



City of McMinnville
Planning Department
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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)

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.



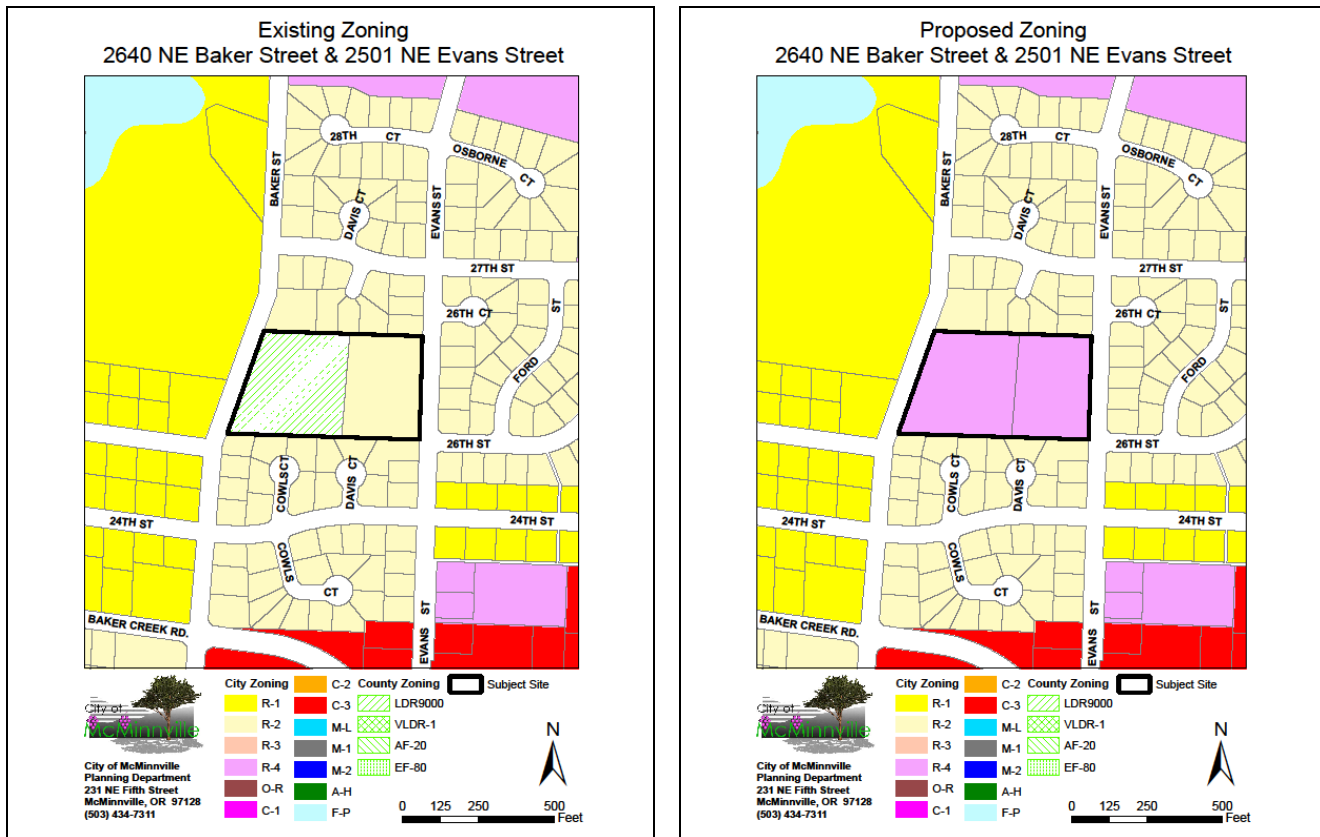
Attachments:
Ordinance No. 5022 including Exhibit A – ZC 3-17/4-17 Decision Document
Attachment 1: ZC 3-17/4-17 Application and Attachments
Attachment 2: Public Notices
Attachment 3: Public Testimony Received
Attachment 4: Memorandum to Planning Commission (April 20, 2017)
Attachment 5: Draft Planning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

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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.

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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 27th 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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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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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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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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