 720, *Medical-Dental Office Building*. Since land use code 220 projects higher trip generation than any other residential land use, regardless of looking at existing or proposed conditions, land use code 220 may be considered the highest trip generating land use under the proposed conditions. However, since it's unknown whether land use code 720 under existing conditions could generate more or less trips than land use code 220, additional analyses comparing the two is necessary.

Existing Conditions

To determine trip generation under existing conditions, utilizing data from land use code 720, a reasonable site developable area needs to be determined. The following assumptions were considered:

- It is assumed that a reasonable maximum total building footprint would cover approximately 30 percent of developable area. The remaining developable area is considered as space necessary to accommodate parking, street right-of-way improvements, public space, etc.
- Per City of McMinnville's Title 17 Zoning Code for a *Planned Development Overlay*, the maximum building height shall not exceed 35 feet. Upon assessing the building heights of other surrounding land uses, it is assumed that a reasonably sized medical office building may include two floors.

Given the site encompasses approximately 4.93 acres, after applying the aforementioned assumptions the site could include the development of a 128,900 square foot medical office building.

Proposed Conditions

To determine trip generation under proposed conditions, it is assumed that the proposed development following the amendment to the PD overlay may be considered the reasonable "worst-case" development scenario. Therefore, for the purposes of this analysis a 115-unit apartment facility was considered.

Analysis Summary

The trip generation calculations show that under existing conditions, the subject site could reasonably be developed to generate up to 280 morning peak hour trips, 438 evening peak hour trips, and 4,864 average weekday trips. Following the amendment to the PD overlay, the site could be developed with apartment uses that generate up to 53 morning peak hour trips, 64 evening peak hour trips, and 842 average weekday trips. Accordingly, if developed with residential apartments instead of medical offices, the net change in trip generation potential of the site after the proposed PD amendment is projected to be 227 less trips during the morning peak hour, 374 less trips during the evening peak hour, and 4,022 less average weekday trips.

The trip generation estimates are summarized in Table 1, Detailed trip generation calculations are included as an attachment to this memorandum.



Table 2: Trip Generation Summary – Proposed Zone Change

	ITE Code	Size	Morning Peak Hour			Evening Peak Hour			Weekday
			Enter	Exit	Total	Enter	Exit	Total	Total
Existing Conditions									
Medical Office Building	720	128,900 sq.ft.	218	62	280	123	315	438	4,864
Proposed Conditions									
Multifamily Housing	220	115 units	12	41	53	40	24	64	842
Net Change in Trip Generation			-206	-21	-227	-83	-291	-374	-4,022

Based on the above analysis, following the amendment to the PD overlay, the development of a general 115-unit apartment facility will not generate more trips than the 128,900 square foot medical office building that can be constructed under existing conditions. It should be noted that a medical office could still potentially be developed within the site following approval of the PD overlay amendment, whereby the net change in site trip generation potential is zero.

Transportation Planning Rule

The Transportation Planning Rule (TPR) is in place to ensure that the transportation system is capable of supporting possible increases in traffic intensity that could result from changes to adopted plans and land use regulations. The applicable elements of the TPR are each quoted in italics below, with responses following.

660-012-0060

- (1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
 - (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - (b) *Change standards implementing a functional classification system; or*
 - (c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted*

December 18, 2018
Page 6 of 6

TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

In the case of this analysis, subsections (a) and (b) are not triggered since the proposed PD overlay amendment will not impact or alter the functional classification of any existing or planned facility and the proposal does not include a change to any functional classification standards.

With regard to subsection (c), the proposed PD overlay amendment is not projected to increase the morning peak hour, evening peak hour, or average daily trip generation potential of the site. Accordingly, the proposed PD amendment will have no significant impact on the operation of area streets and intersections since it cannot result in an increase in the peak hour or daily trip generation potential of the site. Therefore, subsection (c) will not be triggered.

Conclusions

The proposed amendment to the Planned Development overlay will not degrade the performance of any existing or planned transportation facility. Accordingly, the TPR is satisfied and no mitigation is necessary or recommended in conjunction with the proposed zone change.

If you have any questions regarding this technical memorandum, please don't hesitate to contact us.

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TRIP GENERATION CALCULATIONS
Existing Conditions

Land Use: Medical-Dental Office Building
Land Use Code: 720
Setting/Location General Urban/Suburban
Variable: 1,000 Sq Ft Gross Floor Area
Variable Quantity: 128.9

AM PEAK HOUR

Trip Equation: $\ln(T) = 0.89\ln(X) + 1.31$

	Enter	Exit	Total
Directional Distribution	78%	22%	
Trip Ends	218	62	280

PM PEAK HOUR

Trip Equation: $T = 3.39(X) + 2.02$

	Enter	Exit	Total
Directional Distribution	28%	72%	
Trip Ends	123	315	438

WEEKDAY

Trip Equation: $T = 38.42(X) - 87.62$

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	2,432	2,432	4,864

SATURDAY

Trip Rate: 8.57

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	552	552	1,104

Source: TRIP GENERATION, Tenth Edition

TRIP GENERATION CALCULATIONS Proposed Conditions

Land Use: Multifamily Housing (Low-Rise)
Land Use Code: 220
Setting/Location: General Urban/Suburban
Variable: Dwelling Units
Variable Value: 115

AM PEAK HOUR

Trip Rate: 0.46

	Enter	Exit	Total
Directional Distribution	23%	77%	
Trip Ends	12	41	53

PM PEAK HOUR

Trip Rate: 0.56

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	40	24	64

WEEKDAY

Trip Rate: 7.32

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	421	421	842

SATURDAY

Trip Rate: 8.14

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	468	468	936

Source: TRIP GENERATION, Tenth Edition



Norton Lane
Planned Development Amendment
Supplemental Submission
June 19, 2020

OWNERS: Burch Feero, Inc

APPLICANT: Housing Authority of Yamhill County

APPLICANT REPRESENTATIVE: Structure Development Advisors, LLC



June 19, 2020

Chuck Darnell, Senior Planner
Planning Department
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128

Re: 235 SE Norton Lane
R442700409
Planned Development Amendment – Supplemental Submission

Dear Ms. Richards;

Thank you for your June 17, 2020 letter regarding the 235 NE Norton Lane – Land Use Application Completeness Review. We appreciate your quick and clear response to our application.

Please find a Supplemental Submission to our Planned Development Amendment application.

Best regards,



Michael Andrews
Principal

Cc: Joyce Morrow, HAYC
Vickie Ybarguen, HAYC
Heather Richards, City of McMinnville
Steve Burch, Burch Feero, Inc.
Doug Burch, Burch Feero, Inc.

**Norton Lane
Planned Development Amendment**

Supplemental Information and Findings

Supplemental Submission – June 19, 2020

Completeness Items:

The following information is provided in response reasons the application was determined incomplete.

I. CONSISTENCY WITH COMPREHENSIVE PLAN VOLUME II OBJECTIVES

Policy 75.00 *Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.*

Policy 76.00 *Parks, recreations facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.*

RESPONSE: Open space is a critical element to a successful multifamily family project on the Subject Site.

There is currently no open space adjacent or conveniently located to the Subject Site. As a planned development, open space will be provided within the Subject Site that benefits residents of the site. The applicants proposes a condition will ensure that the residents have access to an area equivalent to 10 percent of the gross size of the Subject site. The proposed condition further allows the Applicant to design the open space to meet the varied needs of residents of the site.

Due to the size of the Subject Site, the Applicant proposes the ability to have multiple areas contributing to the open space requirement. This will allow for parents or guardians to more easily maintain verbal and visual contact with kids from or near their units. A single open space will undoubtedly be far from some units. A closer proximity will benefit family with kids.

Additionally, multiple open spaces allow for a variety of programming of the space. For example, one space could be set up with play equipment for younger kids and another set up with just benches for adults without kids to enjoy.

In a Multi-Family housing setting, the notion of a front yard is functionally different than distinct private and public space. Allowing overlap between the front yard setback and the open space fosters the notion communal space while maintaining the full front yard setback.

Policy 187.50

The McMinnville Great Neighborhood Principles are provided below. Each Great Neighborhood Principle is identified by number below (numbers 1 – 13), and is followed by more specific direction on how to achieve each individual principle

1. *Natural Feature Preservation. Great Neighborhoods are sensitive to the natural conditions and features of the land.*
 - a. *Neighborhoods shall be designed to preserve significant natural features including, but not limited to, watercourses, sensitive lands, steep slopes, wetlands, wooded areas, and landmark trees.*

RESPONSE: There are no significant natural features associated with the Subject Site. Approval of this request will not adversely impact sensitive natural features or conditions.

2. *Scenic Views. Great Neighborhoods preserve scenic views in areas that everyone can access.*
 - a. *Public and private open spaces and streets shall be located and oriented to capture and preserve scenic views, including, but not limited to, views of significant natural features, landscapes, vistas, skylines, and other important features.*

RESPONSE: Surrounding Uses adjacent to the Subject Site do not offer scenic views of natural features, landscapes or vistas. The larger vicinity within which the Subject Site is located do not offer scenic views of natural features, landscape or vistas. Granting the requested changes will not adversely impact a future design's ability to oriented open space or buildings.

No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date. Future development plan will be subject to design review and development criteria contained in the approved Planned Development overlay ordinance.

3. *Parks and Open Spaces. Great Neighborhoods have open and recreational spaces to walk, play, gather, and commune as a neighborhood.*

- a. *Parks, trails, and open spaces shall be provided at a size and scale that is variable based on the size of the proposed development and the number of dwelling units.*
- b. *Central parks and plazas shall be used to create public gathering spaces where appropriate.*
- c. *Neighborhood and community parks shall be developed in appropriate locations consistent with the policies in the Parks Master Plan.*

RESPONSE: Open space is a critical element to a successful multifamily family project on the Subject Site.

There is currently no open space adjacent or conveniently located to the Subject Site. As a planned development, open space will be provided within the Subject Site that benefits residents of the site. The applicants proposes a condition will ensure that the residents have access to an area equivalent to 10 percent of the gross size of the Subject site. The proposed condition further allows the Applicant to design the open space to meet the varied needs of residents of the site.

Due to the size of the Subject Site, the Applicant proposes the ability to have multiple areas contributing to the open space requirement. This will allow for parents or guardians to more easily maintain verbal and visual contact with kids from or near their units. A single open space will undoubtedly be far from some units. A closer proximity will benefit family with kids.

Additionally, multiple open spaces allow for a variety of programing of the space. For example, one space could be set up with play equipment for younger kids and another set up with just benches for adults without kids to enjoy.

In a Multi-Family housing setting, the notion of a front yard is functionally different than distinct private and public space. Allowing overlap between the front yard setback and the open space fosters the notion communal space while maintaining the full front yard setback.

4. *Pedestrian Friendly. Great Neighborhoods are pedestrian friendly for people of all ages and abilities.*
 - a. *Neighborhoods shall include a pedestrian network that provides for a safe and enjoyable pedestrian experience, and that encourages walking for a variety of reasons including, but not limited to, health, transportation, recreation, and social interaction.*
 - b. *Pedestrian connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces, and shall also be provided between streets*

that are disconnected (such as cul-de-sacs or blocks with lengths greater than 400 feet).

RESPONSE: The Three Mile Lane Preferred Alternative identifies land uses and trail systems. Adjacent to the Subject Site on SE Stratus is an existing trail network. Within 75 feet of the site along SE Norton Lane is an existing trail network. Bisecting the site, running east west is an existing trail network.

No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date. Future development plan will be subject to design review and development criteria contained in the approved Planned Development overlay ordinance. Connectivity with trails and internal circulation will be proposed and reviewed at a later date. Approval of the requested Amendments does not limit choice. Allowing for Multi-Family as a use will allow for residents to reside on the Subject Site.

5. *Bike Friendly. Great Neighborhoods are bike friendly for people of all ages and abilities.*
 - a. *Neighborhoods shall include a bike network that provides for a safe and enjoyable biking experience, and that encourages an increased use of bikes by people of all abilities for a variety of reasons, including, but not limited to, health, transportation, and recreation.*
 - b. *Bike connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces.*

RESPONSE: The Three Mile Lane Preferred Alternative identifies land uses and trail systems. Adjacent to the Subject Site on SE Stratus is an existing trail network. Within 75 feet of the site along SE Norton Lane is an existing trail network. Bisecting the site, running east west is an existing trail network.

No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date. Future development plan will be subject to design review and development criteria contained in the approved Planned Development overlay ordinance. Connectivity with trails and internal circulation will be proposed and reviewed at a later date. Approval of the requested Amendments does not limit choice. Allowing for Multi-Family as a use will allow for residents to reside on the Subject Site.

6. *Connected Streets. Great Neighborhoods have interconnected streets that provide safe travel route options, increased connectivity between places and destinations, and easy pedestrian and bike use.*

- a. *Streets shall be designed to function and connect with the surrounding built environment and the existing and future street network, and shall incorporate human scale elements including, but not limited to, Complete Streets features as defined in the Comprehensive Plan, grid street networks, neighborhood traffic management techniques, traffic calming, and safety enhancements.*
- b. *Streets shall be designed to encourage more bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility.*

RESPONSE: No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date. Future development plan will be subject to design review and development criteria contained in the approved Planned Development overlay ordinance. Connectivity with trails and internal circulation will be proposed and reviewed at a later date. Approval of the requested Amendments does not limit choice. Allowing for Multi-Family as a use will allow for residents to reside on the Subject Site.

7. *Accessibility. Great Neighborhoods are designed to be accessible and allow for ease of use for people of all ages and abilities.*
 - a. *To the best extent possible all features within a neighborhood shall be designed to be accessible and feature elements and principles of Universal Design.*
 - b. *Design practices should strive for best practices and not minimum practices.*

RESPONSE: No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date. Future development plan will be subject to design review and development criteria contained in the approved Planned Development overlay ordinance. Connectivity with trails and internal circulation will be proposed and reviewed at a later date. Approval of the requested Amendments does not limit choice. Allowing for Multi-Family as a use will allow for residents to reside on the Subject Site.

8. *Human Scale Design. Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built environment.*
 - a. *The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.*
 - b. *Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.*
 - c. *Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted*

public areas, and principles of Crime Prevention through Environmental Design (CPTED).

RESPONSE: No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date. Future development plan will be subject to design review and development criteria contained in the approved Planned Development overlay ordinance. Connectivity with trails and internal circulation will be proposed and reviewed at a later date. Approval of the requested Amendments does not limit choice. Allowing for Multi-Family as a use will allow for residents to reside on the Subject Site.

9. *Mix of Activities. Great Neighborhoods provide easy and convenient access to many of the destinations, activities, and local services that residents use on a daily basis.*
- a. *Neighborhood destinations including, but not limited to, neighborhood-serving commercial uses, schools, parks, and other community services, shall be provided in locations that are easily accessible to surrounding residential uses.*
 - b. *Neighborhood-serving commercial uses are integrated into the built environment at a scale that is appropriate with the surrounding area.*
 - c. *Neighborhoods are designed such that owning a vehicle can be optional.*

RESPONSE: No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date. Future development plan will be subject to design review and development criteria contained in the approved Planned Development overlay ordinance. Connectivity with trails and internal circulation will be proposed and reviewed at a later date.

Approval of the requested Amendments does not limit choice. Allowing for Multi-Family as a use will allow for residents to reside on the Subject Site.

10. *Urban-Rural Interface. Great Neighborhoods complement adjacent rural areas and transition between urban and rural uses.*
- a. *Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.*

RESPONSE: Surrounding Uses buffer the Subject Site from adjacent rural land. The Subject Site is located within the Three Mile Lane Planned Development Overlay. The buffering nature of the surrounding uses and the context of the Three Mile Lane Planned Development make Multi-Family uses complement and transitional uses with nearby rural areas.

11. *Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.*

- a. *A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.*

RESPONSE: Yamhill County is experience is shortage of affordable housing. This fact is documented in the Oregon Housing and Community Service State Housing Plan. Several studies have concluded barriers to the development of housing contribute to the shortage of supply. Housing starts falling short of household creation is a consequence leading to the shortage of housing.

The application is a Housing Authority organized under state law. Their purpose is to develop affordable housing. The applicant intends to develop a Multi-Family housing community consistent with their purpose and state law defining the powers of housing authorities.

As a result, the applicant's development of the subject site will provide Multi-family housing that is not prevalent in the City of McMinnville. Therefore, the creation of affordable housing by the Applicant will contribute to housing opportunities for a greater range of incomes in the City.

12. *Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.*

- a. *Neighborhoods shall have several different housing types.*
- b. *Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.*

RESPONSE: No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date. Future development plan will be subject to design review and development criteria contained in the approved Planned Development overlay ordinance. Connectivity with trails and internal circulation will be proposed and reviewed at a later date.

Approval of the requested Amendments does not limit choice. Allowing for Multi-Family as a use will allow for residents to reside on the Subject Site.

13. *Unique and Integrated Design Elements. Great Neighborhoods have unique features, designs, and focal points to create neighborhood character and identity. Neighborhoods shall be encouraged to have:*

- a. *Environmentally friendly construction techniques, green infrastructure systems, and energy efficiency incorporated into the built environment.*
- b. *Opportunities for public art provided in private and public spaces.*
- c. *Neighborhood elements and features including, but not limited to, signs, benches, park shelters, street lights, bike racks, banners, landscaping, paved surfaces, and fences, with a consistent and integrated design that are unique to and define the neighborhood. (Ord 5066 §2, April 9, 2019)*

RESPONSE: No specific site development plan is proposed at this time. Applicant intends to submit an application at a later date. Future development plan will be subject to design review and development criteria contained in the approved Planned Development overlay ordinance. Connectivity with trails and internal circulation will be proposed and reviewed at a later date.

Approval of the requested Amendments does not limit choice. Allowing for Multi-Family as a use will allow for residents to reside on the Subject Site.

Not Necessarily Required for Completeness.

The following information is provided at the suggestion of the City and is not required in order to deem the application complete but could improve the application.

II. MCMINNVILLE ZONING ORDINANCE

CHAPTER 17.74 REVIEW CRITERIA

17.74.070 An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;

RESPONSE: The prior master plan called for the development of an office park with one or two story buildings. For this master plan, 35 feet was feasible. A residential project may include buildings that are three floors or greater. In an R-4 zone, a building shall not exceed sixty feet in height (17.21.050). This amendment restores the base zone requirements. Additionally, the project is subject to design review which will allow for consideration of design criteria prior to issuing a permit. This change is consistent with the height limited on the property to the south with the

same zone. The Comfort Inn Suites, Medical Center and Chemketa Community College are nearby buildings that each exceed 35 feet.

Policy 71.13

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

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

RESPONSE: Open space is a critical element to a successful multifamily family project on the Subject Site. Due to the size of the Subject Site, the Applicant proposes the ability to have multiple areas contributing to the open space requirement. This will allow for parents or guardians to more easily maintain verbal and visual contact with kids from or near their units. A single open space will undoubtedly be far from some units. A closer proximity will benefit family with kids.

Additionally, multiple open spaces allow for a variety of programming of the space. For example, one space could be set up with play equipment for younger kids and another set up with just benches for adults without kids to enjoy.

In a Multi-Family housing setting, the notion of a front yard is functionally different than distinct private and public space. Allowing overlap between the front yard setback and the open space fosters the notion communal space while maintaining the full front yard setback.

There is currently no open space adjacent or conveniently located to the Subject Site. As a planned development, open space will be provided within the Subject Site that benefits residents of the site. The applicants proposed condition will ensure that the residents have access to an area equivalent to 10 percent of the gross size of the Subject site. The proposed condition further allows the Applicant to design the open space to meet the varied needs of residents of the site.