



**City of McMinnville**  
**Planning Department**  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## STAFF REPORT

**DATE:** June 13, 2017  
**TO:** Mayor and City Councilors  
**FROM:** Ron Pomeroy, Principal Planner  
**SUBJECT:** Ordinance No. 5022 – ZC 3-17/ZC 4-17 (Zone Change from R-2 and LDR-9000 to R-4)

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**Council Goal:**  
Promote Sustainable Growth and Development

### Report in Brief:

This is the consideration of Ordinance No. 5022 (attached to this Staff Report), an ordinance approving a zone change request from R-2 (Single Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9000 (Low Density Residential – 9,000 Square Foot Minimum) to R-R (Multiple Family Residential) on approximately 2.6 acres of land, located generally west of NE Evans Street and east of NE Baker Street and is more specifically describes as Tax Lots 3200 and 3201, Section 16 BC, T. 4 S., R. 4 W., W.M., respectively.



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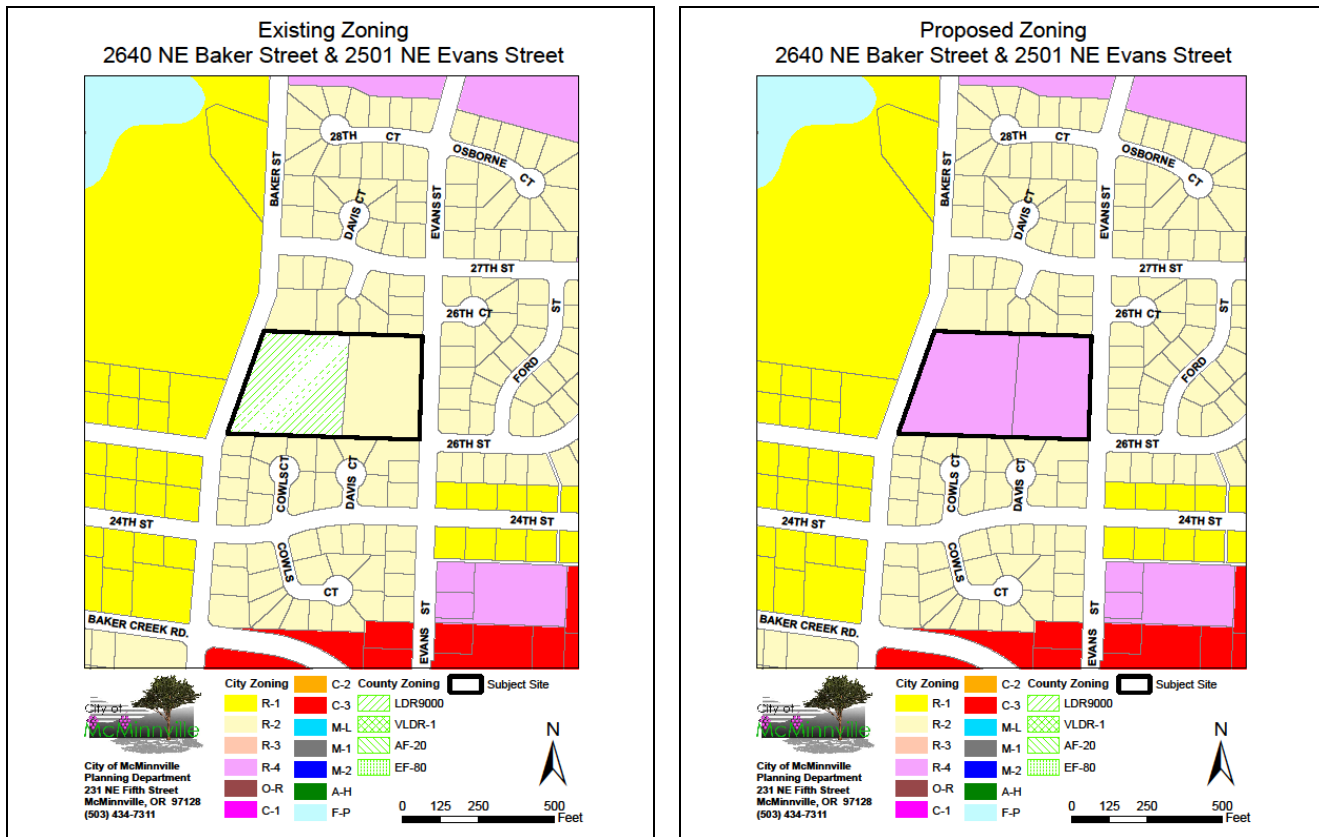
**Attachments:**  
*Ordinance No. 5022 including Exhibit A – ZC 3-17/4-17 Decision Document*  
*Attachment 1: ZC 3-17/4-17 Application and Attachments*  
*Attachment 2: Public Notices*  
*Attachment 3: Public Testimony Received*  
*Attachment 4: Memorandum to Planning Commission (April 20, 2017)*  
*Attachment 5: Draft Planning Commission Meeting Minutes, May 18, 2017*  
*Attachment 6: Draft Planning Commission Meeting Minutes, April 20, 2017*

On May 18, 2017, the McMinnville Planning Commission voted to recommend to the McMinnville City Council that the Premier Development, LLC application for a zone change (ZC 3-17/4-17) be approved.

Exhibit A of Ordinance No. 5022 contains the Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings.

**Background:**

The two graphics below provide a view of depiction of current zoning designations on the subject site and surrounding properties in addition to identifying how the zoning map would appear should these zone change requests be approved.



The eastern portion of the subject site is currently the location of a number of long-standing local businesses including Accessory Center NW, Mac Repair Shop, and Handyman & More RV Storage and U-Haul rental. This portion of the site is currently improved with two sheet metal buildings with the larger of the two containing most of the active business use and the smaller building being utilized mainly for storage. RVs, U-Haul trucks and trailers, and other assorted vehicles are parked on gravel to the south of the main building. The western portion of the site remains vacant and improved only with a minimally maintained gravel drive leading eastward from NE Baker Street. Topographically, the subject site exhibits a noticeable downward slope generally from east to west.

*Attachments:*

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The site is bounded by NE Baker Street to the west, and NE Evans Street to the east. Adjacent land uses include the Betty's Orchard residential subdivision zoned R-2 (Single-Family Residential) to the south, the North Orchard residential subdivision zoned R-2 PD (Single-Family Residential Planned Development) to the north, and the Rob's Orchard residential subdivision zoned R-2 to the east. To the west is located the Mochettaz Addition residential subdivision and the southern portion of Tice Park, both zoned R-1 (Single-Family Residential). All adjacent land is designated Residential on the McMinnville Comprehensive Plan Map.

The two graphics below provide a view of depiction of current zoning designations on the subject site and surrounding properties in addition to identifying how the zoning map would appear should these zone change requests be approved.

*Evaluation of Review Criteria:*

An amendment of the zoning map may be authorized provided that the proposal satisfies all applicable review criteria and provided that the applicant demonstrates the following:

- A. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

**Comprehensive Plan Policies:** There are numerous Comprehensive Plan Goals and Policies that are applicable to this request. Most of those have been well addressed in the applicant's submitted narrative. Some of the more notable guidance is found in Chapter V (Housing and Residential Development) which includes Goals that speak to quality housing for all city residents and achieving a residential development pattern that is land intensive and energy efficient as well as Policies encouraging opportunities for multiple-family development in locations that have sufficient access opportunities and service availability to support that type of development.

- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment.

**Existing Development Pattern:** The development pattern in the immediate area adjacent to this site is largely developed with single-family residences with a smaller number of duplexes that are typically found on the corner lots of nearby street intersections. However, while not directly adjacent to the site, there are several multiple-family developments located within just a few blocks of this site. For example, the Brookdale McMinnville Town Center Senior Apartments are located on NE 27<sup>th</sup> Street approximately 600 feet to the northeast of the subject site. The Tice Park Apartments and Heritage Place Apartments are found some 800 feet to the north and are both provided access from NE Evan Street. Some 500 feet to the southeast is located the Rhoda Anne Apartments also accessed from NE Evans Street. The established development pattern for the larger surrounding area is clearly a mix of residential housing types.

- C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.

**Utility and Service Provision:** This area is well served by existing sanitary and storm sewer systems as well as other public utilities. The Engineering Department has reviewed this proposal and has offered

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no concerns with providing adequate services to this site to support the residential development density that may result from rezoning these parcels to R-4.

*Street System:* The site is bounded to the north and south by residential development terminating in cul-de-sacs thereby eliminating access to the site from these directions. Additionally, the site is bounded to the east by NE Evan Street, designated a minor collector, and to the west by NE Baker Street, a minor arterial, as identified in the adopted McMinnville Transportation System Plan (TSP). The City has long held that all future access from both of these properties would be directed eastward onto NE Evans Street due largely to intersection spacing concerns and the classification of NE Baker Street as a Minor Arterial. To address this, the applicant has provided a recent traffic impact analysis (TIA) drafted by David Evans and Associates to assess the impact of a 133-unit multiple-family development on the surrounding street network. The McMinnville Engineering Department has reviewed this analysis and finds that there is adequate transportation network capacity to accommodate the proposed zone change. At the time of development of these properties, the appropriate right-of-way dedications and infrastructure improvements, in compliance with the City’s adopted TSP, will be required. Additionally, comments provided by the Yamhill County Engineer speak to the need for construction any future access from this site directly onto NE Baker Street to be designed to city standards.

*Site Hydrology:* The applicant also provided as part of their submittal a Hydraulic Analysis of site prepared by CH2M considering the impact of the development of up to 133 apartment units on this property. The study concluded that, based on the analysis of available capacity in the existing nearby sanitary sewer system, expected flows from such a residential development could be conveyed within the system without causing a deficiency in the current system. This analysis was considered by the McMinnville Engineering Department and they offered no concern with this analysis.

*R-4 Multiple-Family Residential Zone:*

While the applicant has not provided a conceptual development plan with this zone change proposal, and is not required to do so at this time, it is instructive to note some of the standards of the R-4 zone that would be applicable to development of this site in the future should this current request be approved. This information is offered only as an additional observation relative to the requested zoning redesignation. If approved, some of those applicable opportunities and development standards incumbent upon future development include:

R-4 Multiple-Family Residential Zone:

17.21.010 Permitted Uses. In an R-4 zone, the following uses [..] are permitted:

- A. Single-family dwelling
- B. Two-family dwelling
- C. Multiple-family dwelling

17.21.030 Lot size. In an R-4 zone, the lot size shall not be less than five thousand square feet, except that the lot area for common wall, single-family lots shall not be less than two thousand five hundred square feet per family.

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*Attachments:*

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17.21.040 Yard requirements. In an R-4 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet;
- B. A side yard shall not be less than six feet, except an exterior side yard shall not be less than fifteen feet;
- C. A rear yard shall not be less than twenty feet;
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet.

17.21.060 Density requirements. In an R-4 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. [..]

It is this density lot area density allocation that has been utilized by the applicant to arrive at a maximum potential multiple-family residential density of 133 dwelling units for this site: (approximately 4.5 acres X 43,560 square feet per acre) / 1,500 square feet per unit = 133 potential dwelling units. While this is a theoretical maximum number of dwelling units for this site, the practicality of achieving this number of units remains to be seen, as a minimum of twenty-five percent of a multiple-family site is required to be provided as landscaping in addition to the provision of onsite parking and maneuvering room and driving aisles for vehicles.

#### **Discussion:**

The Planning Commission received both written and oral testimony in support and opposition to this application request.

Supportive testimony focused on the following elements:

- Need for more R-4 zoned land.
- Compliance with the Comprehensive Plan and Zoning Ordinance
- Opportunity to clean up a blighted property

Oppositional testimony focused on the following elements:

- Parking Congestion
- Traffic Congestion on NE Evans Street
- Traffic Safety
- Impact to neighboring single family residential homes
- Concern about increased crime, vandalism and graffiti in the area due to the potential of high density residential development and concerns about general property value depreciation in the surrounding neighborhood.

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#### **Attachments:**

*Ordinance No. 5022 including Exhibit A – ZC 3-17/4-17 Decision Document*

*Attachment 1: ZC 3-17/4-17 Application and Attachments*

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At their meeting on April 20, 2017, Planning Commission members asked staff to evaluate the following four issues for potential conditions of approval to include in the land-use decision.

- 1) Provision of a public sidewalk along the west side of NE Evans Street.

*Evaluation:* Public improvements are determined at the time of site and design review and are proportionate to the development. Since any development on this site would require access from NE Evans Street, at a minimum the developer will be required to make all public improvements on NE Evans Street per the McMinnville Transportation System Plan, including sidewalks.

*Recommended Condition of Approval:* None required as this is a normal course of business with the site and design review process. .

- 2) Pedestrian connection from the site to NE Baker Street.

*Evaluation:* NE Baker Street is currently a county road without bicycle and pedestrian amenities and would currently be an unsafe connection for pedestrians and bicyclists. However, overtime NE Baker Street could be annexed into the City of McMinnville and built to McMinnville street standards with bicycle and pedestrian amenities. Staff recommends a condition of approval that allows for a future connection.

*Recommended Condition of Approval:* The site shall be designed to allow for a future bicycle/pedestrian connection to NE Baker Street, so that a bicycle/pedestrian connection to NE Baker Street could be made in the future, at such time that the roadway is improved to the complete street standards contained in the McMinnville Transportation System Plan.

- 3) Prohibition of a vehicular access from this site to NE Baker Street

*Evaluation:* Due to its street classification, the City of McMinnville does not recommend access from the site to NE Baker Street.

*Recommended Condition of Approval:* Vehicular access from this site to NE Baker Street shall be prohibited.

- 4) A requirement for future buffering along the northern and southern boundaries of this site upon future multiple-family development of this site. .

*Evaluation:* Due to the request to rezone a property with a lower residential density to a higher residential density that has adjacency to lower-residential zoning, it is important to mitigate any potential negative impacts of the form and breadth of the highest development intensity in the new zone to the surrounding properties. Currently the R-4 zone states that a side yard shall not be less than six feet, except an exterior side yard shall not be less than fifteen feet. And all yards shall be increased over the requirements of this section, one foot for each two feet of building height over thirty-five feet (Section 17.21.040). Since access to this site will be off of NE Evans Street, it is recommended that the language for increasing the side yard setbacks relative to building height over thirty-five feet be increased to one foot for each foot of building

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*Attachments:*

*Ordinance No. 5022 including Exhibit A – ZC 3-17/4-17 Decision Document*

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height over thirty-five feet. Additionally, some sort of buffering on the northern and southern boundaries of the site are recommended for multiple-family development.

*Recommended Condition of Approval:* Side yards setbacks shall be increased one foot for each foot of building height over thirty-five feet.

*Recommended Condition of Approval:* If the site is developed as multi-family residential, buffering along the northern and southern boundaries of this site shall be required and shall utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from this site onto the neighboring single-family developments located to the north and south of this site and shall include a mix of vertical and horizontal vegetation, fencing and/or berms, but shall not serve as a visual or physical barrier between this development and the surrounding neighborhood. The proposed buffers shall be submitted to the McMinnville Landscape Review Committee for the review and approval prior to the issuance of building permits for this site.

All written public testimony received by the Planning Commission is provided as Attachment 3 to this staff report. And Attachments 4 and 5 are the draft Planning Commission meeting minutes summarizing the oral testimony of the public hearing.

#### **Fiscal Impact:**

There is no anticipated fiscal impact to the City of McMinnville with this decision.

#### **Council Options:**

1. **ADOPT** Ordinance No. 5022, approving ZC 3-17/4-17 and adopting the Decision, Conditions of Approval, Findings of Fact and Conclusionary Findings.
2. **ELECT TO HOLD A PUBLIC HEARING** date specific to a future City Council meeting.
3. **DO NOT ADOPT** Ordinance No. 5022, providing findings of fact based upon specific code criteria to deny the application for the denial in the motion to not approve Ordinance No. 5022.

#### **Recommendation/Suggested Motion:**

Staff recommends that the Council adopt Ordinance No. 5022 which would approve the application for a zone change as the proposal meets the policies of the McMinnville Comprehensive Plan and the criteria of the McMinnville Zoning Ordinance.

**“THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE TO ADOPT ORDINANCE NO. 5022.”**

RP:sjs

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#### *Attachments:*

*Ordinance No. 5022 including Exhibit A – ZC 3-17/4-17 Decision Document*

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## ORDINANCE NO. 5022

**AN ORDINANCE APPROVING A ZONE CHANGE FROM R-2 (SINGLE-FAMILY RESIDENTIAL) TO R-4 (MULTIPLE-FAMILY RESIDENTIAL) ON APPROXIMATELY TWO (2) ACRES OF LAND AND A ZONE CHANGE FROM LDR-9,000 (LOW DENSITY RESIDENTIAL – 9,000 SQUARE FOOT MINIMUM) TO R-4 (MULTIPLE-FAMILY RESIDENTIAL) ON APPROXIMATELY 2.6 ACRES OF LAND.**

### RECITALS:

The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16BC, T. 4 S., R. 4 W., W.M., respectively; and

The Planning Department received applications ZC 3-17 and ZC 4-17 on March 2, 2016, and deemed them complete on March 6, 2017. The first public hearing before the McMinnville Planning Commission was held on April 20, 2017, after due notice had been provided in the local newspaper on April 11, 2017, and written notice had been mailed to property owners within 300 feet of the affected property. At the May 18, 2017, Planning Commission public meeting, after the application materials and a staff report were presented and testimony was received, the Commission closed the public hearing and directed staff to draft conditions of approval relative to pedestrian connectivity and buffering from adjacent single-family development. The Planning Commission evaluated the draft conditions at their May 18, 2017, public meeting and, after deliberation, voted unanimously to recommend approval of ZC 3-17 and ZC 4-17 with conditions to the McMinnville City Council; and

The City Council, being fully informed about said request, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the zone change review criteria listed in Section 17.74.020 and Planned Development Amendment review criteria listed in Section 17.74.070 of the McMinnville Zoning Ordinance based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The City Council having received the Planning Commission recommendation and staff report, and having deliberated;

### **NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:**

1. That the Council adopts the Findings of Fact, Conclusionary Findings, Decision and Conditions of Approval as documented in Exhibit A for ZC 3-17/4-17; and
2. That the western parcel on the site be rezoned from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) and that the eastern parcel on the site be rezoned from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) subject to the following conditions:
  1. The site shall be designed to allow for a future bicycle/pedestrian connection to NE Baker Street, so that a bicycle/pedestrian connection to NE Baker Street

could be made in the future, at such time that the roadway is improved to the complete street standards contained in the McMinnville Transportation System Plan.

- 2. Vehicular access from this site to NE Baker Street shall be prohibited.
- 3. Side yards setbacks shall be increased one foot for each foot of building height over thirty-five feet.
- 4. If the site is developed as multi-family residential, buffering along the northern and southern boundaries of this site shall be required and shall utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from this site onto the neighboring single-family developments located to the north and south of this site and shall include a mix of vertical and horizontal vegetation, fencing and/or berms, but shall not serve as a visual or physical barrier between this development and the surrounding neighborhood. The proposed buffers shall be submitted to the McMinnville Landscape Review Committee for the review and approval prior to the issuance of building permits for this site.

3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 13<sup>th</sup> day of June 2017, by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_

MAYOR

Attest:

Approved as to form:

\_\_\_\_\_  
CITY RECORDER

\_\_\_\_\_  
CITY ATTORNEY





**CITY OF MCMINNVILLE  
PLANNING DEPARTMENT**  
231 NE FIFTH STREET  
MCMINNVILLE, OR 97128

503-434-7311

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**DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF TWO ZONE CHANGE REQUESTS FOR PROPERTY LOCATED WEST OF NE EVANS STREET AND EAST OF NE BAKER STREET.**

- DOCKET:** ZC 3-17/ZC 4-17 (Zone Change)
- REQUEST:** The applicant is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land.
- LOCATION:** The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16 BC, T. 4 S., R. 4 W., W.M., respectively.
- ZONING:** The subject site's current zoning is R-2 and LDR-9,000.
- APPLICANT:** Premier Development, LLC
- STAFF:** Ron Pomeroy, Principal Planner
- HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME:** April 20, 2017, May 18, 2017. Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.
- DECISION MAKING BODY:** McMinnville City Council
- DATE & TIME:** June 13, 2017. Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

**DECISION**

Based on the findings and conclusions, the Planning Commission recommends that the City Council **APPROVE** zone change ZC 3-17 and zone change ZC 4-17 **subject to the conditions of approval provided in this document.**

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**DECISION: APPROVAL WITH CONDITIONS**

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City Council: \_\_\_\_\_  
Scott Hill, Mayor of McMinnville

Date: \_\_\_\_\_

Planning Commission: \_\_\_\_\_  
Roger Hall, Chair of the McMinnville Planning Commission

Date: \_\_\_\_\_

Planning Department: \_\_\_\_\_  
Heather Richards, Planning Director

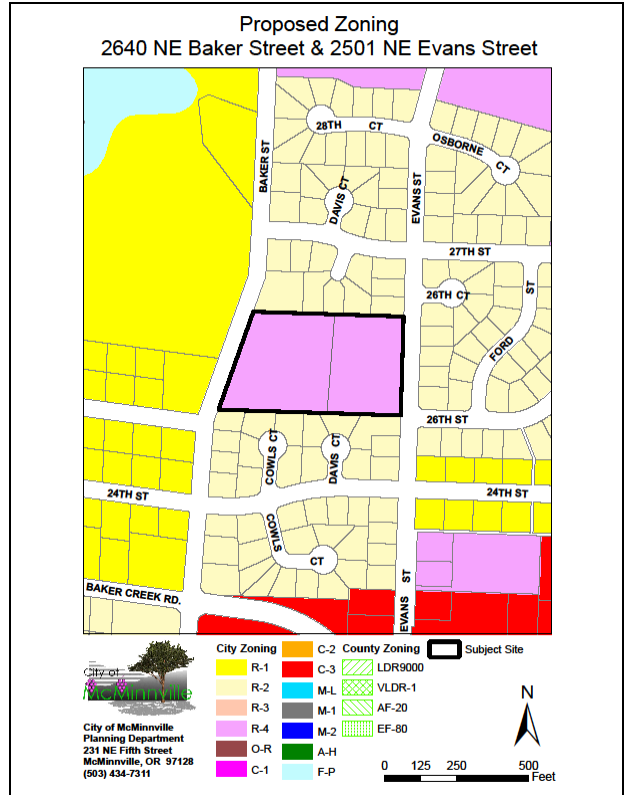
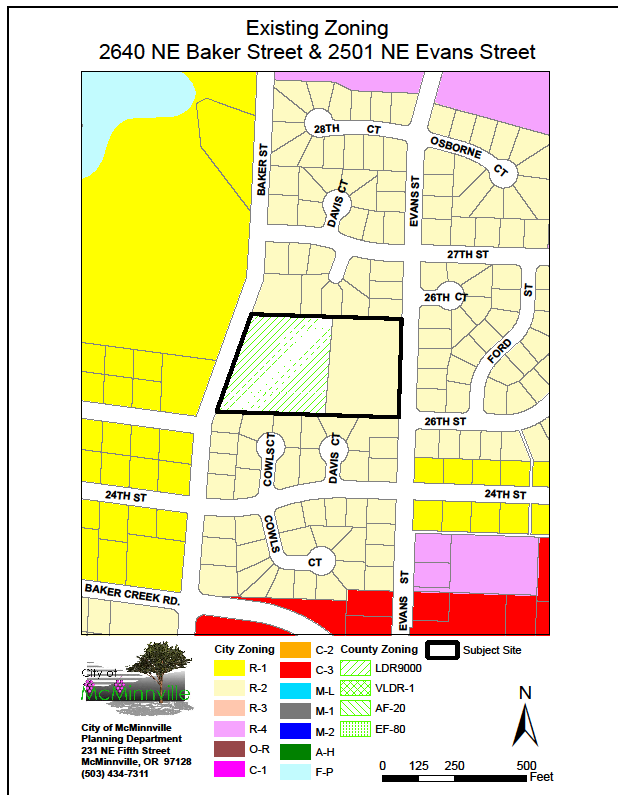
Date: \_\_\_\_\_

**Application Summary:**

The applicant is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land.



The two graphics below provide a view of depiction of current zoning designations on the subject site and surrounding properties in addition to identifying how the zoning map would appear should these zone change requests be approved.



## **CONDITIONS OF APPROVAL:**

The following conditions of approval shall be required to ensure that the proposal is compliant with the City of McMinnville's Comprehensive Plan and Zoning Ordinance:

1. The site shall be designed to allow for a future bicycle/pedestrian connection to NE Baker Street, so that a bicycle/pedestrian connection to NE Baker Street could be made in the future, at such time that the roadway is improved to the complete street standards contained in the McMinnville Transportation System Plan.
2. Vehicular access from this site to NE Baker Street shall be prohibited.
3. Side yards setbacks shall be increased one foot for each foot of building height over thirty-five feet.
4. If the site is developed as multi-family residential, buffering along the northern and southern boundaries of this site shall be required and shall utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from this site onto the neighboring single-family developments located to the north and south of this site and shall include a mix of vertical and horizontal vegetation, fencing and/or berms, but shall not serve as a visual or physical barrier between this development and the surrounding neighborhood. The proposed buffers shall be submitted to the McMinnville Landscape Review Committee for the review and approval prior to the issuance of building permits for this site.

## **ATTACHMENTS**

**Attachment 1** - ZC 3-17/ZC 4-17 Application and Attachments (*on file*)

**Attachment 2** - Memorandum to the Planning Commission (April 20, 2017) re: Additional testimony and staff response regarding ZC 3-17/ZC 4-17 (Premier Development, LLC) (*on file*)

**Attachment 3** - Planning Commission Meeting Minutes – April 20, 2017 (*on file*)

**Attachment 4** - Planning Commission Meeting Minutes – May 18, 2017 (*on file*)

## **COMMENTS**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas. The following comments had been received:

### *Engineering Department:*

We have reviewed the proposed zone change applications (ZC 3-17/ZC 4-17) and do not have concerns with the proposal. As noted in the application, and associated attachments, there is adequate transportation network and sanitary sewer system capacity to accommodate the proposed zone change. At the time of development of the properties, the appropriate infrastructure improvements and right-of-way dedications, in compliance with the City's adopted master plans, will be required.

*Yamhill County Public Works:*

The western frontage of this property is NE Baker Street. This street is currently County jurisdiction for maintenance and operations. The applicant's desired outcome is to develop a future multi-family [project]. Any proposed multi-family access onto Baker Street is a significant safety issue for the County. Baker Street has a high volume of traffic with a history of numerous complaints from the adjoining properties that claim significant levels of traffic exceeding safe travel speeds. I realize that design issues typically are not dealt with at this stage, however, I wanted to raise the issue at this early stage.

Access onto Baker Street at this location will require a full intersection and traffic impact review by the developer. Also frontage improvements to Baker Street to current City standards will be required. City standards will be required because this street is in a transition area that at some point will likely become City jurisdiction.

I see that the two-acre parcel to the East is contemplated as a companion development. It would be better if the site access to both parcels could be limited to Evans Street to the east. If access is limited to Evans Street the intersection design and traffic impact study on Baker Street can be eliminated.

*Fire Department:*

We have no issue with this zone change request. Please note: Per 2014 Oregon Fire Code; projects having more than 100 multi-family units shall be equipped with two separate and approved fire apparatus access roads. Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including non-residential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 90.3.1.2.

**FINDINGS OF FACT**

1. Premier Development, LLC is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land. The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16 BC, T. 4 S., R. 4 W., W.M., respectively.
2. The site is currently designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
3. Sanitary sewer and municipal water and power can adequately serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
4. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.



## **CONCLUSIONARY FINDINGS**

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

**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.*

**Finding:** Goal V 1 and Policies 58.00 and 59.00 are met by this proposal in that approval of the zone change requests from R-2 (Single-Family Residential) and LDR-9,000 (Low Density Residential – 9,000-Square Foot Minimum) to R-4 (Multiple-Family Residential) will allow for the opportunity of this land to be developed with a variety of housing types including multiple-family housing which the applicant has indicated is their intent. Higher density residential development is commensurate with surrounding development in the, while adjacent to existing single-family and duplex development, there are also numerous multiple-family development projects located with two to four blocks of this site. Examples of nearby higher-density residential development include the Brookdale McMinnville Town Center Senior Apartments are located on NE 27<sup>th</sup> Street approximately 600 feet to the northeast of the subject site. The Tice Park Apartments and Heritage Place Apartments are found some 800 feet to the north and are both provided access from NE Evan Street. Some 500 feet to the southeast is located the Rhoda Anne Apartments also accessed from NE Evans Street.

**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 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 71.09 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;*
- 2. Areas that have direct access from collector or arterial streets;*
- 3. Areas that are not subject to development limitations such as topography, flooding, or poor drainage;*
- 4. Areas where the existing facilities have the capacity for additional development;*
- 5. Areas within one-quarter mile of existing or planned public transportation; and,*
- 6. Areas that can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas.*

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

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

Finding: Goal V 2 and Policies 68.00, 71.00, 71.09, and 71.13 are met by this proposal in that the proposal to rezone this land as requested is encouraged by the existing Comprehensive Plan Map. In addition, rezoning of this site to allow higher residential density encourages more efficient residential development in an area where urban services are already available before committing alternate areas to residential development. The surrounding residential neighborhoods currently exhibit a range of residential densities and housing types including single-family detached, duplex and multiple-family dwellings. An analysis of vehicular impacts to the surrounding street network from development of a multiple-family development on this site has been provided as part of the applicant's submittal with a conclusion that such the surrounding network has the capacity to accommodate the anticipated traffic. Additionally, there are no known topographic or poor drainage characteristics of this site that would complicate or impinge on future residential development of the property. As noted through the review of other agencies and utility providers, there are no concerns regarding service provision to this site, and that anticipated impacts would be mitigated by required improvements commensurate with future development. Public transit is available to the site and currently provide by the Yamhill County Transit Route 3 that runs along NE Evans Street adjacent to the eastern edge of the site.

Buffering of any multiple-family development that may occur on the site from the adjacent single-family neighborhoods would be provided as required by a landscape plan approved by the McMinnville Landscape Review Committee; a minimum of 25 percent of the site area of multiple-family developments is required to be provided as landscaped area as per 17.57 of the McMinnville Zoning Ordinance. Additionally, this site is located adjacent to (across NE Baker Street) the southern portion of Tice Park which is a public park designed as a nature park with trails, a parking area and public restrooms.

*Policy 84.00 Multiple-family, low-cost housing (subsidized) shall be dispersed throughout the community by appropriate zoning to avoid inundating any one area with a concentration of this type of housing.*

*Policy 86.00 Dispersal of new multiple-family housing development will be encouraged throughout the residentially designated areas in the City to avoid a concentration of people, traffic congestion, and noise. The dispersal policy will not apply to areas on the fringes of the downtown "core," and surrounding Linfield College where multiple-family developments shall still be allowed in properly designated areas.*

*Policy 89.00 Zoning standards shall require that all multiple-family housing developments provide landscaped grounds.*

*Policy 90.00 Greater residential densities shall be encouraged to locate along major and minor arterials, within one-quarter mile from neighborhood and general commercial shopping centers, and within a one-half mile wide corridor centered on existing or planned public transit routes. (Ord. 4840, January 11, 2006; Ord. 4796, October 14, 2003)*

*Policy 91.00 Multiple-family housing developments, including condominiums, boarding houses, lodging houses, rooming houses but excluding campus living quarters, shall be required to access off of arterials or collectors or streets determined by the City to have sufficient traffic carrying capacities to accommodate the proposed development. (Ord. 4573, November 8, 1994)*

*Policy 92.00 High-density housing developments shall be encouraged to locate along existing or potential public transit routes.*

*Policy 92.01 High-density housing shall not be located in undesirable places such as near railroad lines, heavy industrial uses, or other potential nuisance areas unless design factors are included to buffer the development from the incompatible use. (Ord. 4796, October 14, 2003)*

*Policy 92.02 High-density housing developments shall, as far as possible, locate within reasonable walking distance to shopping, schools, and parks, or have access, if possible, to public transportation. (Ord. 4796, October 14, 2003)*

**Finding:** Policies 84.00, 86.00, 89.00, 90.00, 92.00, 92.01 and 92.02 are satisfied by this proposal in that, while the applicant has indicated intent to construct multiple-family housing on this site, no such development plan has been provided as part of this zone change request. However, in light of the stated intent to pursue multiple-family development should this request be approved, these Policies are relevant. With approval of this request, the opportunity for lower cost, higher density residential development will continue to be supported by the City in a manner

that disperses this type of development throughout the community. Landscaping of a minimum of 25 percent of the site is a requirement of multiple-family development as noted in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance. Additionally, this site is located adjacent to NE Baker Street and NE Evans Street, identified in the McMinnville Transportation System Plan (TSP) as minor arterial and minor collector streets, respectively. Further, this site is not located adjacent to other multiple-family zoned properties or developments thereby implementing the City policy of dispersal of multiple-family developments. Professional and commercial uses are located within some 650 feet of the site and further to the south along Hwy 99W. Grandhaven Elementary School and McMinnville Christian Academy are both located within one-half mile from this site. Also, as noted in the previous finding above, public transit is available to the site and currently provide by the Yamhill County Transit Route 3 that runs along NE Evans Street adjacent to the eastern edge of the site. Additionally, this site is located adjacent to (across NE Baker Street) the southern portion of Tice Park which is a public park designed as a nature park with trails, a parking area and public restrooms.

*Policy 99.00 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:*

- 1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*
- 2. Storm sewer and drainage facilities (as required).*
- 3. Streets within the development and providing access to the development, improved to city standards (as required).*
- 4. Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*
- 5. Deleted as per Ord. 4796, October 14, 2003.*

**Finding:** Policy 99.00 is satisfied by this proposal as adequate levels sanitary sewer collection, storm sewer and drainage facilities, and municipal water distribution systems and supply either presently serve or can be made available to adequately serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Required street improvements commensurate with future development shall be required at the time of development.

**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.**

*Policy 117.00 The City of McMinnville shall endeavor to insure 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.*

3. *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.*
4. *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)*
5. *Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist*

*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 122.00 The City of McMinnville shall encourage the following provisions for each of the three functional road classifications: [in part]*

1. *Major, Minor arterials.*
  - a. *Access should be controlled, especially on heavy traffic-generating developments.*

**Finding:** Goal VI 1 and Policies 117.00, 118.00, 119.00, 120.00 and 122.00 are satisfied by this proposal in that the subject site is currently adjacent to public streets along two sides; NE Baker Street to the west and NE Evans Street to the east. These streets shall be improved, as may be required, commensurate with the future development of this site to ensure safe and efficient transportation opportunities for all citizens. At a minimum, NE Baker Street along the site's western frontage shall be improved with on-street bike lanes and sidewalks consistent with the Complete Streets Design Standards and the Complete Streets Projects sections of the McMinnville TSP. Since the applicant did not provide a conceptual development plan as part of this zone change request, it is unclear if a public street, or streets, will be proposed as part of that future development. Should a public street, or streets, be proposed, they will be required to be designed and constructed to public standards as identified in the McMinnville TSP at the time of development. Additionally, toward implementation of Policy 122.00, vehicular access from this property frontage onto NE Baker Street, a minor arterial, shall be prohibited as alternative access from this site to NE Evans Street, a minor collector, is available and sufficient to accommodate anticipated traffic volumes from future site development.

*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 right-of-ways as transportation routes.*

**Finding:** Policies 126.00 and 127.00 are satisfied by this proposal in that off-street parking will be required for all residential development as specified by Chapter 17.60 (Off-Street Parking and Loading) of the McMinnville Zoning Ordinance.

*Policy 130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connect residential areas to activity areas such as the downtown core,*



*areas of work, schools, community facilities, and recreation facilities.*

**Finding:** Policy 130.00 is satisfied by this proposal in that, when a specific development is proposed for this site, public sidewalks commensurate with that proposal will be required as part of the street improvements and will add to the pedestrian connections within and beyond site. Provision of safe, accessible bicycle routes continue to be provided throughout the city as directed by the McMinnville TSP.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMINNVILLE URBAN GROWTH BOUNDARY.

*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 with the framework outlined below:*

- 1. Sufficient municipal treatment 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.*

*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.*

*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.*

*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 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.*

*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 waste water 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.*

**Finding:** Goal VII 1 and Policies 136.00, 139.00, 142.00, 143.00, 144.00, 145.00, 147.00 and 151.00 are satisfied by the request as, based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. 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 and in making land-use decisions.

*Policy 153.00 The City of McMinnville shall continue coordination between the planning and dire departments in evaluating major land use decisions.*

*Policy 155.00 The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.*

Finding: Policies 153.00 and 155.00 are satisfied in that emergency services departments have reviewed this request and raise no concerns although the Fire Department did provide some guidance regarding future development.

GOAL VII 3: TO PROVIDE PARKS AND RECREATION FACILITIES, OPEN SPACES, AND SCENIC AREAS FOR THE USE AND ENJOUMENT OF ALL CITIZENS OF THE COMMUNITY.

*Policy 163.00 The City of McMinnville shall continue to require land, or money in lieu of land, from new residential developments for the acquisition and/or development of parklands, natural areas, and open spaces.*

Finding: Goal VII 3 and Policy 163.00 are satisfied in that park fees shall be paid for each housing unit at the time of building permit application as required by McMinnville Ordinance 4282, as amended.

GOAL VIII 1: TO PROVIDE ADEQUATE ENERGY SUPPLIES, AND THE SYSTEMS NECESSARY TO DISTRIBUTE THAT ENERGY, TO SERVICE THE COMMUNITY AS IT EXPANDS.

*Policy 173.00 The City of McMinnville shall coordinate with McMinnville Water and Light and the various private suppliers of energy in this area in making future land use decisions.*

*Policy 177.00 The City of McMinnville shall coordinate with natural gas utilities for the extension of transmission lines and the supplying of this energy resource.*

Finding: Policies 173.00 and 177.00 are satisfied in that McMinnville Water and Light and Northwest Natural Gas were provided opportunity to review and comment regarding this proposal and no concerns were raised.

*Policy 178.00 The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.*

Finding: Policy 178.00 is satisfied in that the applicant is proposing to amend the current zoning designations of this site to R-4 to allow for the possibility of providing multiple-family type housing thereby achieving a more compact form of urban development and energy conservation than would have otherwise been achieved.

GOAL X1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

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

Finding: Goal X1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the holding of advertized public hearing(s). All members of the public have access to provide testimony and ask questions during the public review and hearing process.

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

Finding: Section 17.03.020 is satisfied by the request for the reasons enumerated in Conclusionary Finding for Approval No. 1.

17.57.010 Landscaping – Purpose and intent. The purpose and intent of this chapter is to enhance the appearance of the city by encouraging quality landscaping which will benefit and protect the health, safety, and welfare of the general public. By relating all the requirements of the zoning ordinance to the project in one review procedure, the review will assist the developer in integrating the uses of the property with the landscaping, will relate the project to surrounding property uses in existence or projected, and will attempt to minimize project costs. The landscaping provisions in Section 17.57.050 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. [..]

17.57.050 Area Determination—Planning factors.

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
  2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens. [..]

Finding: Sections 17.57.010 and 17.57.050(B)(1-2) are satisfied by the request through adoption of a condition of approval of this application requiring sufficient buffering and screening for the benefit of established adjacent single-family residential developments north and south of the site. This buffering and screening shall utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from the site's development onto adjacent land north and south and shall include a mix of vertical and horizontal vegetation, fencing and/or berms as may be approved by the Landscape Review Committee at the time of development.

17.74.020 Review Criteria. An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;

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

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

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

Finding: Criterion "B" of this review standard does not apply when the proposed amendment concerns needed housing. Table B-11 of Appendix B of the 2001 McMinnville Buildable Land Needs Analysis and Growth Management Plan demonstrates that McMinnville had a deficit of 162 R-4 zoned acres needed to meet future projected housing needs; the year 2020 was the identified planning horizon for this projection. Since 2001, approximately 46.5 acres have been rezoned to R-4 leaving a residual deficit of approximately 115.5 R-4 zoned acres still needed to meet projected needs. Approval of this zone change request would reduce that deficit to approximately 111 acres.

Section 17.74.020 is satisfied in that the proposed R-4 zoning designation for this site is consistent with the goals and policies of the McMinnville Comprehensive Plan, is orderly and timely considering existing nearby residential development and the site's proximity to schools and commercial opportunities and adjacency to public streets, transit and public park facilities in addition to having the ability to be adequately served by required utilities and services. In addition, there are no policies contained in the Comprehensive Plan that are being utilized to unnecessarily decrease densities or discourage any form of housing.

**RP:sjs**





City Of McMinnville
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. ZC 3-17
Date Received 3-2-17
Fee \$1595.00
Receipt No. 17mco37
Received by SFA

Comprehensive Plan Map Amendment/
Zone Change Application

Applicant Information

Applicant is: [x] Property Owner [ ] Contract Buyer [ ] Option Holder [ ] Agent [ ] Other

Applicant Name Premier Development, LLC Phone 503-437-0477

Contact Name Lori Zumwalt Phone
(If different than above)

Address 1312 NE Hwy 99W

City, State, Zip McMinnville OR 97128

Contact Email loriz.premier@gmail.com

Property Owner Information

Property Owner Name Phone
(If different than above)

Contact Name Phone

Address

City, State, Zip

Contact Email

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 2640 NE Baker Street, McMinnville OR 97128

Assessor Map No. R4416 - BC - 03201 Total Site Area 2.6 Acres

Subdivision Joplings Addition Block Lot 8

Comprehensive Plan Designation Residential Zoning Designation County VLDR-9000

This request is for a:

**Comprehensive Plan Amendment**

**Zone Change**

1. What, in detail, are you asking for? State the reason(s) for the request and the intended use(s) of the property. See Attached answers.

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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 (Vol. 2).

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3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.

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4. If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation. \_\_\_\_\_

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5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely. \_\_\_\_\_

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6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request. \_\_\_\_\_

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7. 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.

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

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

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site, such as: access; lot and street lines with dimensions; distances from property lines to structures; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to **an electronic copy** with the submittal.
- A legal description of the parcel(s), preferably taken from the deed.
- 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

3-1-17  
Date

Property Owner's Signature

Date

Zone Change Fact Sheet for  
2640 NE Baker Street, McMinnville

**1. What, in detail, are you asking for? State the reasons for the request and the intended use of the property?**

The Applicant is seeking a land use approval from the City of McMinnville for a zone change from a county zone of VLDR 9000 designation to Residential R-4.

The size of the parcel is 2.6 acres. This zone change is being requested in conjunction with 2501 NE Evans St., that is a 2.0 acre parcel to the east. A separate zone change application is submitted for the 2.0 acres.

The intended use of the combined two parcels is for a future multi-family dwelling.

**2. Show in detail, by citing specific goals and policies, how your request conforms to applicable McMinnville Comprehensive Plan Goals and Policies (Volume 2).**

The requested zone change complies with the following applicable McMinnville Comprehensive Plan Goals and Policies:

Goal V1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

General Housing Policies:

Policies 58.00 and 59.00 are satisfied. Currently the adjacent neighbors are R-2 single family homes and a few larger single family lots along North Baker St. There is also a small City Park to the south and Tice Park across North Baker St to the west. The R-4 zone will enable lower-cost housing for McMinnville renters.

Goal V2: 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 is satisfied. Urban services exist adjacent to the subject site and are available to serve the subject property.

Policy 71.00 is satisfied. The proposed zone change from County Zone VLDR 9000 to R-4 is allowed within the Residential designation in the Comprehensive Plan.

Policy 71.13 is satisfied. The site has been annexed into the City but it has not been given a City zoning designation. The intent of McMinnville's Comprehensive Plan's for the area is to be improved as Residential. The 2.6 acres parcel is subject to a couple development limitations due to its location, size, and access. The site is located between already established and developed R-2 single family homes. Best use of this infill land is to coordinate with the parcel to the east for access. There would be limited or no access on to North Baker St. The north and south parcels both end in cul-de-sacs and do not provide for connectivity to the north or south. Therefore, the only usable access would be through the 2.0 acre parcel to the east, then on to North Evans St. The R-4 zone uses the land most efficiently when developed in conjunction with the parcel to the east. This meets Goal V2 by allowing an opportunity for a design using the land most intensively. Existing facilities are adjacent to subject property.

#### Multi-family Development Policies:

Policy 86.00 is satisfied. The overall plan for the subject property consisting of 2.6 acres combined with the adjacent 2 acre parcel to the east, will allow for a 4.6 acre infill parcel of land to provide multi-family dwellings with the main access off of N. Evans St. This proposed multi-family is a distance of approximately 1/4 mile south of two multi-family complexes off of Burnett Road (Tice Park and Wintercrest Apartments) and one multi-family complex to the south (Rhoda Anne Apartments).

Policy 89.00 is satisfied. Applicant shall comply with the landscape standards required in an R-4 zone upon submission of design plan.

Policy 90.00, 91.00, 92.00, 92.01 and 92.02 are satisfied North Evans St, is a minor collector. The westerly side is adjacent to North Baker Street, a minor arterial, however access for the 2.6 acres will be off of North Evans Street.

Yamhill County Transit Route 3 runs down North Evans St. and subject site is within one-quarter mile of general commercial shopping centers such as businesses on Highway 99W and Baker Street. (Rite Aid, Little Caesars Pizza, Mattress Mania, Grocery Outlet, Pro-Build). The subject site is not near railroad lines, heavy industrial uses or nuisance areas. Public permanent open space is adjacent in the form of a small neighborhood park, as well as, Tice Park across North Baker Street. Other shopping, schools and parks are within 0.7 mile radius. For example, Grandhaven Elementary School is 0.7 miles away, Patton Middle School is 0.8 miles, McMinnville High School is 0.8 miles.

#### Urban Policies:

Policy 99.00 is satisfied. Urban services can be provided concurrently with the proposed urban development. Water and power are available to serve the subject property. Storm Drainage and Sewer can be accessed off of North Evans St.

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:

Goal VI 1 and Policies 117.00, 118.00, 119.00 and 120.00 are satisfied by this proposal in that the site is adjacent to a parcel to the east which abuts a public street (North Evans Street) developed to City standards with adequate capacity to safely accommodate the expected trip generation from this site. Access to the site for parcel delivery to be permitted off of North Evans St. No known adverse effects on the natural features of the land. See attached Traffic Analysis.

Parking:

Policies 126.00 and 127.00 are satisfied. Parking for the multi-family dwellings shall be accommodated for on site.

Bike Paths: Not applicable

Supportive of General Land Use Plan Designations and Development Patterns:

Policy 132.27.00 is satisfied. The zone change proposal supports the land use designation of the site and urban development patterns within the surrounding area.

Circulation:

Policies 132.41.00, 132.41.05, 132.41.20, 132.41.25, and 132.41.30 are satisfied. The subject site will have (pending zone change approval) access through the 2.6 acre parcel on to North Evans Street. City staff have discouraged any access on to North Baker Street due to line of sight and safety issues. North Evans Street, as a minor collector, can accommodate for the maximum allowable units in an R-4 zone. Conditions in the McMinnville TSP are met with this approval.

Goal VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.



Policies 136.00, 142.00, 143.00, 144.00, 147.00, 151.00, and 155.00 are satisfied. Adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply and energy distribution facilities, either presently serve or can be made available to serve the site. CH2MHill has done a hydraulic analysis of the sanitary sewer system and has verified that the system has capacity to handle the additional flow when considering the maximum allowable units for an R-4 zone.

- 3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.**

No Planned development overlay requested.

- 4. If you are requesting a Planned Development state how the proposal deviates from the requirements of city code and give justification for such deviation.**

No Planned development or deviations from City codes requested.

- 5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proper amendment is orderly and timely.**

The proposal is orderly in that it conforms to the Comprehensive plan to update any property that is in the City to an acceptable City Zone. The proposal is timely in that McMinnville has a need for more residential land, as well as, multi-family housing.

- 6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request.**

The Applicant's request brings this island of land into McMinnville Comprehensive plan for residential use. The proposed R-4 residential use is consistent with the City's desire to achieve higher density in the northeast area of town.

- 7. Document how the site will be provided with public utilities, including water, sewer, electricity and natural gas. Show that the utility system currently serves or can be extended to the site and that there is capacity to serve the proposed use.**

According to McMinnville Water and Light, a 12 inch water line exits along the west and south border of the property adequate to serve the property. Sewer is available to site with adequate capacity. For Stormwater drainage, there is an 18" line on the south border and 12" along the western border. Power and telephone can be extended to serve the site.



- 8. Describe in detail, how the proposed use will affect traffic in the area. What is the expected trip generation?**

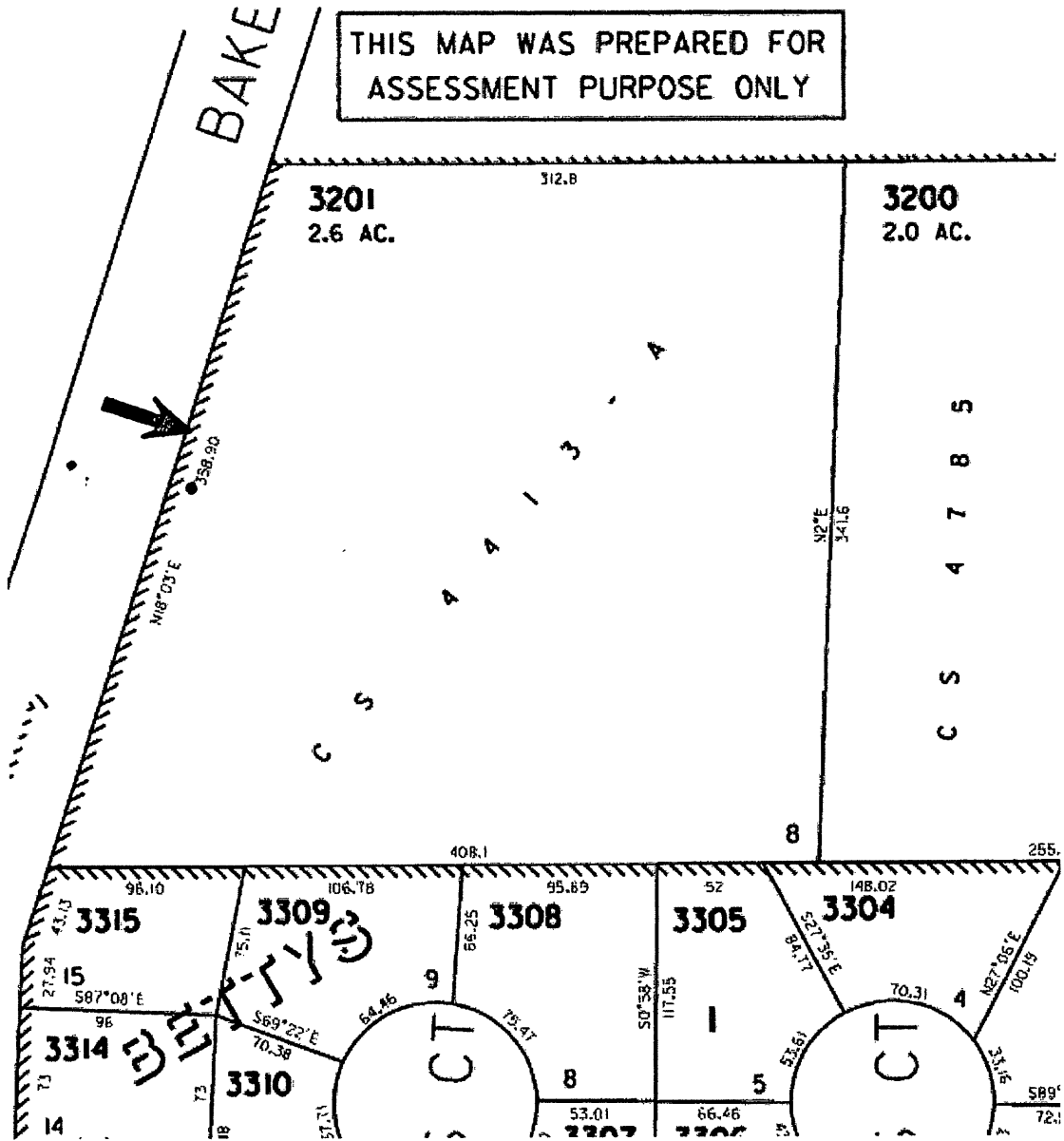
A traffic count and analysis was done by David Evans and Associates Traffic Engineer. See attached Traffic Analysis.



First American



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



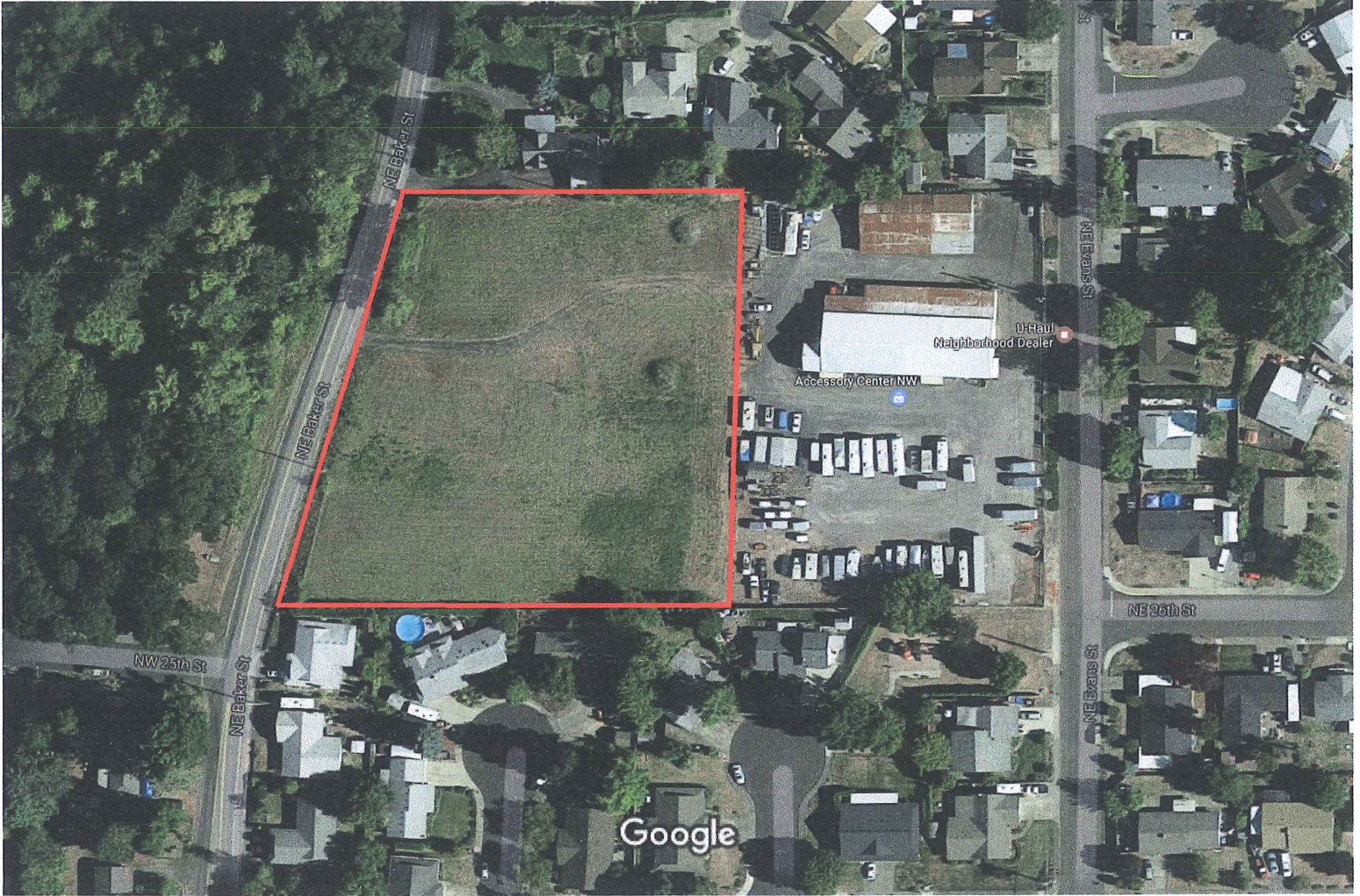


**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

Beginning at the Southwest corner of Lot 8, JOPLINGS SUBDIVISION in Yamhill County, Oregon; thence South 89° 55' East along the South line of said Lot 8, 408.1 feet to an iron pipe which is 255.9 feet North 89° 55' West from the West right of way line of North Evans Street; thence North 2° 40' East 341.6 feet to an iron pipe on the North line of said Lot 8, which is 240 feet North 89° 55' West of said right of way line; thence North 89° 55' West 312.8 feet to the Northwest corner of said Lot 8; thence South 18° 08' West 358.9 feet to the place of beginning.





Imagery ©2017 Google, Map data ©2017 Google 50 ft







This request is for a:

**Comprehensive Plan Amendment**

**Zone Change**

1. What, in detail, are you asking for? State the reason(s) for the request and the intended use(s) of the property. See Attached answers.

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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 (Vol. 2).

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3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.

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7. 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.

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

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

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site, such as: access; lot and street lines with dimensions; distances from property lines to structures; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to an electronic copy with the submittal.
□ A legal description of the parcel(s), preferably taken from the deed.
□ 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.

Jon Zimmalt, Member
Applicant's Signature

3-1-17
Date

Property Owner's Signature

3-1-17
Date

Zone Change Fact Sheet  
2501 North Evans Street, McMinnville

**1. What, in detail, are you asking for? State the reasons for the request and the intended use of the property?**

The Applicant is seeking a land use approval from the City of McMinnville for a zone change from Residential R-2 designation to Residential R-4.

The size of the parcel is 2 acres. This zone change is being requested in conjunction with a 2.6 acre parcel to the west. A separate zone change application is submitted for the 2.6 acre parcel.

The intended use of the combined two parcels is for a future multi-family dwelling.

**2. Show in detail, by citing specific goals and policies, how your request conforms to applicable McMinnville Comprehensive Plan Goals and Policies (Volume 2).**

The requested zone change complies with the following applicable McMinnville Comprehensive Plan Goals and Policies:

Goal V1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

General Housing Policies:

Policies 58.00 and 59.00 are satisfied. Currently the adjacent neighbors are R-2 single family homes. There is also a small City Park adjacent to this parcel. An R-4 zone will enable lower-cost housing for McMinnville renters.

Goal V2: 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 is satisfied. Urban services exist adjacent to the subject site and are available to serve the subject property.

Policy 71.00 is satisfied. The proposed zone change from R-2 to R-4 is allowed within the Residential designation in the Comprehensive Plan.

Policy 71.13 is satisfied. The site is currently grandfathered in, to allow a specific commercial use however, it is designated in the Comprehensive Plan as residential. The two acre parcel subject to development limitations, due to its size, but will work well with the west parcel for additional housing and access to North Evans St. The site is located between already established and developed R-2 single family homes terminating in cul-de-sacs which do not allow for connectivity to the north or south. The R-4 zone uses the land most *efficiently* when developed in conjunction with the parcel to the east. This meets Goal V2 by allowing an opportunity for a design using the land most *intensively*. Existing facilities are adjacent to subject property.

#### Multi-family Development Policies:

Policy 86.00 is satisfied. The overall plan for the subject property consisting of 2 acres combined with the adjacent property to the west, consisting of 2.6 acres will allow for a 4.6 acre parcel of multi-family dwellings with the main access off of N. Evans St. This proposed multi-family is a distance of approximately 1/4 mile south of two larger multi-family complexes off of Burnett Road.

Policy 89.00 is satisfied. Applicant shall comply with the landscape standards required in an R-4 zone upon submission of design plan.

Policy 90.00, 91.00, 92.00 92.01 and 92.02 are satisfied The East side is adjacent to North Evans St, which is a minor collector. Yamhill County Transit Route 3 runs down North Evans St. and subject site is within one-quarter mile of general commercial shopping centers such as businesses on Evans St and Highway 99W. (Rite Aid, Little Caesars Pizza, Mattress Mania, Grocery Outlet, Pro-Build). The subject site is not near railroad lines, heavy industrial uses or nuisance areas. Public permanent open space is adjacent in the form of a small neighborhood park. Other shopping, schools and parks are within 0.7 mile radius. For example, Grandhaven Elementary School is 0.7 miles away, Patton Middle School is 0.8 miles, McMinnville High School is 0.8 miles.

#### Urban Policies:

Policy 99.00 is satisfied. Urban services can be provided concurrently with the proposed urban development. Water and power are available to serve the subject property. Storm Drainage and Sewer can be accessed off of North Evans St.

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:

Goal VI 1 and Policies 117.00, 118.00, 119.00 and 120.00 are satisfied by this proposal in that the site abuts a public minor collector street developed to City standards with adequate capacity to safely accommodate the expected trip generation from this site. See Traffic Analysis. Access to the site for parcel delivery to be permitted off of North Evans St. No known adverse effects on the natural features of the land.

Parking:

Policies 126.00 and 127.00 are satisfied. Parking for the multi-family dwelling shall be accommodated for on site. Parking is also available on North Evans St.

Bike Paths: Not applicable

Supportive of General Land Use Plan Designations and Development Patterns:

Policy 132.27.00 is satisfied. The zone change proposal supports the land use designation of the site and urban development patterns within the surrounding area. Within less than one mile of the site there is a mix of residential uses. Homes on large lots (7500sq. ft.), R-2 lots consisting of single family homes and duplexes, R-4 lots consisting of Tice Park, Wintercrest, and Rhoda Anne Apartments, a Residential care facility and a Mobile Home Park.

Circulation:

Policies 132.41.00, 132.41.05, 132.41.20, 132.41.25, and 132.41.30 are satisfied. The subject site is an infill parcel in which North Evans Street has already been established and meets the requirements of the McMinnville TSP. North Evans Street, as a minor collector allows for adequate traffic circulation and can accommodate for the maximum allowable units in an R-4 zone. See Traffic Analysis.

Goal VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.

Policies 136.00, 142.00, 143.00, 144.00, 147.00, 151.00, and 155.00 are satisfied. Adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally the Water Reclamation Facility has the capacity to accommodate flow resulting from the development of the site. CH2MHill has done a hydraulic analysis of the sanitary sewer system and has verified that the system has capacity to handle additional flow, using the maximum allowable number of units in an R-4 zone. See attached Technical Memorandum: Hydraulic Analysis fro the Baker/Evans Property.

- 3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.**

No Planned development overlay requested.

- 4. If you are requesting a Planned Development state how the proposal deviates from the requirements of city code and give justification for such deviation.**

No Planned development or deviations from City codes requested.

- 5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proper amendment is orderly and timely.**

The proposal is orderly in that it conforms to the Comprehensive plan to bring this property that is not being used as a residential use to an acceptable residential zone and usage. The property currently has one large Ag shed being used as a U-haul rental business and auto detailer. A second shed is being used as storage. The removal of these sheds will significantly improve the esthetics of the neighborhood. The proposal is timely in that McMinnville has a need for more affordable housing, as well as, multi-family housing.

- 6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request.**

The Applicant's request brings this island of land into McMinnville Comprehensive plan for residential use. The proposed R-4 residential use is consistent with the City's desire to achieve higher density in the northeast area of town.

- 7. Document how the site will be provided with public utilities, including water, sewer, electricity and natural gas. Show that the utility system currently serves or can be extended to the site and that there is capacity to serve the proposed use.**

According to McMinnville Water and Light, a 12 inch water line exits along the east and north border of the property adequate to serve the property. Sewer is available in North Evans St. For Stormwater drainage, there is an 18" line on the south border and 10" line in North Evans St. Power, and telephone, all exist in North Evans Street and can be extended to serve the site.

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

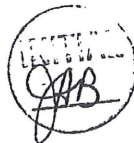
A traffic count and analysis was done by David Evans and Associates Traffic Engineer. See attached Traffic Analysis.

**Exhibit "A"**

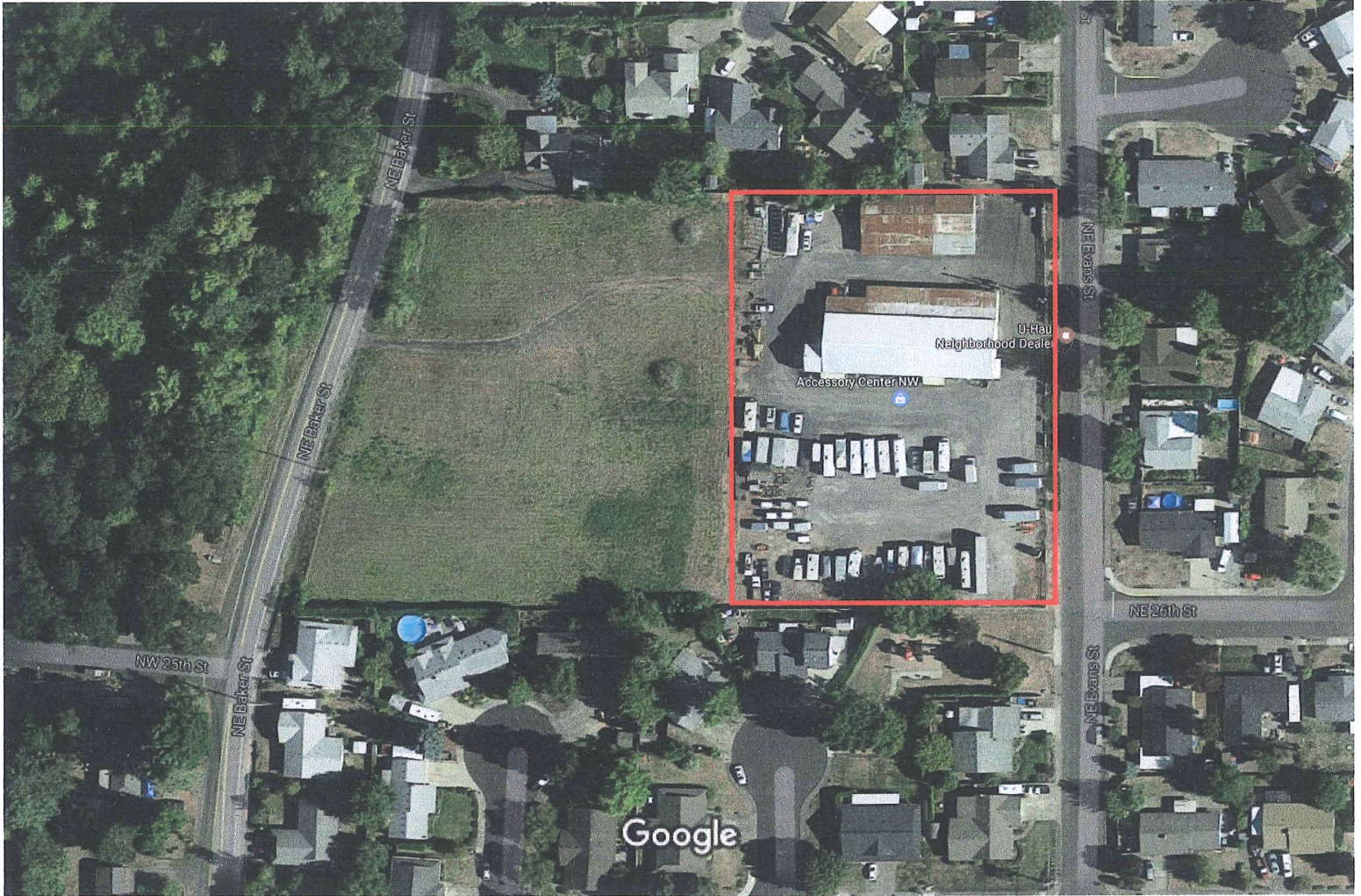
Lot 8, JOPLINGS SUBDIVISION, Yamhill County, Oregon.

EXCEPTING THEREFROM the following described Tract; BEGINNING at the Southwest corner of Lot 8, JOBLING'S SUBDIVISION, Yamhill County, Oregon; thence South  $89^{\circ} 55'$  East along the South line of said Lot 8, 408.1 feet to an iron pipe which is 255.9 feet North  $89^{\circ} 55'$  West from the West right-of-way line of North Evans Street; thence North  $02^{\circ} 40'$  East, 341.6 feet to an iron pipe on the North line of said Lot 8, which is 240.00 feet North  $89^{\circ} 55'$  West of said right-of-way line; thence North  $89^{\circ} 55'$  West, 312.8 feet to the Northwest corner of said Lot 8; thence South  $18^{\circ} 08'$  West, 358.9 feet to the PLACE OF BEGINNING.

2501 NE Evans St. McMinnville OR











2501 NE Evans St.

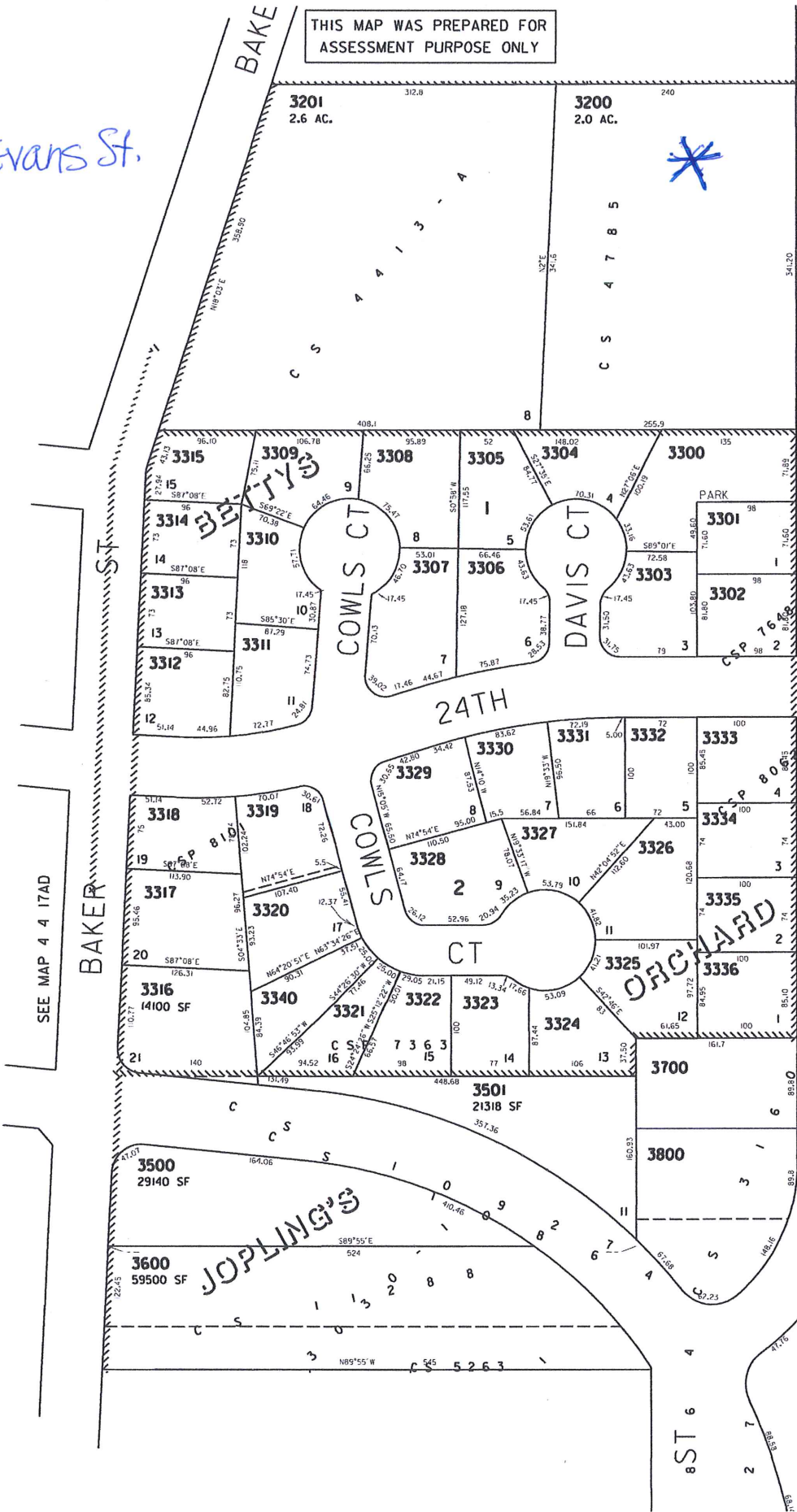
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

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SEE MAP 4 17AD

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## City of McMinnville

# Hydraulic Analysis for the Baker/Evans Property

PREPARED FOR: Rich Spofford/City of McMinnville  
PREPARED BY: Adrienne Yang/CH2M  
REVIEWED BY: Mark R. Johnson/CH2M  
DATE: February 13, 2017

## Background

The City of McMinnville is evaluating the impact of a new 133 unit apartment development to assess the capacity of the in the downstream portions of the existing sanitary sewer system. The proposed development (Baker/Evans Property) is shown in Attachment 1.

The Baker/Evans Property was previously classified as an R-2 development, which is a low density residential parcel (4.3 dwellings per acre). In the 2008 Conveyance System Master Plan<sup>1</sup> flows from this area was not directly modeled, but were included in the flows that contribute to manhole I-5-14. Converting the property to an apartment development will increase density therefore increase the flows to the sanitary sewer system.

CH2M has been hired to perform the analysis of the new development on the sanitary sewer pipeline collection system, with the additional flow from the proposed development.

## Analysis Summary

Based on the analysis, computer modeling and assumptions described below, the system has capacity to handle the additional flow from the 133 unit apartment development. The additional flow from the apartment development would increase the peak flows at I-5-14 by about 8 gpm during a 5-year, 24-hour storm event. The increase in water levels in the manholes along Evans Street south of the Baker/Evans Property is incremental (about 0.01 feet).

## Simulation Model

CH2M HILL modeled the McMinnville sanitary sewer conveyance system, using EPA SWMM, in 2008 as part of the master plan, but this model generally included larger pipe diameters in the system and did not extend to the pipes, manholes or pump stations that connect to I-5-14. The connection manhole from the proposed development was assumed to be I-5-40, approximately 975 feet upstream of I-5-14. The flows at I-5-14 were assumed to include the contribution from the proposed development. Therefore, the model needed to be expanded to evaluate the increased flows from the Baker/Evans Property. Figure 1 shows the modeled network; the new components are shown in blue. The model that was used for this analysis builds off of the model that was modified in July 2016 to include the Autumn

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<sup>1</sup> CH2M Hill. 2008. *Sanitary Sewer Master Plan Updates Conveyance System Master Plan*. Prepared for City of McMinnville.

Ridge and Westside Pump Stations and the flows from a new development east of the Autumn Ridge Pump Station<sup>2</sup>.

Because the Baker/Evans Property hydraulic analysis is focused primarily on the capacity of the pipes and water levels in the manholes, the evaluation included adding the following to the model:

- Manhole I-5-40 – This manhole is located at the north end of the Baker/Evans Property on Evans Street.
- Manhole I-5-41 – This manhole is located at the south end of the Baker/Evans Property on Evans Street. This manhole also receives flow from some homes east of Evans Street.
- Manhole I-5-42 – This manhole is between the Baker/Evans Property and the connection point to the larger system at I-5-14. This manhole receives flow from some homes east of Evans Street.
- Pipes that connect these manholes from I-4-9 at the north and I-5-14 at the south.

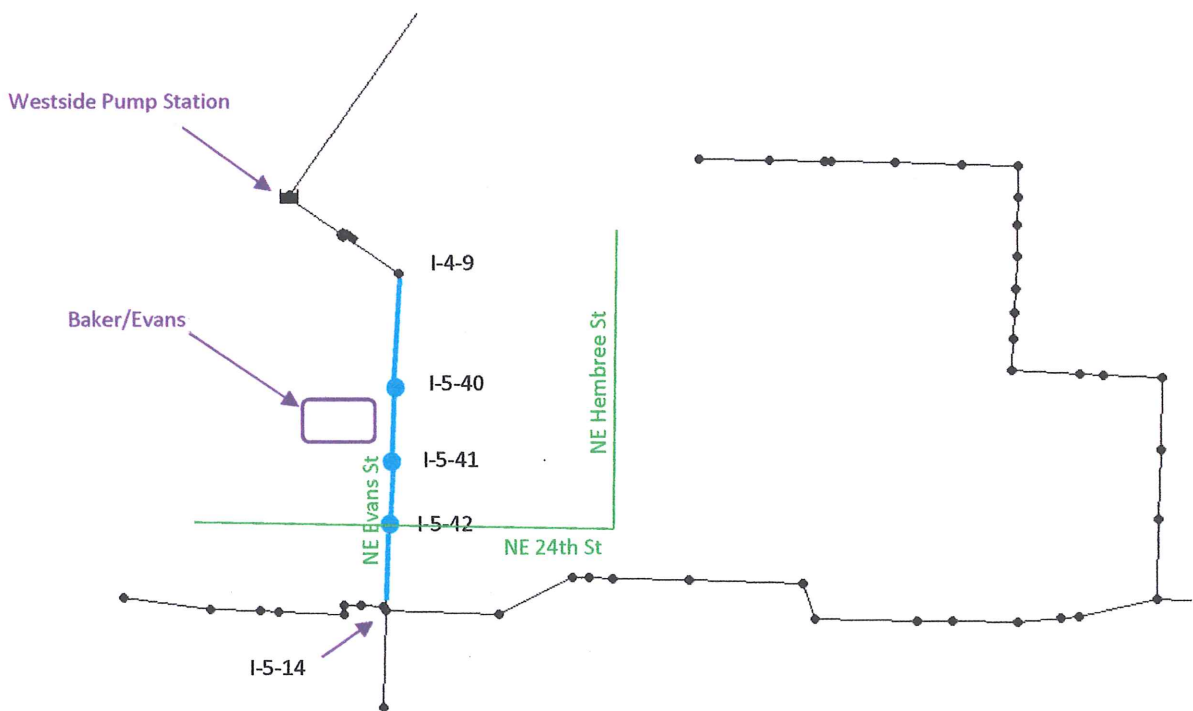


Figure 1 – Project Extents  
Baker/Evans Property Hydraulic Analysis

## Model Inputs

The flows in the 2008 SWMM model include the wet season average base flow for the 2008 system build out, future use wet season base flow, peak infiltration and inflow (I&I), and the total peak wet weather flow for the 5-year, 24-hour storm event. In both the 2008 model and the updated 2016 model, the flows at I-5-14 included the flows from the eastern parcel of the Baker/Evans Property. Flow from the western portion were assumed to be included with flows at I-5-8. Because the flows from the Baker/Evans Property are expected to increase from the estimates used in the 2008 Master Plan due to

<sup>2</sup> CH2M. 2016. *Autumn Ridge and Westside Pump Station Hydraulic Analysis for the Bungalows Phase III Development*. Prepared for City of McMinnville. July 20.



the higher density when converted to an apartment development, the increase in flows must be accounted for when evaluating the capacity of the system.

### Current Configuration

In the 2008 Master Plan, the contributions to the sanitary sewer system from the Baker/Evans Property was assumed to flow in two different directions. The eastern portion of the property (1.9 acre parcel) was assumed to flow to the east and was a part of the inflows to I-5-14. The western portion of the property (2.5 acre parcel) was assumed to flow to the west and was a part of the inflows to I-5-8. In order to expand the model to understand the impacts of the proposed development, the flows at I-5-14 must be adjusted and manholes I-5-40, I-5-41, and I-5-42 must be added. Figure 2 shows the current routing of peak flows through the system.

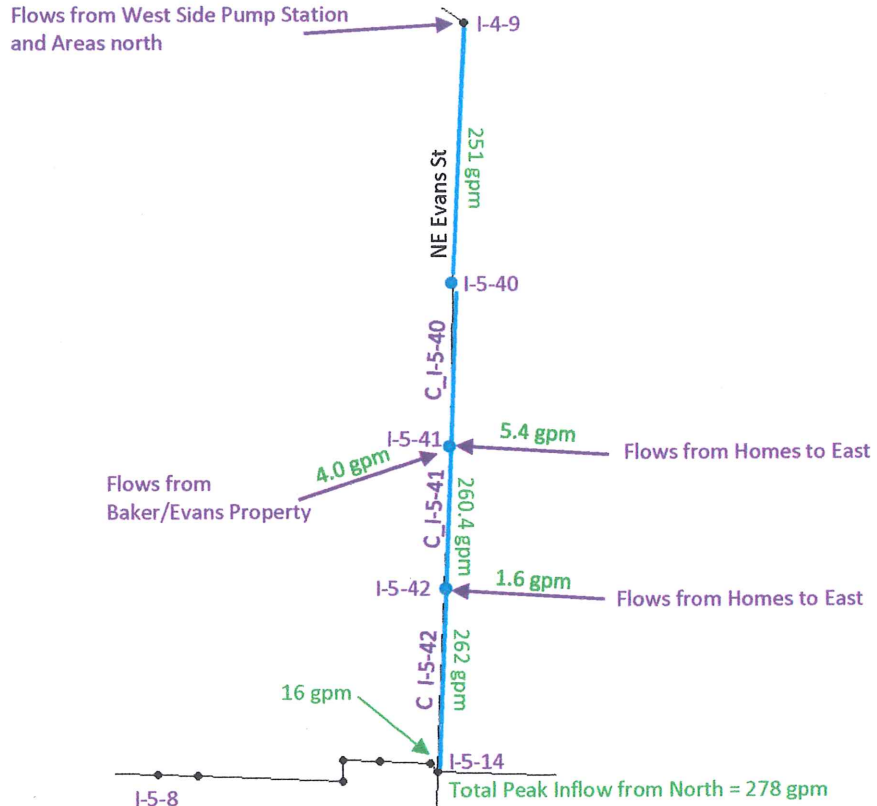


Figure 2 – Peak Flow through System  
Baker/Evans Property Hydraulic Analysis

The peak inflow to I-5-14 under future development conditions, as defined in the 2008 Master Plan, and during a 5-year, 24-hour event is 278 gpm, but 251 gpm of that comes from the Westside Pump Station. Therefore, the peak flow at I-5-14, when the contributions from Autumn Ridge and West Side Pump Stations are removed, is about 27 gpm.

The peak inflow to I-5-14 is the sum of the inflows from the Baker/Evans Property, the other flows to I-5-41, flows to I-5-42, and other inflows from the north to I-5-14. The peak flows for I-5-41, I-5-42 and the Baker/Evans property are based on the ratio of the area contributing to the manholes and the area between the I-4-9 and I-5-14 (30.2 ac). These areas and peak flows are summarized in Table 1.

**Table 1. Inflows to I-5-14, Current Configuration**

Location	Area (acres)	Percentage	Peak Flow (gpm)
Baker/Evans Property	4.5	15%	4.0
I-5-41	6.0	20%	5.4
I-5-42	1.8	5.8%	1.6
Remaining Area	17.9	59%	16
I-5-14	30.2	100%	27

Note: The Peak Flow for I-5-14 is only for inflows between the Westside Pump Station and I-5-14

### Future Configuration with Baker/Evans Apartment Development

To model the future condition, the sanitary flows needed to be modified to reflect the change in density, household size, and acreage associated with the apartment development. The Infiltration and Inflow (I&I) is assumed to be unchanged.

Table 2 shows the calculated additional sanitary flows that must be accounted for at I-5-41 from the Baker/Evans Property. Currently, there is no sanitary sewer connection on the western parcel of the property, but the 2008 Master Plan assumed for the future condition, this property would be developed. Therefore the flows at I-5-41 will need to be increased by 4.3gpm, as shown in Figure 3. Overall, the peak inflows at I-5-41 increased from 9.4 gpm to 13.7 gpm.

**Table 2. Additional Sanitary Flows**

	Current - 4.5 Acres of Baker/Evans Property	Future - 4.5 acres of Baker/Evans Property with Apartments	Difference (Future – Current)
Density	4.3 dwellings/acre	133 Units/4.6 acres	
Household Size	2.6 people/dwelling	1.2 people/dwelling	
Daily Water Use	57 gallons/person	57 gallons/person	
Parcel Area	4.5 acres	4.5 acres	
Total Daily Flow	2 gpm	6.3 gpm	5.4 gpm

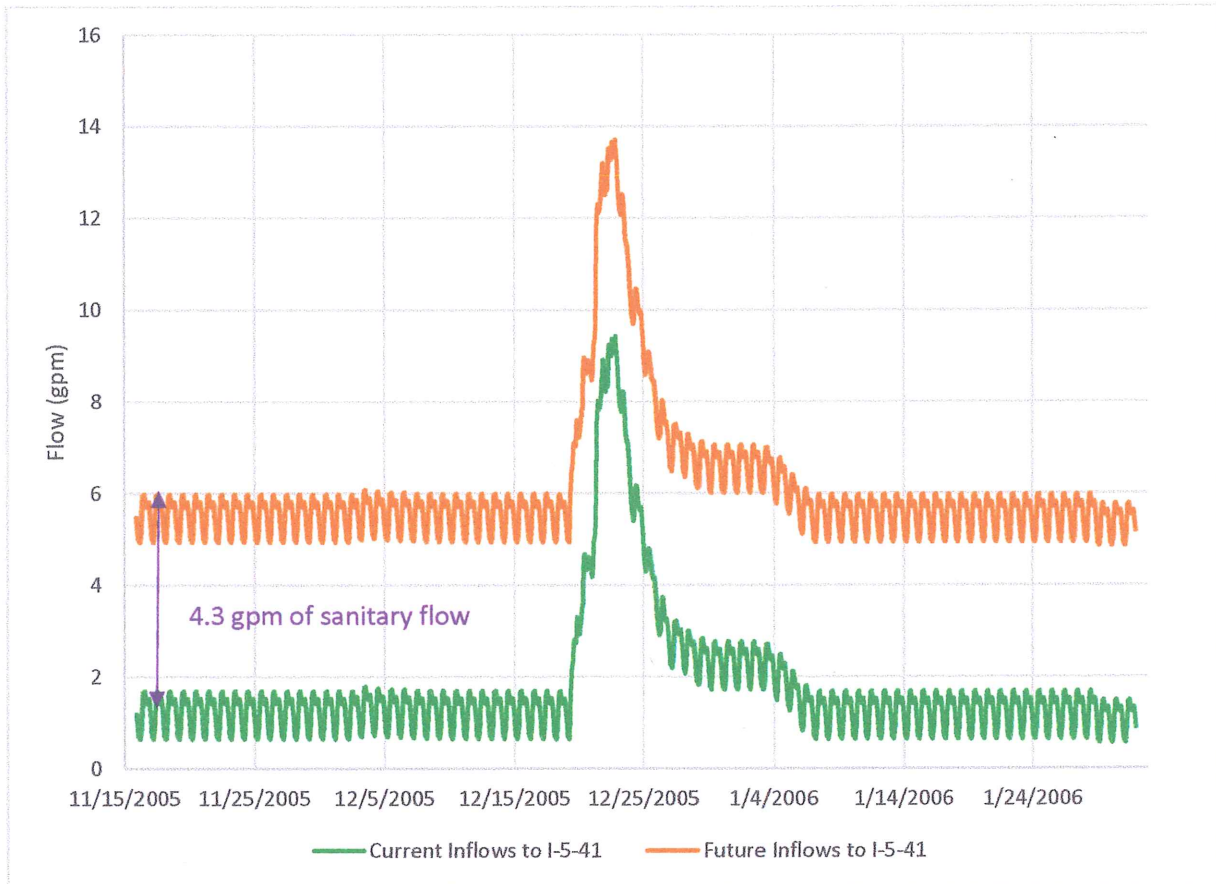


Figure 5 - Inflows to I-5-41 under Current and Future Configurations  
Baker/Evans Property Hydraulic Analysis

## Model Assumptions and Limitations

- No measured flows were used to develop the estimates included in this model. The flows that enter manholes I-5-41 and I-5-42 are estimated based on the sum of the area of the parcels that contribute to each of the manholes.
- Because elevation data was not available for all points between the I-4-9 and I-5-41, the system was modeled with a single pipe and did not include manhole I-5-38. The pipe has a length equivalent to the total pipe length and a slope equivalent to the average slope of the intermediate pipes.
- The assumed I&I for the apartment development is unchanged from the assumptions in the 2008 Master Plan. An increased impervious area and fewer laterals (a common RDII source) associated with the apartment development could reduce the actual I&I.

## Model Results

The model was run to determine the performance of the collection system and resulting water levels in the manholes relative to the ground surface. A collection system deficiency is defined as any location with less than 2 feet of freeboard (distance between the water surface and the ground surface as specified in the 2008 Master Plan), potentially causing flooding. Even with the addition of flows from the proposed development, available freeboard is greater than 2 feet.

Table 3 summarizes the available freeboard in the manholes during each of the model runs. Water level profiles are provided in Attachment 2.

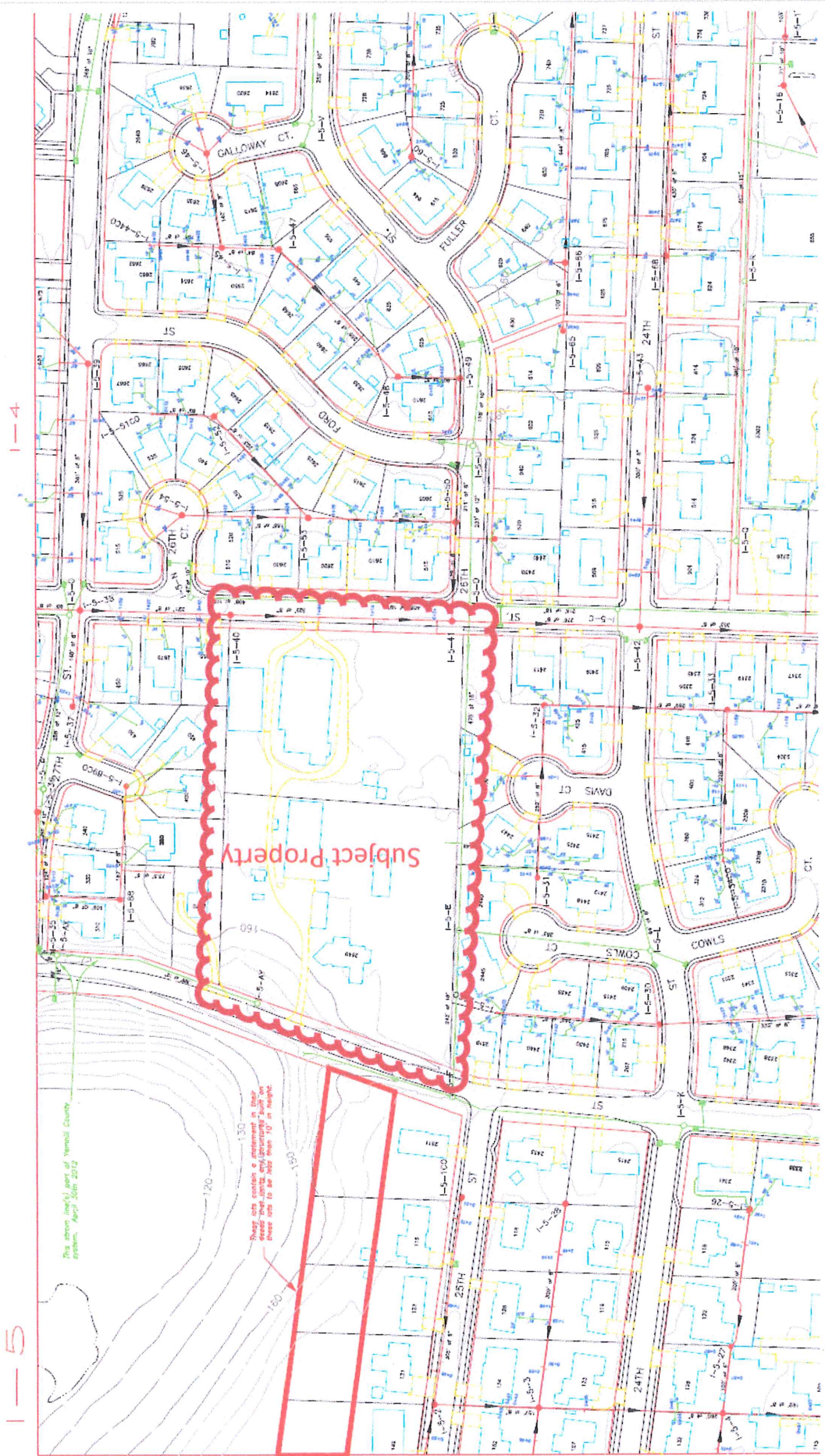
**Table 3. Model Results – Freeboard (ground elevation – water elevation)**

<b>Node</b>	<b>Modeled Freeboard – Current</b>	<b>Modeled Freeboard – Future</b>
I-4-9	4.51	4.51
I-5-40	7.24	7.24
I-5-41	7.02	7.01
I-5-42	8.19	8.18
I-5-14	8.10	8.09

Based on the analysis of available freeboard in the manholes, the flows from the proposed development can be conveyed without causing a deficiency by the current collection system configuration.

# Attachment 1 – Proposed Development

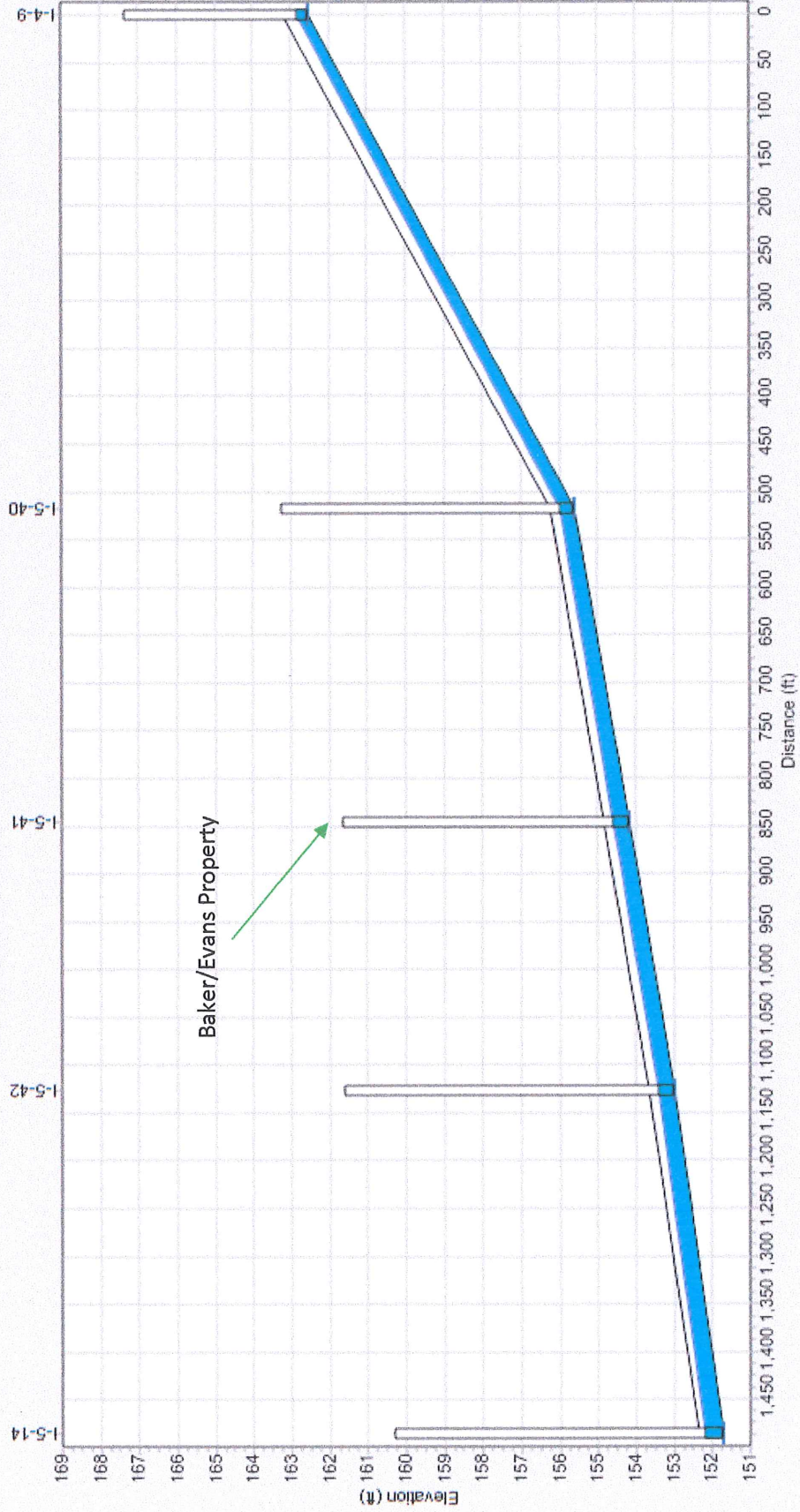




## Attachment 2 – Water Depth Profiles



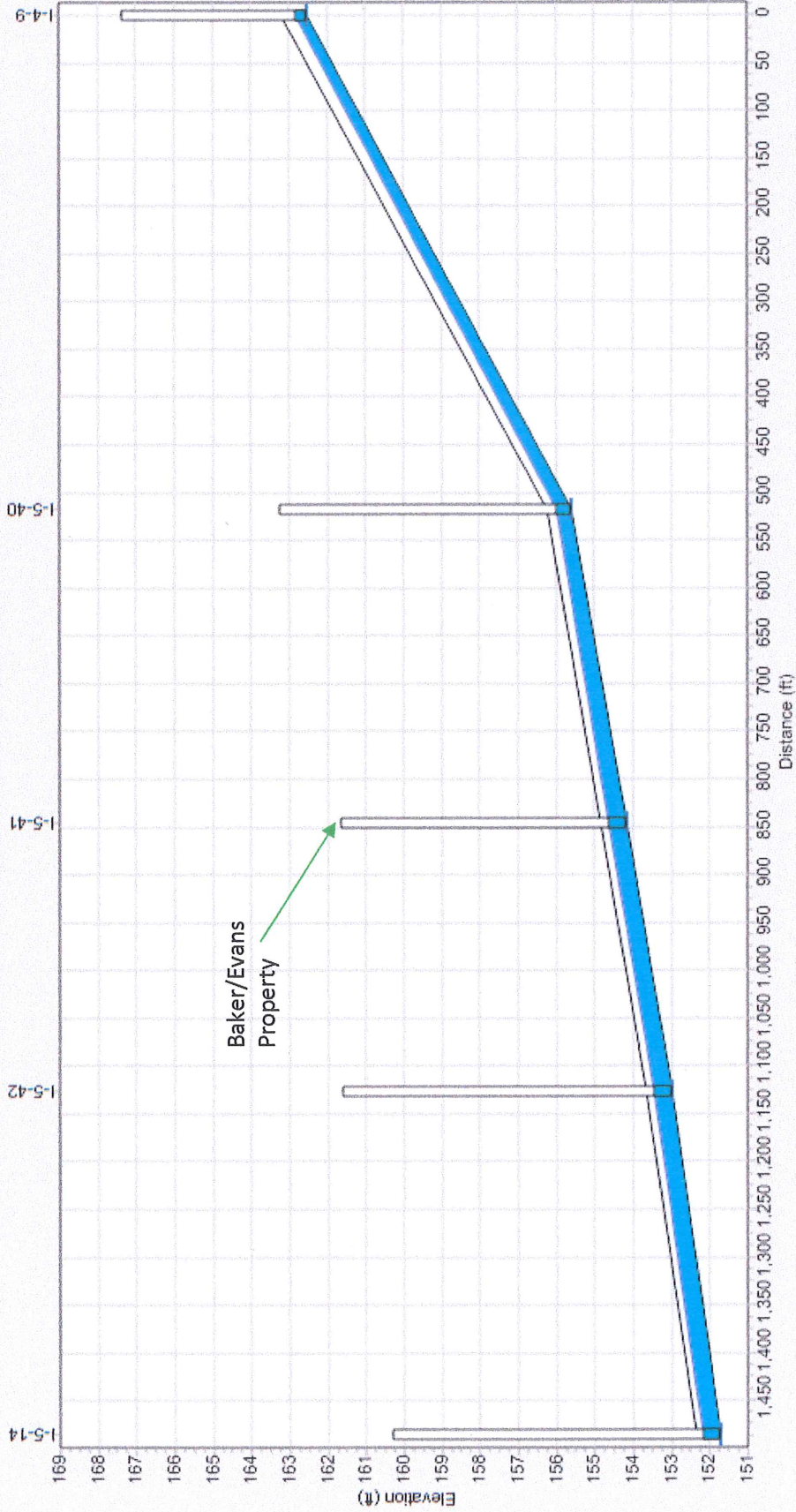
Water Elevation Profile: Node I-4-9 - I-5-14



12/22/2005 07:45:00

Water Level Profile, Current Configuration

Water Elevation Profile: Node I-4-9 - I-5-14



Water Level Profile, Future Configuration

# PREMIER DEVELOPMENT, LLC

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## Traffic Impact Analysis (133 Apartments in McMinnville)

**Prepared for**

Premier Development, LLC  
1312 NE Highway 99W  
McMinnville OR 97128

**Prepared by**

David Evans and Associates, Inc.  
2100 SW River Parkway  
Portland, Oregon

**MARCH 2017**



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## Executive Summary

Premier Development, LLC is seeking a change in zoning from R-2 to R-4 to build 133 new apartment units at 2501 NE Evans St, McMinnville, OR. Currently a vacant lot, a local business, and a parking lot occupy the site. This report analyzes the potential near-term impact of these 133 new apartment units on the expected opening day in 2019, as well as the longer-term (20-year) potential impacts in 2037.

To analyze both times, existing traffic counts were collected and grown for the 2019 analysis, new trips were generated for 133 apartment units, and added to these naturally increasing background trips. These trips were analyzed to determine intersection traffic performance.

The 2037 analysis was conducted slightly differently. As the City's TSP is already planning for the current R2 zoning, the 2037 analysis focuses on the additional trips generated by the proposed 133 apartments instead of the 28 single-family homes that are currently allowed with the existing zoning. An analysis of the difference in future trips represents the result of the zone change from R-2 to R-4. This difference, plus the growth in background trips, was modelled to analyze a future 20-year planning horizon.

No operational deficiencies were found because of the zone change in either the 2019 opening day or the 2037 planning horizon. The intersection operations are expected to be within the governing roadway operating standards (both City of McMinnville and Oregon Department of Transportation). A left-turn lane warrant analysis was conducted at the site driveway on NE Evans and installation of a left-turn lane is not warranted in either 2019 or 2037.

### Existing Conditions

The project site is currently zoned R-2 (single family residential). The site is currently occupied by a non-conforming commercial use. There is a single story commercial building housing a moving supply company, and an automobile accessory store, as well as a surface parking lot.

### Study Area

The study area is located at 2501 NE Evans Street, McMinnville, OR 97128. Site generated trips were analyzed at the four study area intersections shown below in Figure 1. Access to the site will be provided via a driveway on NE Evans Street.

The intersection of Baker Creek Road at Oregon Highway 99 West (Hwy 99W) was added as a study area intersection to ensure compliance with the City’s TSP. As will be shown in later sections of this analysis, the proposed development will only add approximately 2.1% to the total entering vehicle trips of the

intersection. As such, the proposed development is not expected to have a significant impact to this intersection.

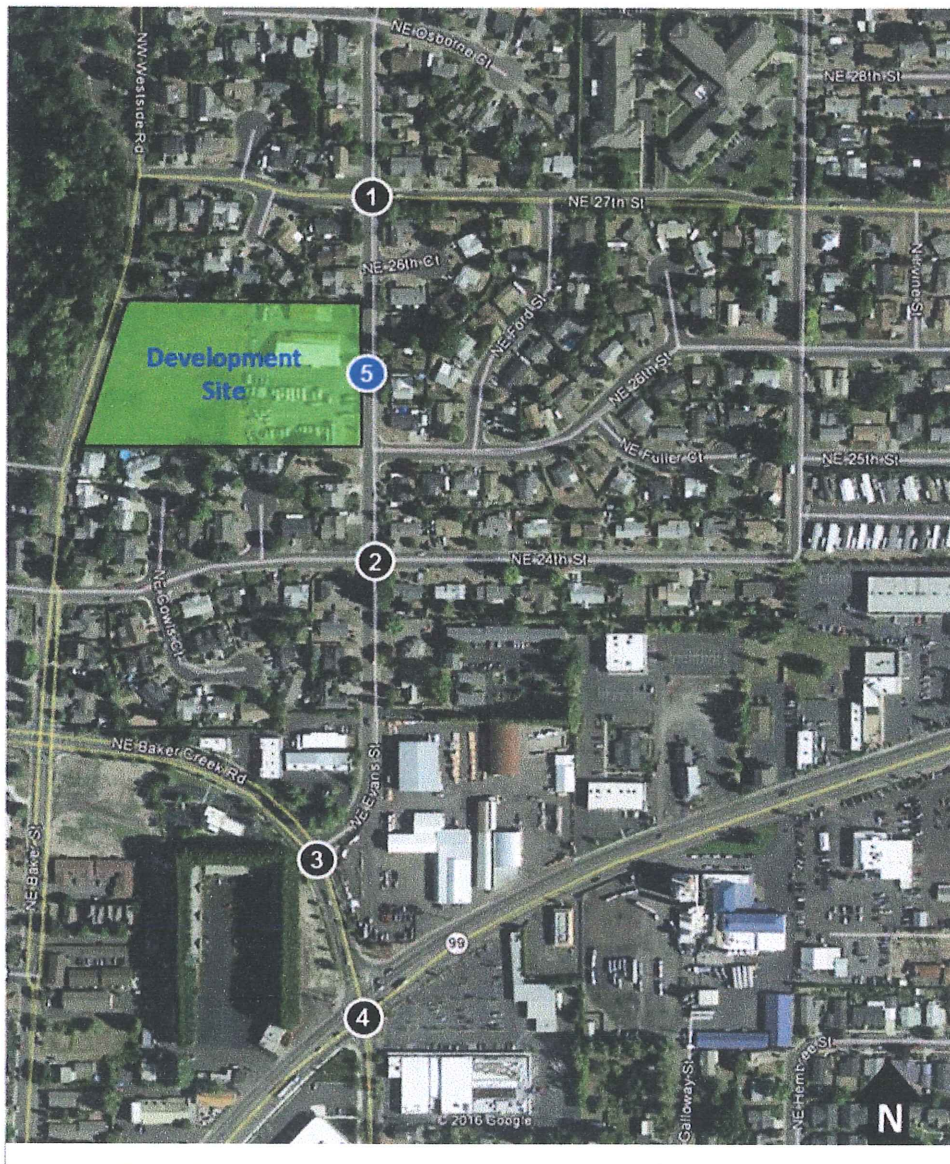


FIGURE 1. STUDY AREA



## **Roadway Network**

The 2010 City of McMinnville Transportation System Plan (TSP) outlines the functional classification of roads and maps each type within the city's boundaries. Within the study area, there are local residential streets, minor collectors, minor arterials, and major arterials.

### ***Local Residential Streets***

To the south of the development are NE 24th Street and NE 26th Street, which are identified as Local Residential Streets in the TSP. Local streets are intended to serve abutting residential areas only, without carrying any through traffic. They are designed for up to 1,200 vehicles a day.

### ***Minor Collectors***

The development is served directly by NE Evans Street, which is classified by the City as a Minor Collector (McMinnville TSP, 2010, P. 2-9). To the north of these development site is NE 27th Street, which is also a minor collector. Minor collectors are primarily intended to provide access to abutting parcels, as well to provide access to local streets. They are designed to carry up to 10,000 vehicles a day (McMinnville TSP, 2010, P. 2-10), comprised of both local and through traffic.

### ***Minor Arterials***

Further to the south of the development is NE Baker Creek Road, which is identified as a Minor Arterial in the TSP. These arterials are designed to be the primary street network both through and within the City of McMinnville. Minor arterials typically have two to three lanes of traffic, and are designed to carry up to 20,000 vehicles a day.

### ***Major Arterials***

Highway 99W runs to the southeast of the property, providing access primarily via NE Baker Creek Road to the south, but also via NE 27th Street further east of the study area. Major arterials are also meant to be the primary network for traffic in McMinnville. They typically have four or more lanes, and carry up to 32,000 vehicles a day.

## **Pedestrian and Bicycle Facilities**

NE Evans Street has a mix of sidewalks on both sides and one side of the street. The development site currently has no sidewalk on the west side of the street (the side where the property is located), and a sidewalk on the east side of the street. Immediately to the north and south of the property on NE Evans Street, there are sidewalks on both sides of the street. However, further to the north and south, the sidewalks are discontinuous, with some properties lacking sidewalks in front of them. It is important to note that the City TSP designates NE Evans Street as a Safe Routes to School (SRTS) route. As such, it is imperative that the proposed development construct a sidewalk on their NE Evans Street frontage.

In the TSP, NE Evans Street and NE 27th Street are classified as shared roadways, indicated with sharrows on them, while NE Baker Creek Road and Hwy 99W are classified as bikeways and the McMinnville TSP designates each route for future bike lanes. Sharrows are painted markings on the road that indicate that cyclists and drivers should share the street space.

**Transit Facilities**

Yamhill County Transit Area (YCTA) Route 3 currently serves the study area. Route 3 is a local loop route, which in the study area, runs north along NE Evans Street. See Figure 2 for map of Route 3, with the development site indicated. Route 3 is a weekday only service, which runs from 8:00 AM to 5:00 PM and operates at one-hour headways.

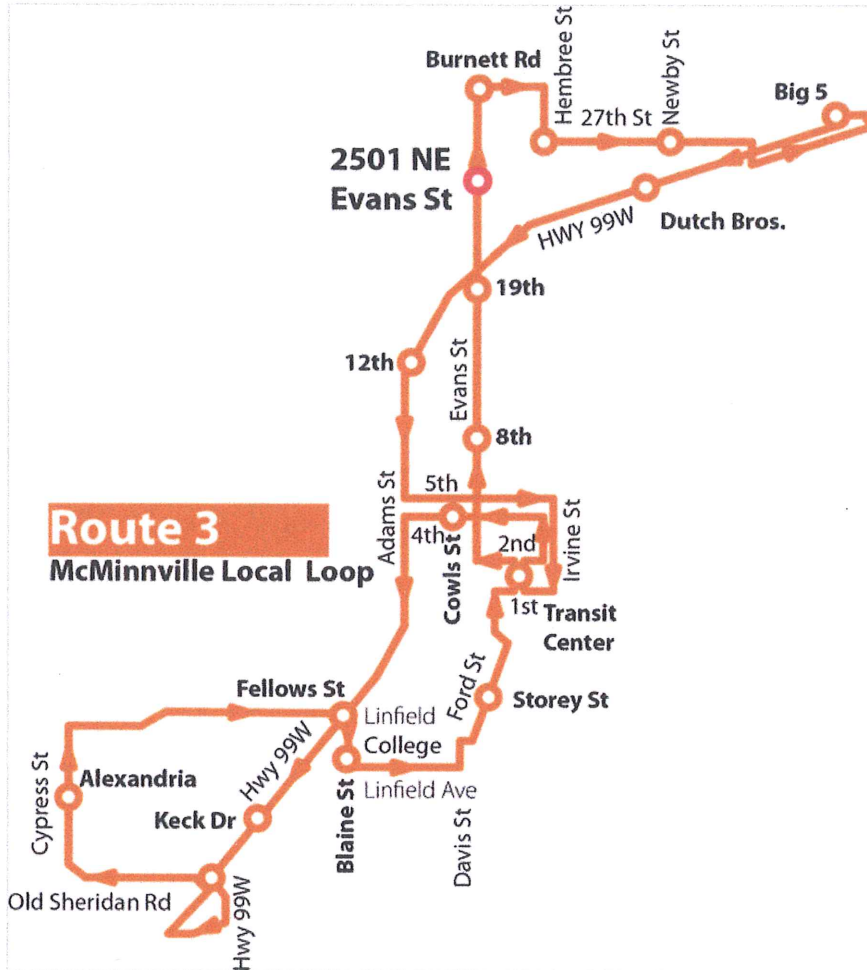


FIGURE 2. STUDY AREA TRANSIT SERVICES.

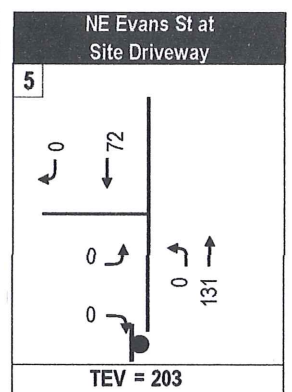
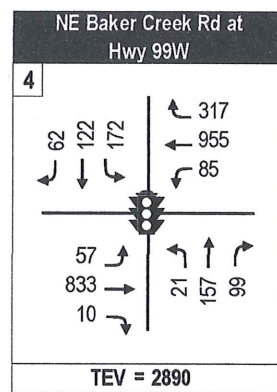
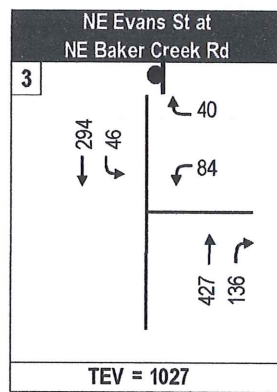
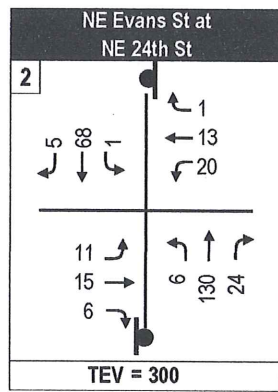
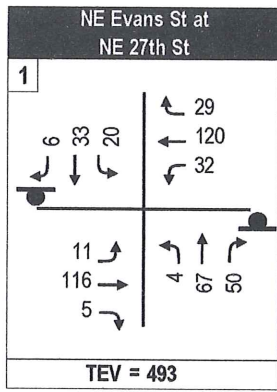
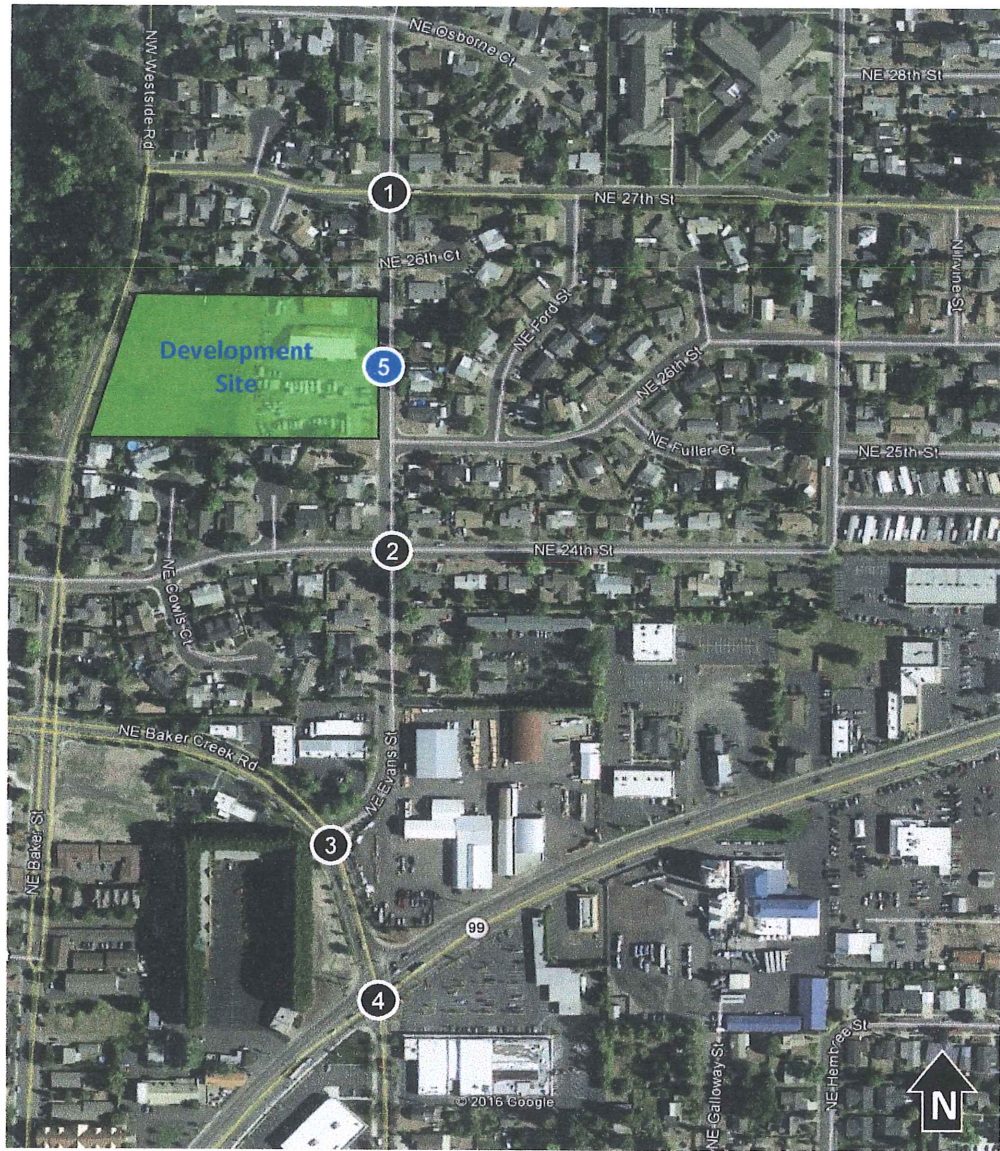
**Existing (2017) Traffic Conditions**

PM peak (4:00 PM to 6:00 PM) traffic counts were conducted on Thursday, February 9, 2017 for the following intersections:

1. NE Evans St at NE 27th St
2. NE Evans St at NE 24th St
3. NE Evans St at NE Baker Creek Rd
4. NE Baker Creek Rd at Hwy 99W

The PM Peak Hour occurred on NE Baker Creek Rd at Hwy 99W from 4:40 PM to 5:40 PM. This common peak hour was used for all study area intersections. See Figure 3 for these existing volumes.





133 Apartments in McMinnville

**Legend**

- Turning Movement
- ##** PM Peak Hour Volume
- TEV: Total Entering Volume

- STOP Control
- Signalized Intersection
- 1** Study Area Intersection
- 5** Site Access Point

**Figure 3**  
Existing (2017)  
PM Peak Hour Traffic Volumes



Existing traffic operations were analyzed using the Highway Capacity Manual (HCM) 2010 standards for unsignalized intersections and HCM 2000 methodology for the signalized intersection; HCM 2010 does not report outputs for signalized intersections. See Table 1 for a summary of current operations.

TABLE 1. SUMMARY OF CURRENT OPERATIONS

Intersection		Operations	
1	NE Evans St at NE 27th St Unsignalized	V/C	0.24
		LOS	B
2	NE Evans St at NE 24th St Unsignalized	V/C	0.07
		LOS	B
3	NE Evans St at NE Baker Creek Rd Unsignalized	V/C	0.41
		LOS	C
4	NE Baker Creek Rd at Hwy 99W Signalized	V/C	0.60
		LOS	C

## Assumptions and Methodology

Intersection operations were analyzed using Synchro, a microscopic traffic analysis program. As stated in the Executive Summary, the trip generation methodology used for the opening year analysis (2017) and the forecast year analysis (2037) varied as the two different analysis are designed to answer two distinctly different questions. Trip generation is based on the 9th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The generated trips were distributed based on local understanding of travel patterns. Background trips were increased annually based on observed trends. On opening day in 2019, the potential impacts of these 133 units were analyzed, while in 2037 the potential impact in the difference in trips from the apartment and single family homes were analyzed. Left turn warrants were also performed for both years.

The City's TSP states that the operational standard of McMinnville streets is a maximum v/c ratio of 0.90. The ODOT standard, however, applies only to the intersection of Evans Street at Hwy 99W and is a maximum v/c ratio of 0.85.

## Trip Generation

The maximum number of apartment units which could be built on the site under R-4 zoning is 133. The following analysis assumes that all 133 apartments are to be built; this was done to ensure that the maximum amount of potential trips are analyzed in this report. Should any fewer units be built, the analysis and recommendations of this report will still be valid. Generation rates were used for the weekday PM peak hour of adjacent street traffic. See Table 2 for a summary of apartment generated trips.



**TABLE 2. TRIP GENERATION FOR APARTMENTS**

Description	Land Use Code	Size	ITE Average Trip Rate	Trips	Entering Percent	Entering Trips	Exiting Percent	Exiting Trips
Apartments	220	133 units	0.62 / unit	83	65%	54	35%	29

Trips were also calculated for 28 single-family homes, the maximum number that could be built on the site (see Table 2) under R-2 zoning. The reason for these single family home trips is that the site is currently zoned R-2, and should it be re-zoned from R-2 to R-4; the differences in trips resulting from the zone change represents additional (net new) trips to be analyzed in the forecast year. See Table 4 for the trips generated by the 28 single-family homes.

**TABLE 3. TRIP GENERATION FOR SINGLE-FAMILY HOMES**

Description	Land Use Code	Size	ITE Average Trip Rate	Trips	Entering Percent	Entering Trips	Exiting Percent	Exiting Trips
Single-Family Homes	210	28 houses	1.00 / house	28	63%	18	37%	10

Table 4 below shows the difference in total, entering, and exiting trips as a result of the change in zoning. The Net New Driveway Trips will be added to the 2037 no-build volumes to determine the build volumes.

**TABLE 4. OPENING YEAR (2019) NET NEW TRIPS**

		Trips	Entering Trips	Exiting Trips
<b>Added</b>	Apartments (proposed zoning)	83	54	29
<b>Removed</b>	Single Family Homes (current zoning)	28	18	10
<b>Net New Driveway Trips</b>		<b>55</b>	<b>36</b>	<b>19</b>

The new trips from the apartment units were distributed based on the percentages shown in Figure 4.

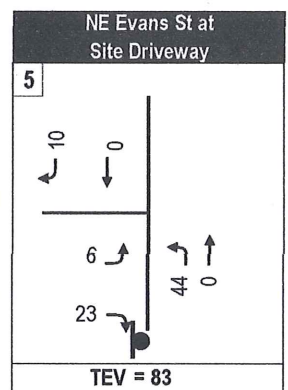
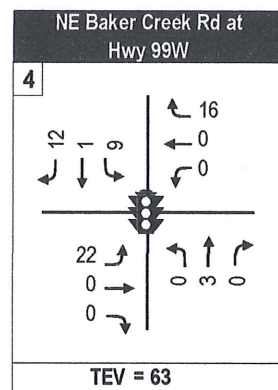
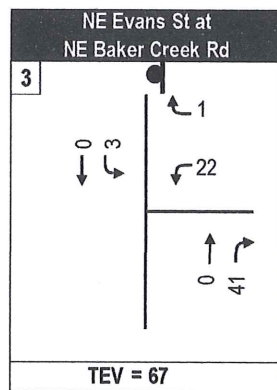
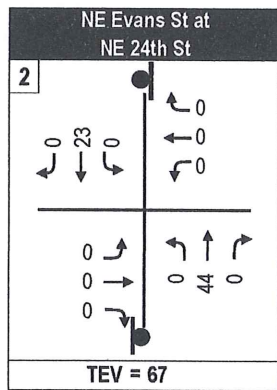
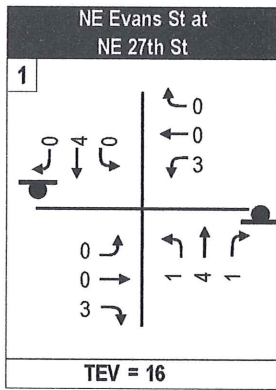
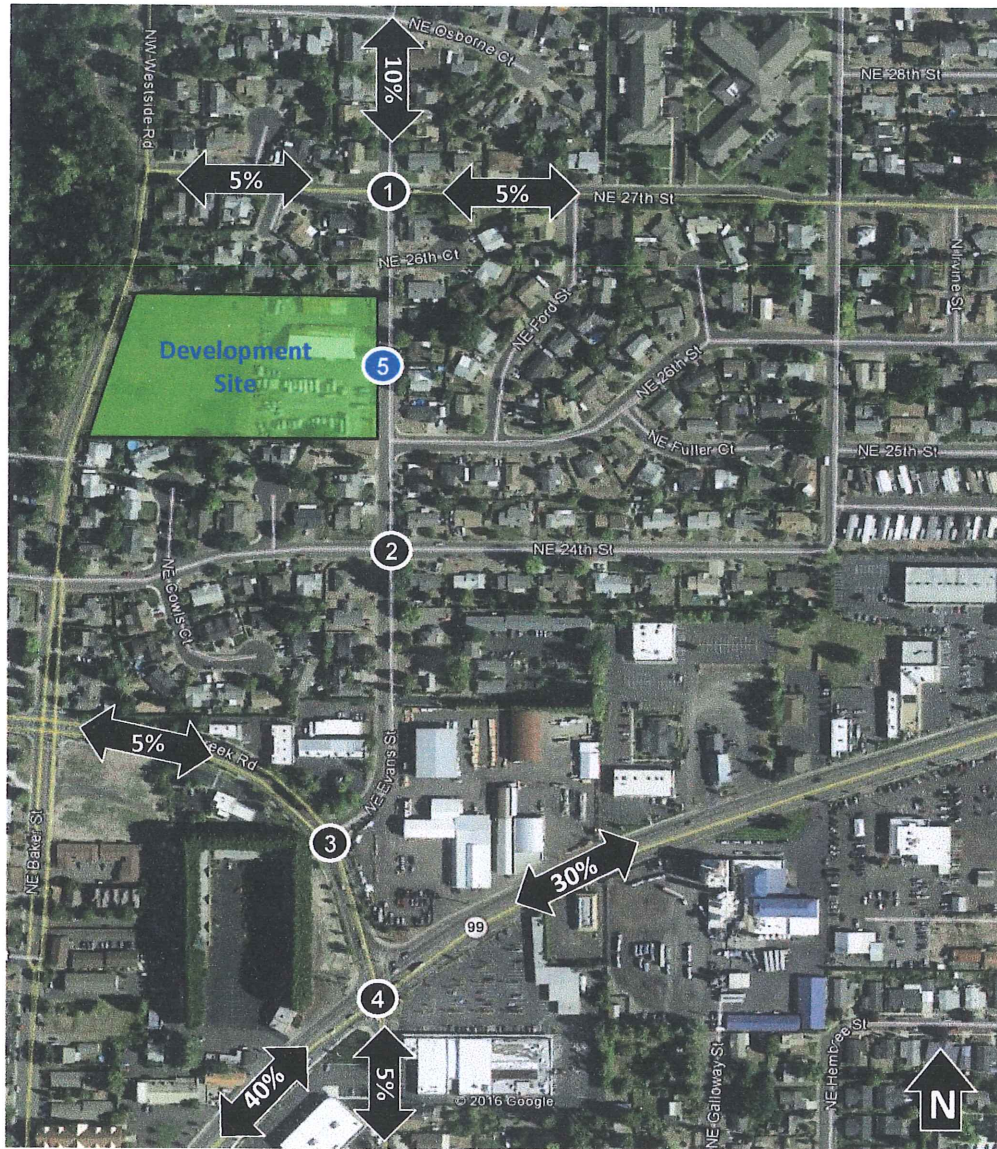
In addition to the new trips expected to be generated by the addition of 133 apartment units, an increase in background trips was also forecasted. A growth rate of 1.13% per year was calculated from link volumes from ODOT’s Regional Travel Demand Model (RTDM).

To validate the growth rate assumed in the RTDM several other methods were analyzed. A comparison was completed of total entering volume at the intersection of Evans Street at Hwy 99W between the 2006 count used for the TSP and the existing count collected for this study. This comparison showed that total entering volume had decreased over the last 11 years. This implies a negative growth rate. As a negative growth rate was deemed unacceptable for use in this analysis, a review of Automatic Traffic Recorder stations (ATRs) was also conducted at three locations. ATR 36-004 (Hwy 99W in Newberg)

indicated a 20-year historical trend of 1.11% growth per year. ATR 36-006 (OR 18 three miles west of 99W) indicated a 14-year (the longest period available) historical trend of 0.13% *decline* per year. ATR 36-005 (Hwy 99W in Amity) indicated a 20-year historical trend of 1.10% growth per year.

To be conservative, the highest calculated growth rate of 1.13% per year was used to growth existing volumes out to the analysis years of 2019 and 2037.





133 Apartments in McMinnville

**Legend**

- Turning Movement
- ##** PM Peak Hour Volume
- TEV: Total Entering Volume

- STOP Control
- Signalized Intersection
- 1** Study Area Intersection
- 1** Site Access Point

**Figure 4**  
Opening Year (2019)  
Site Generated Trips  
PM Peak Hour Traffic Volumes



## Opening Year Conditions

The opening of 133 new apartment units is expected to be completed by 2019. At that time, there would be the 83 new trips calculated from the development of the apartments, as well as the 1.13% per year increase in background volumes.

### Opening Year (2019)

Figure 5 and Figure 6 summarize the future turn movement volumes for the study area and Table 5 summarizes the 2019 operations.

**TABLE 5. OPENING YEAR (2019) OPERATIONS SUMMARY.**

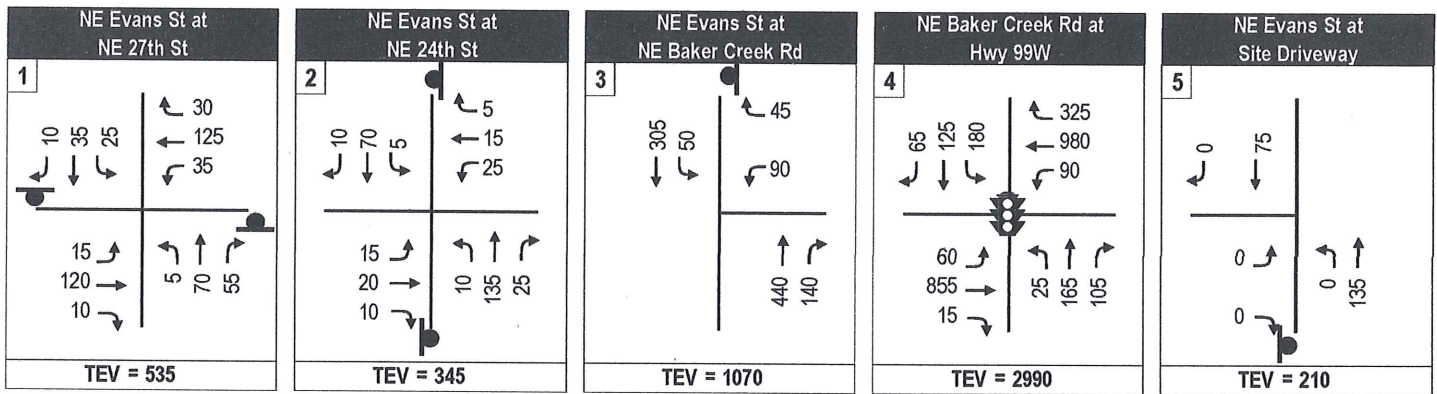
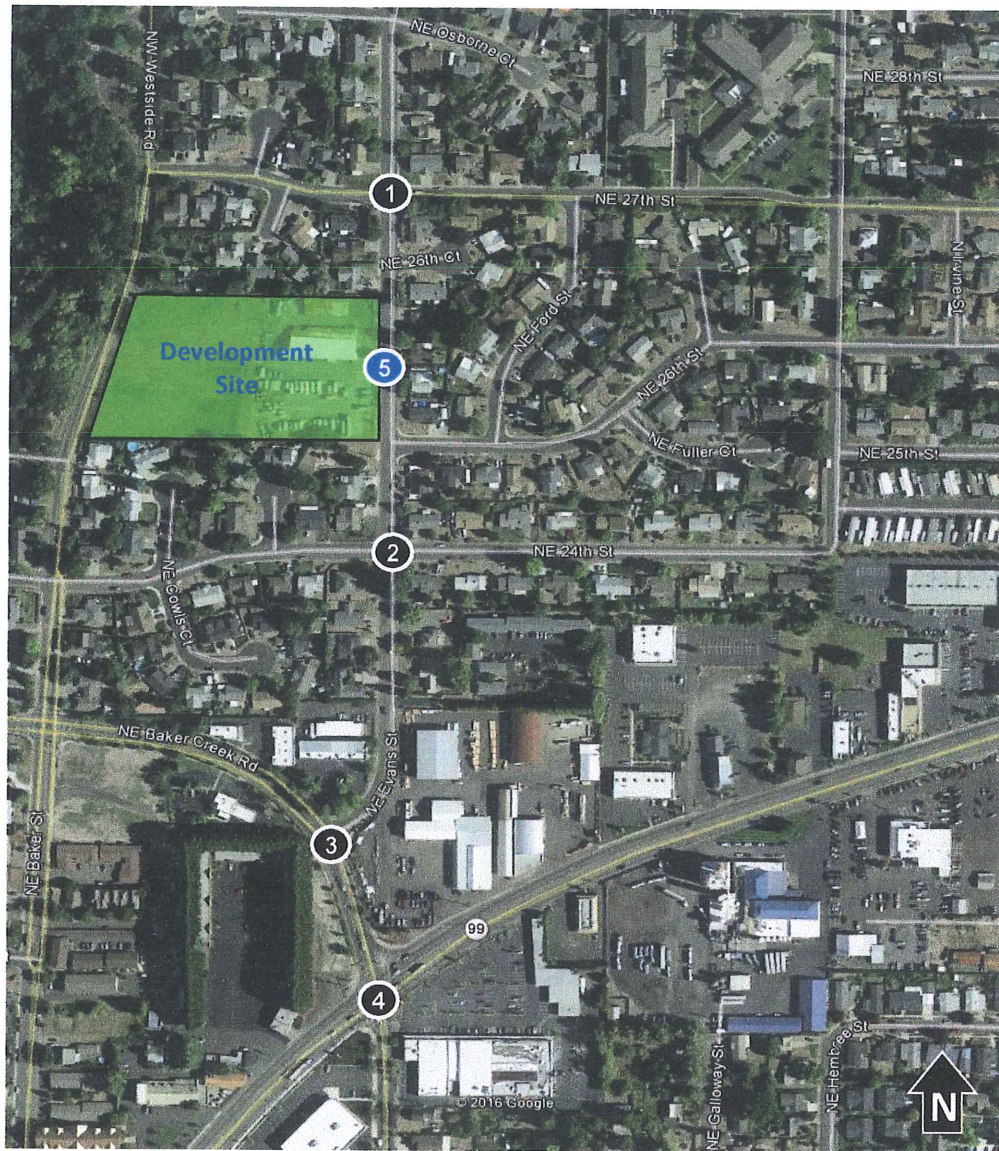
Intersection		Operations		
			No Build	Build
1	NE Evans St at NE 27th St Unsignalized	V/C	0.26	0.30
		LOS	B	B
2	NE Evans St at NE 24th St Unsignalized	V/C	0.09	0.10
		LOS	B	B
3	NE Evans St at NE Baker Creek Rd Unsignalized	V/C	0.46	0.61
		LOS	D	D
4	NE Baker Creek Rd at Hwy 99W Signalized	V/C	0.62	0.63
		LOS	C	C
5	NE Evans St at Site Driveway Unsignalized	V/C	N/A	0.05
		LOS		A

Source: DEA Synchro Model

### Turn Lane Warrant Analysis

To perform the turn lane warrant analysis at the site driveway for 2019 conditions, northbound and southbound volumes were combined and used with the northbound left turn volumes into the site driveway. These volumes were compared to the turn lane criterion plots in ODOT's Analysis and procedures Manual (APM). As seen in Figure 6, there are expected to be 135 northbound through movements, and 75 southbound through movements, for a total of 210, and 45 NBL turns. The speed of NE Evans Street is 25 mph. Given the anticipated 45 left turns, a turn lane would be warranted at greater than 300 combined northbound and southbound vehicles, and given the anticipated 210 northbound and southbound vehicles, the left turn volume would have to be greater than 60. Since neither of these conditions are met, a left turn lane is not warranted.





133 Apartments in McMinnville

**Legend**

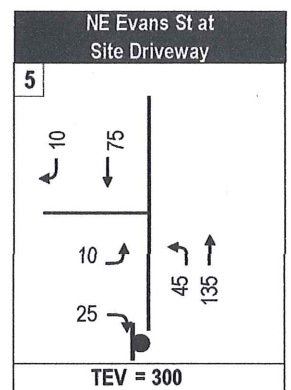
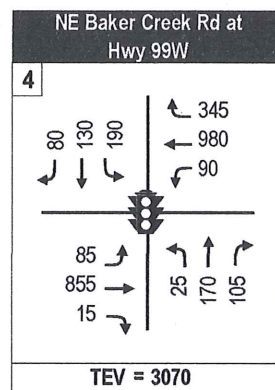
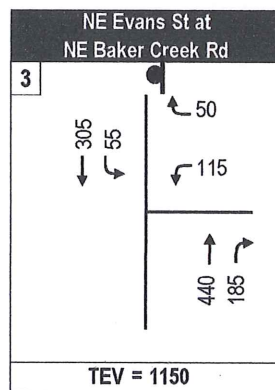
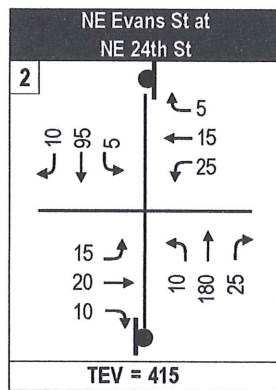
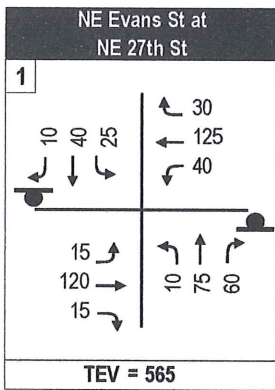
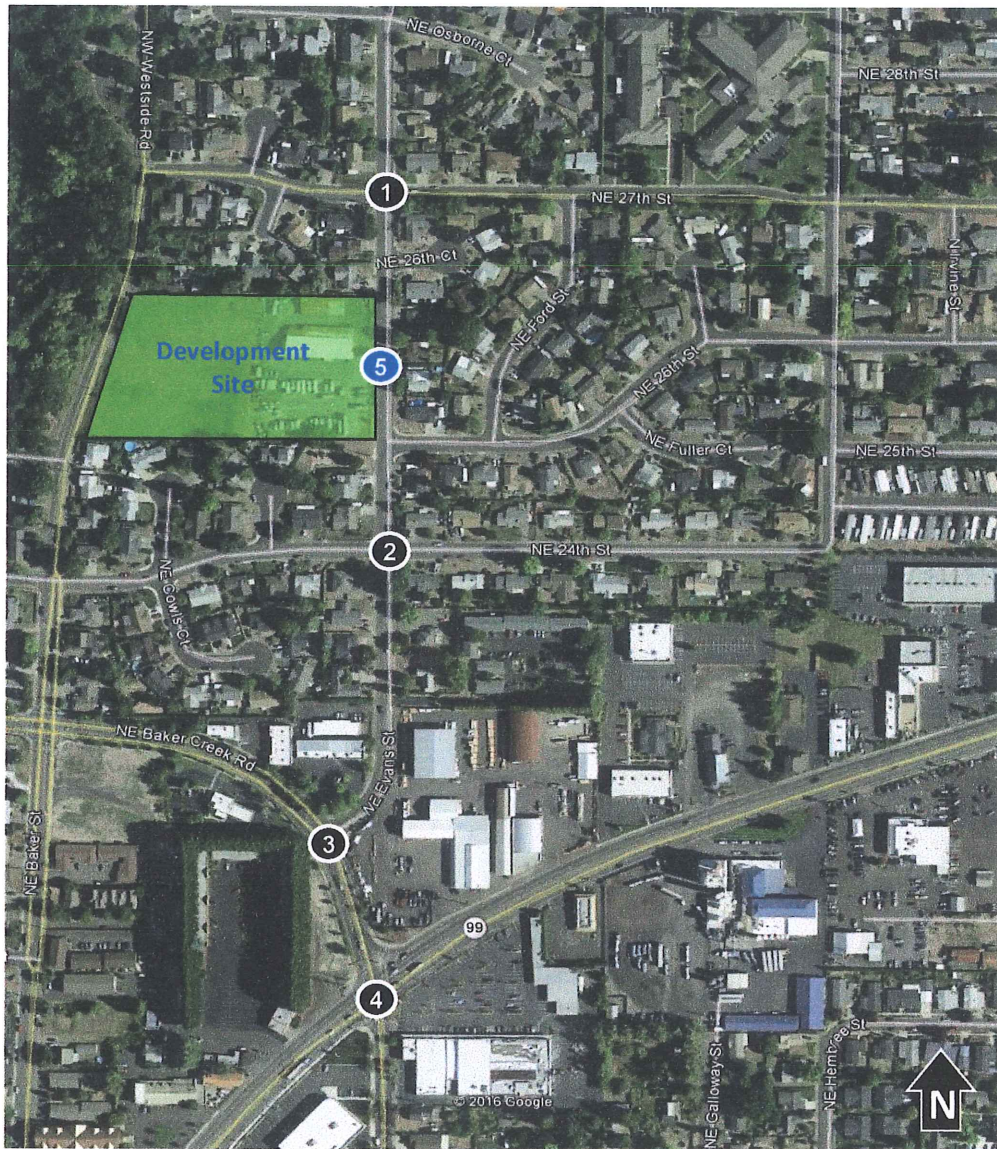
- Turning Movement
- ##** PM Peak Hour Volume
- TEV: Total Entering Volume

- STOP Control
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**Figure 5**  
Opening Year (2019) No-Build  
PM Peak Hour Traffic Volumes







133 Apartments in McMinnville

**Legend**

- Turning Movement
- ##** PM Peak Hour Volume
- TEV: Total Entering Volume

- STOP Control
- Signalized Intersection
- 1** Study Area Intersection
- 1** Site Access Point

**Figure 6**  
Opening Year (2019) Build  
PM Peak Hour Traffic Volumes





## Planning Horizon Conditions

As part of the long range planning process, conditions 20 years in the future (2037) were also analyzed. Two versions of the future were calculated: one with just background growth from 2017 to 2037, and one with the new trips from the change in zoning (the trips of the 133 new apartment units minus the trips of 28 single family homes) plus background growth from 2017 to 2037. Again, the reason for analyzing the difference between the trips from the apartments and the trips from the homes is that this analyzes the impact of the *change in zoning*, to determine if the proposed increase in density is consistent with the City's adopted TSP. See Figure 7 for the new trips and turn volumes from the change in zoning.

## Forecast Year (2037)

Figure 8 and Figure 9 show future volumes and turn movements for the study area in 2037 without development, and finally for 2037 with the additional trips from the change in zoning. Operations for the intersections in the study area are summarized in Table 6. All of the study area intersections are expected to meet the applicable operational standards.

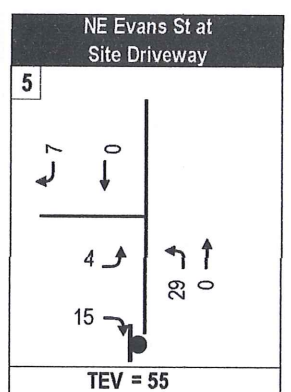
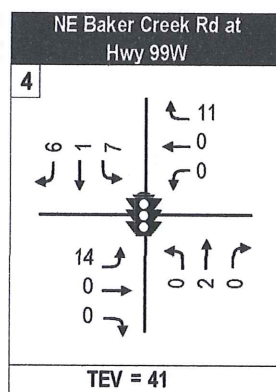
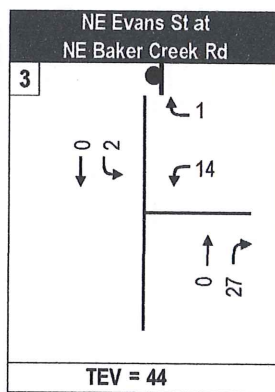
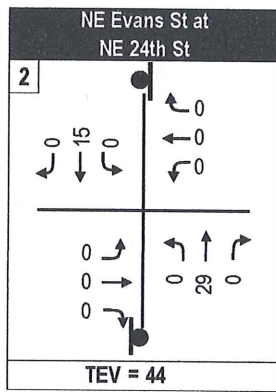
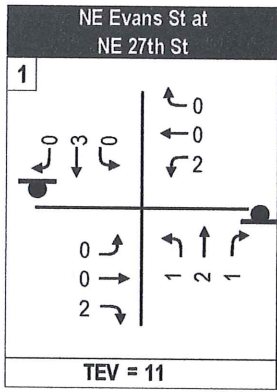
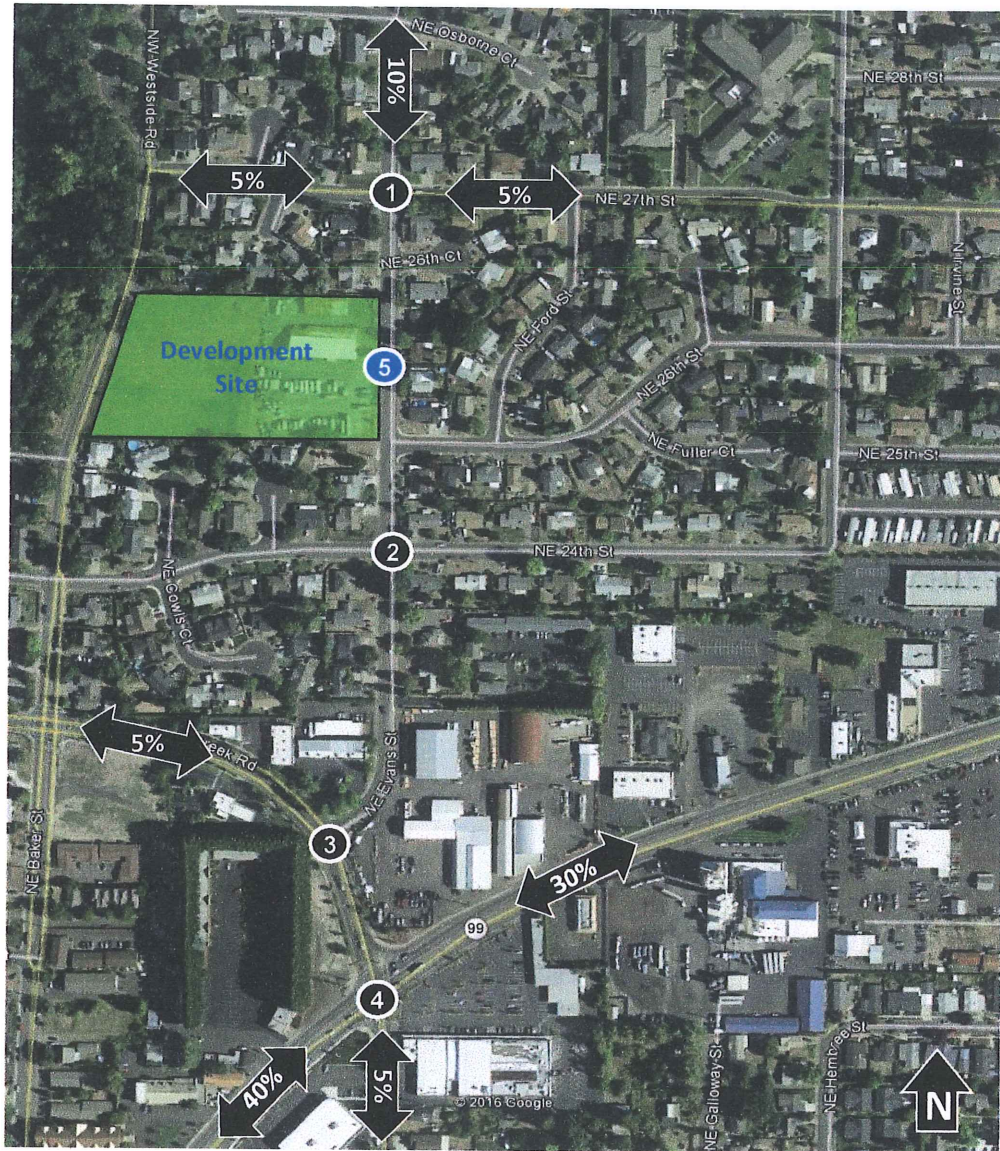
TABLE 6. FORECAST YEAR (2037) OPERATIONS SUMMARY

Intersection		Operations		
			No Build	Build
1	NE Evans St at NE 27th St	V/C	0.38	0.42
	Unsignalized	LOS	C	C
2	NE Evans St at NE 24th St	V/C	0.10	0.13
	Unsignalized	LOS	B	B
3	NE Evans St at NE Baker Creek Rd	V/C	0.75	0.88
	Unsignalized	LOS	F	F
4	NE Baker Creek Rd at Hwy 99W	V/C	0.79	0.82
	Signalized	LOS	C	C
5	NE Evans St at Site Driveway	V/C	N/A	0.03
	Unsignalized	LOS		A

## Left Lane Turn Analysis

The methodology for the left turn lane warrant analysis for 2037 was consistent with that of the 2019 analysis. As the combined through movements total 260 vehicles and the total northbound left turn volume into the site (not just the difference, but the total trips) is still expected to be 45 vehicles, the left turn lane is still not warranted.





133 Apartments in McMinnville

**Legend**

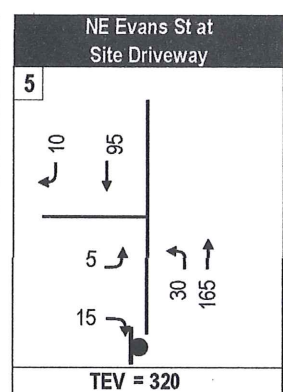
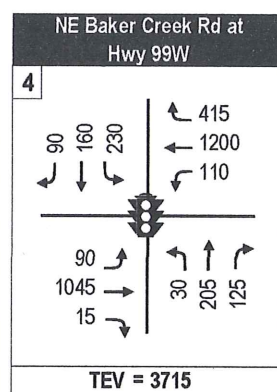
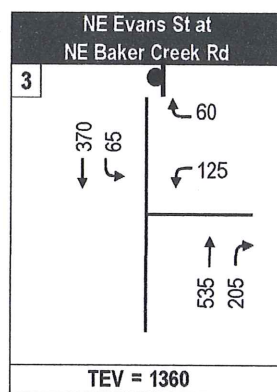
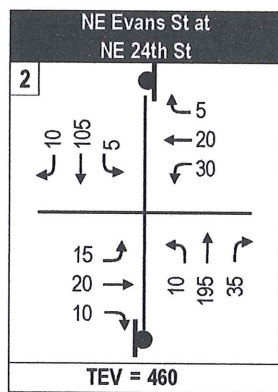
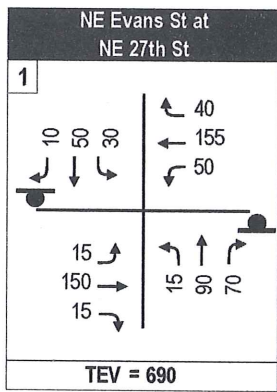
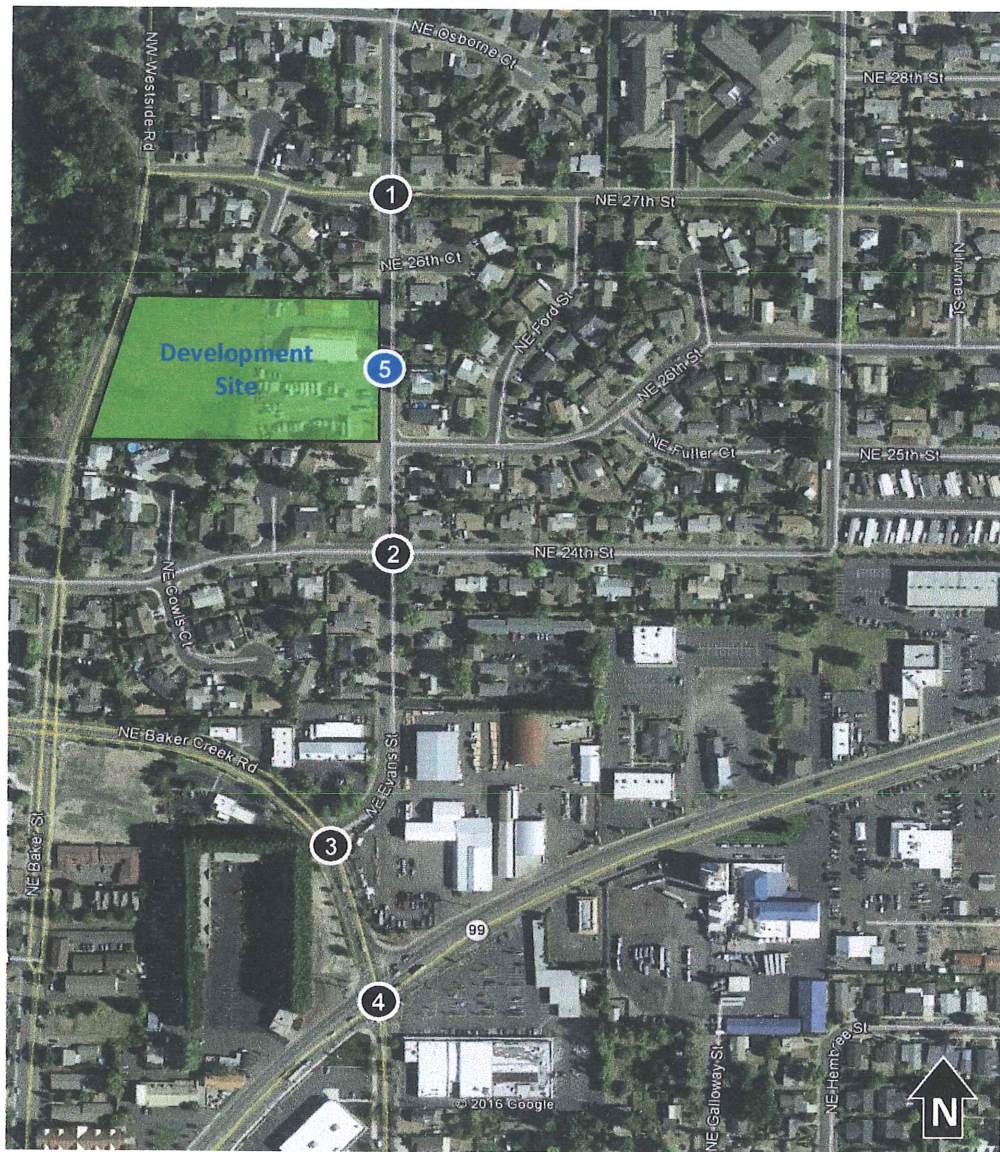
- Turning Movement
- ##** PM Peak Hour Volume
- TEV: Total Entering Volume

- STOP Control
- Signalized Intersection
- 1** Study Area Intersection
- 1** Site Access Point

**Figure 7**  
Forecast Year (2037)  
Site Generated Trips  
PM Peak Hour Traffic Volumes







133 Apartments in McMinnville

**Legend**

- Turning Movement
- #** PM Peak Hour Volume
- TEV: Total Entering Volume

- STOP Control
- Signalized Intersection
- 1** Study Area Intersection
- 5** Site Access Point

**Figure 9**  
Forecast Year (2037) Build  
PM Peak Hour Traffic Volumes



## Findings and Recommendations

For the opening year (2019) conditions, the additional trips caused by the 133 apartments are not expected to cause any intersections to exceed any City of McMinnville or ODOT operating standards. See Table 5 for full breakdown of anticipated V/C ratios. Based on the results of the analysis, no mitigations are necessary.

For the forecast year conditions (2037), the net increase in trips resulting from the R-2 to R-4 zone change did not cause any study area intersection to exceed either the City's (0.90) or ODOT's (0.85) v/c standard at any intersections in the study area. See Table 6 for a full summary of anticipated V/C ratios. Based on the results of the analysis, no mitigations are necessary.

Based on the anticipated volumes along NE Evans Street, and the and the Site driveway, left turn lane warrants are not met.

Based on the three findings above, the proposed zone change is commensurate with the City's TSP. It is recommended that the City of McMinnville approve the application to rezone the subject property from R2 to R4 with only one transportation related conditions of approval. This condition should require the construction of a sidewalk on the subject site frontage to further improve pedestrian connectivity commensurate with the City's TSP and Safe Routes to School plans.



## NOTICE

## Planning Commission

NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 20<sup>th</sup> day of April, 2017, at the hour of 6:30 p.m. in the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, relating to the following matter:

**CONDITIONAL USE PERMIT TO ALLOW SOCIAL RELIEF FACILITY TO BE CONSTRUCTED**

DOCKET NUMBER: CU 1-17

TDJC, LLC, is requesting approval of a conditional use permit to allow for the construction and operation of a social relief facility at the property located at 1944 NE Baker Street. The social relief facility would be operated by Yamhill County Health and Human Services and would provide housing for individuals that are in need of assistance pertaining to individual independence. The property is more specifically described as Tax Lot 3400, Section 16CB, T. 4 S., R. 4 W., W.M.

**CONDITIONAL USE PERMIT FOR EXPANSION OF EXISTING ASSISTED LIVING FACILITY**

DOCKET NUMBER: CU 2-17

RJ Development is requesting approval of a conditional use permit to allow for the expansion of the existing Parkland Village Assisted Living Facility. The expansion would allow for the addition of 18 units to the overall facility, resulting in a total of 68 units between the existing and proposed new buildings. The property is located at 3121 NE Cumulus Avenue, and is more specifically described as Tax Lot 100, Section 22DD, T. 4 S., R. 4 W., W.M.

**ZONE CHANGE FROM R-2 (Single-Family Residential) and LDR-9,000 (Low Density Residential -9,000 square foot minimum) to R-4 (Multiple-Family Residential)**

DOCKET NUMBER: ZC 3-17/ZC 4-17

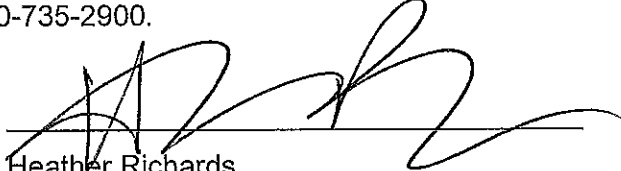
Premier Development, LLC, is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land. The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16BC, T. 4 S., R. 4 W., W.M., respectively.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE Fifth Street, McMinnville, Oregon, during working hours, and on the City of McMinnville website at [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov).

For additional information please contact Chuck Darnell, Associate Planner, at the above address, or by phone at (503) 434-7330.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.



Heather Richards  
Planning Director

# PUBLIC HEARING NOTICE



NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 20<sup>th</sup> day of April, 2017, at the hour of 6:30 p.m. at the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

## **ZONE CHANGE FROM R-2 (Single-Family Residential) and LDR-9,000 (Low Density Residential - 9,000 square foot minimum) to R-4 (Multiple-Family Residential)**

DOCKET NUMBER: ZC 3-17/ZC 4-17

Premier Development, LLC, is requesting approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land. The subject site is located west of NE Evans Street and east of NE Baker Street and is more specifically described as Tax Lots 3200 and 3201, Section 16 BC, T. 4 S., R. 4 W., W.M., respectively.

The Planning Commission will conduct a hearing and make a decision to recommend or deny the application to the McMinnville City Council. Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission and City Council in making a decision.

The Planning Commission's recommendation on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Testimony and evidence at the public hearing must be directed toward those criteria, which are generally as follows:

1. The goals and policies of the McMinnville Comprehensive Plan.
2. The requirements of McMinnville Ordinance No. 3380 (the Zoning Ordinance) with particular emphasis on Section 17.03.020 (Purpose), Chapter 17.21 (R-4 Multiple-Family Residential Zone), Chapter 17.72 (Applications and Review Process), and Chapter 17.74 (Review Criteria).

### 17.74.020: Comprehensive Plan Map Amendment and Zone Change - Review Criteria.

An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

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

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

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

The referenced zoning ordinance criteria is available for review in the Planning Department's portion of the city's website located at: [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov).

Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5th Street, McMinnville, Oregon, during working hours, and is available for review in the Planning Department's portion of the city's website located at: [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov).

For additional information contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.

  
Heather Richards  
Planning Director

(Map of area on back)



Received 4-14-17 SD

Attachment 3

4/14/2017 @ Opposition to Reference zone change City File # ZC 3-17  
Site Location and Description Property Address 2640 NE Baker Street McMinnville OR 97128  
Assessor Map No R4416 BC 03201 Total Site Area 2.6 Acres Subdivision Joplin's Addition Block Lot 8  
Comprehensive Plan Designation Residential Zoning Designation County VLDR-9000

3 Pages w/ 2 Signi-  
Ture Pages

1. Comprehensive Plan Goal III 1: "Provide Positive Impacts on surrounding areas"

Citizens signing this petition believe the zone change to R4 is not compatible with this stated objective. The building of 133 units would disrupt the local community livability creating a different type of neighborhood. It would create higher traffic along NE Evans along with considerably more street congestion from increased parked cars affecting quality of life and public safety for pedestrians walking, riding, and using the Evans Street pocket park.

2. "GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

General Housing Policies:

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

And

"61.00 The City of McMinnville shall monitor the conversion of lands to residential use to insure 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"

The proposed zone change in the greater neighborhood including Tice park demonstrates that the "Variety of Housing types and densities " will actually decrease the diversity of the area eliminating VLDR 9000 zoning area so that it does not exist in the surrounding area.

" 71.06 Low Density Residential Development (R-1 and R-2) Low-density residential development should be limited to the following:

- 1. Areas which are committed to low density development and shown on the buildable lands inventory as "developed" land;
- 2. Areas where street facilities are limited to collector and local streets; "

The addition of high density R4 zoning with access only to NE Evans Street will put considerably more traffic and congestion onto the this street along with considerably more street parked vehicles as experienced in the Tice Apartment area.

" 71.09 6. Areas that can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas. (Ord. 4961, January 8, 2013; Ord. 4796, October 14, 2003)"

In the opinion of the signers of the petition the R4 zoning proposal will not comply with the provisions of "71.09 6 buffering objective. This will greatly impact the livability of the single family housing that surrounds the area.

" 71.10 1. The density of development in areas historically zoned for medium and high density development;"

"73.13 1. & 2.

The proposed zoning change is a deviation from the objective of 71.10 for "appropriate density "Changing the area from R2 to R4.

Policy 86 is violated in that the traffic and congestion in the area especially if limiting access only to N Evans will be increased as demonstrated by the Tice Park apartment area where street parking is a problem. Traffic most often moves through Evans from Tice Park.

An issue that has not been addressed is that schools in McMinnville are at capacity. More housing will send more students to Grandhaven Elementary School, placing pressure on facilities, classroom size, and educational quality.



253 686 2498



Date:				
Citizens in opposition to changing the said property to R4 zoning .				
Referenced documents				
<a href="http://www.mcminnvilleoregon.gov/planning/page/zone-change-2640-ne-baker-st-2501-ne-evans-st">http://www.mcminnvilleoregon.gov/planning/page/zone-change-2640-ne-baker-st-2501-ne-evans-st</a>				
Date of hearing.				
20-Apr-17 Civic Hall Building, 200 NE 2nd Street: 6:30 pm				
Responses to				
Public Hearing Notice " Zone Change from R2 ( Single-family residential ) and LDR-900 ( Low Density residential 900 square foot minimum ) to R4 ( Multiple-Family Residential )				
Name	Address	Phone	Notified Yes / NO	Date
Dennis Lumber	2445 NE Cowls Ct	503 492 2309	Yes	4-8-2017
Gary Frewler	2440 NE Cowls Ct	503-472-5329	Yes	4-8-2017
Geneva Foster-Ward	2447 NE Davis Ct.	503-740-8872	Yes	4-8-2017
Tuyen Bina	2540 NE Davis Ct.	503-440-7001	Yes	4-8-2017
Philip Dorn	630 N.E. 24th St.	503-867-0216	Yes	4-8-2017
Vernon H Steuhr	8413 NE Evans <sup>911</sup> St	971 678 9699		4-8-2017
Howard Hughes	2409 NE Evans St	503-434-6166		4-8-2017
Cherise Cosm	530 NE 26th St	971-737-9426	No	4-8-17
Kevin Feltz	535 NE 26th St	971-741958	No	4-8-17
Ronald Lundberg	2675 NE Evans	971 261 7475	yes	4-8-17
Alexandro Garcia	2655 NE Evans St	503-857-3890	yes	4-8-17
Edwin Martin	400 N.E. 27th St	503 472 9783		
James Ragsdale	380 N.E. 27th St	503 434 5894	Yes	4-8-17

TABIRMA  
@gmail.com

Date: 4-13-17												
Subject: Citizens in opposition to changing the said property to R4 zoning .												
Referenced documents <a href="http://www.mcminnvilleoregon.gov/planning/page/zone-change-2640-ne-baker-st-2501-ne-evans-st">http://www.mcminnvilleoregon.gov/planning/page/zone-change-2640-ne-baker-st-2501-ne-evans-st</a>												
Date of hearing. 20-Apr-17 Civic Hall Building, 200 NE 2nd Street: 6:30 pm												
Responses to Public Hearing Notice " Zone Change from R2 ( Single-family residential ) and												
LDR-900 ( Low Density residential 900 square foot minimum ) to R4 ( Multiple-Family Residential )												
Name John R. Baker	Address 2435 Cowles Ct	Phone 503 492 3926	Notified Yes / NO									
(Nick P. Baker)	2070 N.E Baker	503 857-2528										



April 17, 2017

Mr. Ron Pomeroy  
Principal Planner  
McMinnville Planning commission  
231 NE 5<sup>th</sup> Street  
McMinnville, OR



Dear Mr. Pomeroy,

I am writing today in response to a notification which I received on or around March 20<sup>th</sup> of this year. The notification was an announcement of a public hearing to be held on April 20<sup>th</sup>, 2017 and concerned a zone change requested by Premier Development, LLC and is Docket Number: ZC #-17/ZC 4-17.

Being a property owner who would be impacted by this proposed zone change I would like to offer my observations, opinions and concerns.

First off, the application posted online at the McMinnville planning web site states: "In addition to this completed application, the applicant must provide the following:

A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site such as: access; lot and street lines with dimensions; distances from property lines to structures; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.) If of a larger size, provide five (5) copies in addition to **an electronic copy** with the submittal."

Having searched the application, I found no such drawing. Without the ability to see a detailed site plan I found it difficult to answer important questions. My principle concerns regarding this proposal include, but are not limited to:

1. *Impact on the Baker Street traffic.* My house is located at 2430 Baker Street. With current traffic flow, I sometimes find it difficult to access and depart from this property. I want to be guaranteed there will never be access to this development via Baker Street.
2. *Parking.* Current zoning regulation provide for the following:

"17.21.020 Conditional uses. In an R-4 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74.030:

L. A multiple-family dwelling constructed to a higher density than normally allowed in the R-4 Multiple-Family zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met:

3. That off-street parking be provided at the rate of one and one-half parking stalls per unit. A variance to this requirement may be considered by the Planning Commission when the proposed housing structure is limited solely to elderly residents.

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

*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."*

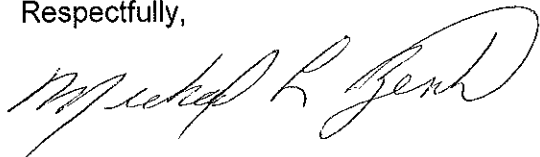


There is no evidence this development is intended for habitation solely by elderly residents. It is therefore incumbent upon the applicant that they provide 199 off street parking places as well as provide the required 25% of the developed space to provide landscaping, room to maneuver vehicles and driving aisles. Again, not having seen a site plan I am unable to ascertain if these conditions have been met.

At this time, these are my concerns regarding this development. Should a detailed site plan emerge from these proceedings I may at that time have additional concerns.

Thank you for taking the time to review my response to the hearing notification regarding this zone change.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael L. Zenk". The signature is written in a cursive, flowing style with a large loop at the end.

Michael L. Zenk  
7875 Tarpiscan Road  
Malaga, WA 98828



**City of McMinnville**  
**Planning Department**  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## MEMORANDUM

**DATE:** April 20, 2017  
**TO:** McMinnville Planning Commission  
**FROM:** Ron Pomeroy, Principal Planner  
**SUBJECT:** Additional testimony and staff response regarding ZC 3-16/ZC 4-17 (Premier Development, LLC)

---

### **Additional Testimony received since the issuance of the Staff Report on April 13, 2017**

A neighborhood petition in opposition to the Premier Development, LLC zone change proposal was received by the McMinnville Planning Department on April 14, 2017.

While the full text of this petition is provided as an attachment to this memo, the general concerns are summarized below in order for staff to provide written response:

1. McMinnville Comprehensive Plan Goal III 1 states: "Provide positive impacts on surrounding areas." Redesignating this property to R-4 is not compatible with the surrounding area as it would disrupt the local community livability creating a different type of neighborhood, and increase street congestion from increased parked cars affecting the quality of life and public safety for pedestrians, bicycles and those using the Evans Street pocket park.

#### Staff response:

Comprehensive Plan Goal III 1 relates to Cultural, Historical, and Educational Resources, not housing. This Goal states in full, "*To provide cultural and social services and facilities commensurate with the needs of our expanding population, properly located to service the community and to provide positive impacts on surrounding areas.*" The Policies that follow this Goal speak specifically to Community Center type facilities and not private residential development. This Goal is not applicable to the conclusionary findings of this application request.

Regarding the other concerns noted above, a traffic analysis was provided by the applicant modeling future impacts to the surrounding street system. This analysis concluded that the difference in impacts on the surrounding street system between the assumed R-2 (Single-Family Residential) zoning designation of the site through the year 2037, as modeled in the McMinnville Transportation System Plan (TSP), compared to impacts of the site being zoned R-4 were negligible and would not cause changes to the findings or recommendations of the TSP. The McMinnville Engineering Department concurs with this conclusion.

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*Attachments:*

*Email – Hayes Family, dated January 16, 2016*

Memorandum

Date: April 20, 2017

Re: Additional testimony and staff response regarding ZC 3-17/ZC 4-17  
(Premier Development, LLC)

Page 2

2. The petition references McMinnville Comprehensive Plan Goal V 1 and Policy 58.00. Goal V 1 states: *"To promote development of affordable, quality housing for all city residents."* Also referenced is Policy 58.00 which states: *"City land development ordinance shall provide opportunities for development of a variety of housing types and densities."* Also, Policy 61.00 stating; *"The City of McMinnville shall monitor the conversion of lands to residential use to insure 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."*

The petition states that changing the Yamhill County zone of LDR 9,000 to a City zone would decrease diversity.

Staff response:

For responses to Goal V 1 and Policy 58.00 I would direct the reader to Page 4 of the Decision Document where detailed findings are provided that speak to the variety of housing types and densities already present in the surrounding neighborhood. Additionally, urban development cannot occur on land within the city that yet carries a rural zone. In order for the western portion of this site to be provided City services such as sanitary and storm sewer service, or to receive issuance of building permits, the zone must be changed from a Yamhill County zone to a McMinnville zone. This action does not decrease diversity, rather it allows for residential development to occur commensurate with McMinnville comprehensive plan and zoning ordinance provisions.

3. The petition references Policies 71.06 and 71.10 which provide guidance for identifying appropriate locations for low-density (R-1 and R-2) and medium density (R-2 and R-3) residentially zoned land. The petition notes that zoning this site to R-4 would put considerably more traffic and congestion onto NE Evans Street and more vehicles parked along Evans Street as is experienced in the Tice Apartment area to the north.

Staff response:

Policies 71.06 and 71.10 do not apply to the relevant conclusionary findings as the applicant has not requested to rezone the site to either R-1, R-2 or R-3. Rather, the applicant has requested approval to rezone the site to R-4 which is addressed by Policies 71.09 and 71.13. These Policies are found on Page 5 of the Decision Document and the conclusionary findings on Pages 5 and 6. Additionally, the anticipated traffic impact is addressed by the traffic impact analysis provided by the applicant and reviewed by the Engineering Department.

4. The petition references Policies 73.13 1 and 2 noting that the proposal is a deviation from the objection of Policy 71.10.

Staff response:

In reviewing the Comprehensive Plan Policies, staff cannot identify Policy 73.13 1 or 2. There is a Policy identified as Policy 73.00 which speaks to Planned Developments, however there is no sub 1 or 2 and the applicant is not applying for a Planned Development zone change

Memorandum

Date: April 20, 2017

Re: Additional testimony and staff response regarding ZC 3-17/ZC 4-17  
(Premier Development, LLC)

Page 3

5. The petition states that Policy 86.00 is violated due to anticipated traffic congestion in the area similar to the congestion demonstrated by the Tice Park apartment area.

Staff response:

Policy 86.00 and the relevant conclusionary finding is provided on pages 6 and 7 of the Decision Document and noted here for your reference. Policy 86.00 speaks generally to the desired dispersal of multiple-family housing throughout the community to avoid a concentration of people, traffic, congestion and noise.

6. The petition also notes that McMinnville schools are at capacity and additional housing will send more students to area schools.

Staff response:

This is not a criterion provided in the McMinnville comprehensive plan for consideration in land use matters. While this concern is noted and may be accurate, this is not part of the conclusionary findings applicable to this request

---

A letter dated April 17, 2017 was received through email by the Planning Department on April 17, 2017, and by postal mail on April 18, 2017, from Michael Zenk regarding the Premier Development, LLC zone change proposal.

While the full text of this letter is provided as an attachment to this memo, the general concerns are summarized below in order for staff to provide written response:

1. The letter notes that a site plan was not submitted as part of this application package with detail specified at the bottom of page four of the Comprehensive Plan Map Amendment/Zone Change Application which states:

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

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site, such as: access; lot and street lines with dimensions; distances from the property lines to structures, improvements and significant features (slope, vegetation, adjacent development, drainage, et.). If of a larger size, provide five (5) copies in addition to an electronic copy with the submittal.
- A legal description of the parcel(s), preferably taken from the deed.
- Payment of the applicable review fee, which can be found on the Planning Department web page.”

Staff response:

Staff is satisfied that the applicant provide the required information as follows:



Memorandum

Date: April 20, 2017

Re: Additional testimony and staff response regarding ZC 3-17/ZC 4-17  
(Premier Development, LLC)

Page 4

- Numerous graphics depicting the site including Google Earth images with scale noted. Yamhill County Tax Map identifying the site, and an additional site map provided on page 8 of the applicant's Hydraulic Analysis for the Baker/Evans Property technical memorandum. These maps and graphics together provide sufficient information to identify the site, existing improvements and surrounding development.
  - A legal description of the site was provided by the applicant as well as the required application fee.
  - The applicant's submitted material was of reproducible size.
2. The letter notes that the principal concerns regarding the proposal include impact on the Baker Street traffic and parking. Mr. Zenk references Chapter 17.21.020 (Conditional Uses) of the McMinnville Zoning Ordinance.

Staff response:

This reference relates to the potential ability to exceed the residential density by the R-4 zone. Subsection 5 of this reference identifies that this provision is only possible for those properties that are located within the McMinnville downtown core area bounded by First Street, Fifth Street, Adams Street and Johnson Street. The applicant's site is not within this area so this provision does not apply. Additionally, the applicant did not apply for and is not requesting a Conditional Use approval from the Planning Commission.

3. The letter notes that off-street parking should be provided at the rate of 1.5 parking stalls per multiple-family dwelling unit. Policies 126.00 and 127.00 regarding off-street parking are also referenced.

Staff response:

As the applicant has not submitted a development plan as part of this proposal, there is no parking plan to evaluate. The applicable parking requirements as stipulated in Chapter 17.60 of the McMinnville Zoning Ordinance will be applied upon the applicant's future submittal of a development plan for the site.

4. The letter notes that there is no evidence that this development is intended for habitation solely by elderly residents. Consequently, standard parking requirements shall apply as well as the provision of the required landscaping as part of future development.

Staff response:

Again, as the applicant has not submitted a development plan as part of this proposal, there is no parking plan to evaluate. The applicant has also not identified if this site will be designed specifically for habitation by "elderly residents." Landscaping and parking standards shall be applied to the future development of this site as required by the applicable portions of the McMinnville Zoning Ordinance based on the type and scale of development proposed.

## 1. Public Hearing (Quasi-Judicial)

### A. Zone Change (ZC 3/4-17) *(Public Hearing Closed April 20, 2017, Deliberation Only)*

Request: Approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land.

Location: 2501 NE Evans Street and 2640 NE Baker Street and more specifically described as Tax Lots 3200 and 3201, Section 16BC, T. 4 S., R. 4 W., W.M.

Applicant: Premier Development, LLC

Chair Hall read the quasi-judicial hearing procedure. The public testimony portion of the hearing was closed on April 20, 2017. Commission deliberation was continued to this meeting to allow staff time to modify the conditions of approval.

Planning Director Heather Richards delivered the staff report. This was a zone change request for two parcels. The Commission reviewed the criteria for the request at the last Commission meeting. There was public testimony in support and some were opposed. The opposition focused on the negative impact to neighboring properties of going to a high density residential zone in proximity to a low density residential zone. The Commission asked staff to evaluate some proposed conditions of approval which were being brought back to the Commission tonight. The project was located between NE Baker and NE Evans. The existing zoning was R-2 and County zoning LDR-9,000 and the request was to change the zoning to R-4, the highest density residential zone.

Planning Director Richards explained that zone changes had to be consistent with the goals and policies in the Comprehensive Plan, had to be orderly and timely, consistent with the pattern of development in the area and be compatible with the neighborhood, and had to be effectively served with municipal utilities and services. When the proposed amendment concerned needed housing as defined in the Comprehensive Plan and State statutes, the criteria for neighborhood compatibility should not apply to the rezoning. There was a housing needs analysis from 2001 that showed the City needed 164 additional acres of R-4 and about 50 acres had been rezoned to R-4. There was a need for more R-4 and that extension did apply.

Planning Director Richards explained that the property was located on a collector, it was not an area of poor drainage, had adequate service from existing facilities, access to public transit, and was not geographically constrained. The one criterion it might not meet was whether it could be buffered from low density residential development. One of the things staff looked at as a potential condition of approval was how to mitigate the transition from high density to low density residential. Within a quarter mile and a half mile of the site, there was existing high density residential and parks. Access would be off of Evans Street, which was a minor collector. The maximum average number of daily trips would be 10,000 trips. The applicant did a traffic impact study and the study did not indicate any operational deficiencies on Evans or the surrounding street network. The public input received included a neighborhood petition with the following concerns: traffic on Evans

and Baker Streets, elimination of the County zone which decreased diversity in the area, future multi-family development did not comply with the required buffering, impact to school capacity and classroom size, and an R-4 zone would create a different type of neighborhood with increased traffic.

Planning Director Richards explained that the conditions of approval that would be relevant for any development that would happen on this property as it developed into posing higher density. A public sidewalk on Evans would happen through the building permit process and it was not included as a condition. Condition 1 included land and design for a future bicycle and pedestrian connection to Baker. Baker was currently a County street and was not developed to City standards. If it was developed to City standards in the future, the land would be set aside to be able to make that connection. Commissioner Schanche wanted surety that this would happen, however the Code did not require that type of surety for improvements that were internal to the property and staff was not able to come back with that recommendation as part of the condition. There was concern about vehicular access on Baker, but the City never intended that when the site developed that there would be access on Baker. Not allowing access on Baker was recommended Condition 2. There were two recommendations to mitigate the high density development that was adjacent to low density. Condition 3 stated that for anything built over 35 feet in height, the side yard setback would be increased by one foot for each foot of building height over 35 feet. Condition 4 stated if the property was built as a multi-family development complex, buffering would be provided between the development and low density neighborhood in the form of berms or landscaping. Staff recommended approval of the application with conditions.

Commissioner Schanche was disappointed a walkway could not be required. She wanted to make sure the design included access.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Chroust-Masin MOVED to approve ZC 3/4-17 subject to the staff recommended conditions of approval as amended. SECONDED by Commissioner Geary. The motion CARRIED 5-0.

Commissioner Butler asked about the people furthest north, would they have to go through the original building and all the way back. Mr. Snodgrass said the existing figure eight was the assisted care and there would be a door between that and the new facility. If a family member brought them back, they would check in with the front desk and walk through the building.

Commissioner Dirks asked if they intended to incorporate all of the recommendations in the geotechnical report. The residents would have a difficult time in a seismic event and she wanted to make sure the recommendations were followed. Mr. Snodgrass said the engineers for the project would follow the report.

Associate Planner Darnell said it was in the conditions that the Building Official would require what needed to be done to make sure the facility was structurally sound. Planning Director Richards stated the Building Code was a mini-maxi code where a standard had to be achieved and the Building Official could not ask for more than that. If there were recommendations in the geotechnical report, but the Code did not require them, it was the owner's decision to move that forward or not. The Building Code had a higher standard for vulnerable populations.

Commissioner Dirks said a certain number of units would be reserved for moderate income individuals and asked exactly what that meant. Mr. Snodgrass said they would accept Medicaid.

Proponents and Opponents: None.

The applicant waived the 7 day period for submitting final written arguments in support of the application.

Chair Hall closed the public hearing.

Commissioner Chroust-Masin thought the application met all of the criteria. There was a need for this type of facility in the City. He was in favor of the application.

Commissioner Dirks stated the applicant had done a good job of placing the expansion where they did. It was a good plan and a good application.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Chroust-Masin MOVED to approve CU 2-17 subject to the staff recommended conditions of approval. SECONDED by Commissioner Dirks. The motion CARRIED 7-0.

### **C. Zone Change (ZC 3/4-17)**

Request: Approval of a zone change from R-2 (Single-Family Residential) to R-4 (Multiple-Family Residential) on approximately two (2) acres of land and a zone change from LDR-9,000 (Low Density Residential – 9,000 Square Foot Minimum) to R-4 (Multiple-Family Residential) on approximately 2.6 acres of land.

Location: 2501 NE Evans Street and 2640 NE Baker Street and more specifically described as Tax Lots 3200 and 3201, Section 16BC, T. 4 S., R. 4 W., W.M.

Applicant: Premier Development, LLC



Chair Hall opened the public hearing and read the hearing statement. He asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Chair Hall asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none.

Chair Hall asked if any Commissioner had visited the site. If so, did they wish to discuss the visit to the site? Most of the Commission had visited the site. There was no discussion regarding the visits.

Principal Planner Ron Pomeroy presented the staff report. He entered an additional item into the record, a memo from staff to address two items of testimony that were provided after the issuance of the staff report. One of the items was a neighborhood petition and the other was an individual letter. He summarized the main concerns. Some of the criteria, policies, and goals identified in these two items were not applicable as review criteria as they spoke about other things that did not factor into the decision making of zone change requests. Most of the other items related to traffic and neighborhood fit. Those would be addressed in his presentation. He discussed the location of the site, which was made up of two parcels. It was located east of North Baker Street and west of Evans Street. The property was zoned R-2 on the eastern portion and LDR 9,000 on the western portion. The request was to change the zoning to be all R-4. The criteria for the zone change included being consistent with the goals and policies of the Comprehensive Plan, the proposal was orderly and timely, and it could be adequately served by municipal utilities and services. The proposal had direct access to collector and arterial streets and was in an area not prone to flooding. There were adequate services from existing facilities and public transit services were located within a quarter mile. It was not geographically constrained and it could be buffered from low density residential development which was adjacent to the property to the north and south. The property was also within one quarter mile from commercial services. The written testimony that had been received was summarized in the staff report. In terms of neighborhood fit, there were existing multi-family developments within a quarter mile and a half mile. Included in these multi-family developments were assisted living and retirement facilities. There were three schools located within a half mile of this location. Two parks were located in a quarter mile and there was a pocket park located adjacent to the property on the southern edge. He thought the R-4 matched the existing development pattern. Regarding street classification, Evans Street was a minor collector and was located on the eastern edge of the property. It had a carrying capacity of 10,000 trips per day. The Transportation System Plan assumed a density of R-2 for this site. The applicant commissioned David Evans and Associates to provide a transportation analysis if the property was rezoned to R-4 and built out to its fullest extent which would be 133 apartment units. When the consultant modeled what impacts there would be through 2037, he found negligible impact and had no recommendations for any different traffic improvements than what would be required for the property remaining R-2. The City's Engineering Department concurred. There is transit service on Evans adjacent to the eastern edge of the property. Staff recommended that the Commission recommend approval of the zone change to the City Council. There were no conditions of approval because there was no development plan included.

Commissioner Schanche said there was a condition in the David Evans traffic study, to add a sidewalk along Evans Street. She wanted to make sure there was pedestrian access to the park on Baker Street. Principal Planner Pomeroy said that would be part of the standard street improvement requirements. Planning Director Richards said that condition could be added to this application.

Commissioner Chroust-Masin asked if the applicant owned both properties. Principal Planner Pomeroy said the applicant owned one and was in the process of acquiring the other. The existing business on the eastern property was legally non-conforming as to use.

Commissioner Geary asked for clarification on the next steps in the process. Principal Planner Pomeroy explained if the zone was changed to R-4 and there was an application for multi-family development, they would be allowed to proceed through the building permit process. There was no planned development overlay or other requirement to come back to the Planning Commission for review. If they did not develop to R-4 but wanted to put in a subdivision, if it was ten lots or less it would be a Planning Director review. If it was 11 or more lots, it would come back to the Planning Commission. Whether the Commission saw this property again for development review and a public process depended on what the applicant ultimately proposed to develop.

Commissioner Geary asked if they could include a condition that it come back to the Planning Commission regardless. Planning Director Richards said the process for the types of land use applications and how they were reviewed was spelled out in the zoning ordinance and there were no exemptions to that. If there were concerns about safe access to the park or full sidewalk construction, those could be added as part of the zoning decision and those would run with the property. Multi-family was an outright permitted use in this zone and there was no process for reviewing multi-family development in the City's code. They could change that for the future, as most communities had a review process for multi-family development. When there was a building permit application, there would be a site and design review by staff. There would be no land use decision and no notice would be sent out.

Commissioner Dirks said Yamhill County was concerned about access from Baker because the street was already full, but the neighborhood was concerned about traffic on Evans. She asked what the process would be for site and design review about those issues and whether those opinions would be factored into the review. Principal Planner Pomeroy said yes, the City had long held that the property would not be able to access Baker because of distance from a nearby intersection and because Baker was an arterial. Access would be on Evans and the design and access point would be taken from the David Evans traffic study and Transportation System Plan. Planning Director Richards said the traffic analysis was reviewed by Engineering and was based on a national manual in terms of the science that was applied to it. The City relied on it for forecasting traffic and the impacts to intersections.

Applicant: Lori Zumwalt, representing the applicant, stated staff had described the application well and she was there to answer any questions.

Commissioner Chroust-Masin asked if they were planning to purchase both properties and what was the plan for the properties. Ms. Zumwalt said yes, they had purchased the property

to the west and were in contract with the one to the east. The plan was to develop multi-family housing as it was the most cost effective for the site.

Commissioner Butler asked if they planned to develop 133 units. Ms. Zumwalt said they used that number because it was the City's criteria for evaluating how many units could go on the site. Physically they were not sure if that many would fit with the amount of landscaping and parking required.

Proponent: Mark Davis, McMinnville resident, was in support of the application as the City was lacking in R-4 land. The neighbors had some valid objections, but more land needed to be available for higher density, and the only way to get it currently in the City was through zone changes. This application was a good idea because of the need for R-4 land.

Dennis Lauber, McMinnville resident, said buffering between the low density and high density was one of the objectives, but it was not addressed. He wondered how that would be handled. Ms. Zumwalt said it was required to have 25% of the land used for landscaping and it would have to be reviewed by the Landscape Review Committee. Buffering would be one thing the Committee would look at. Associate Planner Darnell said when the landscape plan came to the Landscape Review Committee, it would be a public meeting and citizens could provide input at that time. Planning Director Richards said it could be a condition of approval that there would be buffering on the sides of the property adjacent to single family residential. They could also make a condition that when the landscape plan was submitted to the Landscape Review Committee that notification be sent to surrounding property owners within so many feet. The Landscape Review Committee reviewed applications against Code criteria.

Opponents: Gloria Martin, McMinnville resident, lived directly beside this property on the north. She did not think they needed more multi-family housing in this area. There had been multiple accidents on Evans and 27<sup>th</sup> as it was an unsafe intersection and there was heavy congestion on Evans in the peak morning hours. There had been a shooting at the park. She thought this would deplete property values. This was not the area for more multi-family housing.

Mr. Lauber asked when a traffic study was done if they took into account the number of parked cars on the road that caused additional congestion. He thought they should take into account that directly across from the commercial property entrance there were houses that emptied onto the road. If they weren't going to make improvements, that would be a big mistake.

Principal Planner Pomeroy said traffic studies relied on the previous modeling that was done for the Transportation System Plan. It took into account current traffic flows and traffic flows that were anticipated based on future zoning that was incorporated in the model in 2010. It also took into account the number of vehicle parking spaces that were along existing streets. It could not take into account speeding or other crimes.

Chair Hall clarified the conclusion was not that there would be no effect, but that the effect would remain within acceptable limits of the designed infrastructure. Planning Director Richards said in regard to the on-street parking, the traffic analysis looked at the street specifications for each type of street. If the street was designed to accommodate parking it would be taken into account. In terms of land use impacting parking on the street, ideally there should be enough off street parking required so people were not parking on the street. The

traffic analysis looked at the types of street, how it was designed, and the type of traffic it would accommodate.

Dewey McClure, McMinnville resident, owned property adjacent to this site. He thought this development would clean up the mess that had been on the site for a long time. He was concerned about the traffic, density, and the effect on property values. He was specifically concerned about drainage on his property. During the winter, there was standing water in his backyard as it did not run off to the street or tax lot behind him due to the way the drainage was set up. He did not think they should approve a zone change without a development plan. He also requested there be mitigation for the drainage problem. Planning Director Richards said when it came in for building permit review, part of the review was drainage. Stormwater had to be retained and drained on site.

The applicant did not present rebuttal. She waived the 7 day period for submitting final written arguments in support of the application.

Chair Hall closed the public hearing.

Commissioner Schanche suggested a condition of approval that stated "future development shall include construction of a sidewalk along Evans Street and pedestrian access to Baker Street consistent with the City's Transportation System Plan and Safe Roads to Schools Plan and Policy 132.15 to provide pedestrian connections with adjacent neighborhoods". There should be no access onto Baker Street for vehicles, and that might also need to be a condition.

Commissioner Dirks said there was concern about what this development would be like. She asked if it could come back before the Commission so the neighbors could have input on the land use. She would like to build in as much review as possible for the public to know what was going to happen and to comment on it. Planning Director Richards said staff would have to come back with information on that option.

Commissioner Schanche also wanted to add in the condition that buffering techniques would be provided to screen the existing residential homes in the form of vegetation, fencing, and berms.

Principal Planner Pomeroy said if this application was approved, the Code allowed them to proceed with a multi-family development without additional public land use review. Staff could check with legal counsel to find out if there was a way to require a public land use review.

Chair Hall was in favor of continuing the hearing for staff to draft some conditions to address the concerns that had been discussed and to research the possibility for a future public land use review.

Commissioner Butler thought there was a need for multi-family housing and was in favor of approving the zone change without conditions.

Commissioner Thomas agreed with Commissioner Butler.



Commissioner Geary concurred that R-4 was greatly needed in the City. The application exposed a weakness in the process which could be addressed at a later time. This was a straightforward request and he was confident the end product would be of benefit to the area and the concerns would be alleviated.

Commissioner Dirks thought there was a need for R-4 and the zone change should be approved. Her suggestion was to give the neighbors awareness and the opportunity for more input on how the property would be developed as they went forward.

Commissioner Schanche agreed there was a need for R-4, however in this situation there were too many questions. She preferred to have the conditions included.

Commissioner Butler was in favor of a condition notifying the surrounding area when it went to the Landscape Review Committee.

Planning Director Richards said the Commission could make a decision based on the decision document in front of them tonight, the Commission could amend the decision document and add conditions of approval, or the Commission could continue the public hearing to have staff draft conditions and a decision would be made at the next hearing.

Commissioner Geary MOVED to DIRECT staff to draft conditions addressing the concerns that were raised and to CONTINUE the public hearing to the May Commission meeting. SECONDED by Commissioner Schanche. Motion PASSED 4-3 with Commissioners Chroust-Masin, Butler, and Thomas opposed.

## 5. Old/New Business

None.

## 6. Commissioner Comments

None.

## 7. Staff Comments

None.

## 8. Adjournment

Chair Hall adjourned the meeting at 9:08 p.m.



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Heather Richards  
Secretary