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July 3, 2017

Howard Aster
West Hills Properties, LLC
2300 NW 2nd Street, Suite B
McMinnville, OR 97128

RE: ZC 6-17

Dear Mr. Aster:

This is to advise you that, at a meeting of the McMinnville City Council on Tuesday, June 27, 2017, your application for a zone change (ZC 6-17) to amend Planned Development Ordinance No. 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards and to amend an approved residential subdivision and phasing plan on approximately 132 acres of land was considered. Based on the material submitted, testimony received, and the review criteria in Sections 17.74 of the McMinnville Zoning Ordinance, the City Council voted to **APPROVE** your zone change request (ZC 6-17), subject to the following conditions:

1. That the planned development overlay shall require the following setbacks:
 - A. Development of the multi-family lot and single-family lots within the Northridge subdivision shall be to standard R-4 zone setbacks.
 - B. Lots within the Valley's Edge Phase 2 subdivision shall be to a standard R-3 zone setback.
 - C. All other lots shall meet applicable R-2 zoning setbacks.

The Planning Director is authorized to permit reductions or increases to these setback standards as may be necessary to provide for the retention of trees greater than nine (9) inches in diameter measured at 4.5 feet above grade. In no case, however, may the side yard setback be reduced to less than five feet, or the exterior side yard setback to less than 12 feet, or the distance from the property line to the front opening of a garage be reduced to less than 18 feet without approval of the Planning Commission pursuant to the requirements of Chapter 17.69 (Variance). A request to adjust the setbacks for these lots shall be accompanied by a building plan for the subject site that clearly indicates the location of existing trees. Trees to be retained shall be protected during all phases of home construction.

2. That existing trees greater than nine inches in diameter above grade shall not be removed without prior review and written approval of the Planning Director. In addition, all trees shall be protected during home construction. A plan for such protection must be submitted with the building permit application and must meet with the approval of the Planning

Director prior to release of construction or building permits within the subject site. Requests for removal of such trees based upon claims of disease, or hazard should be accompanied by a report from a licensed arborist.

3. That the "Hillcrest" phased tentative subdivision plan (revised as necessary to comply with the adopted conditions of approval) be placed on file with the Planning Department and that it become a part of the zone and binding on the property owner and developer, and shall in no way be binding on the City.

The developer shall be responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

4. That site plans and building elevations for the proposed multi-family units must be submitted to the Planning Director for review and approval prior to the issuance of any building permits for said units. The following criteria shall apply:
 - A. The building layout must be nonlinear in design, even if to meet this goal the number of units has to be reduced.
 - B. The building roof lines and facades must be broken so as to avoid a flat, uniform appearance.
 - C. The site shall be heavily landscaped with emphasis on those sides facing a public street. Street-side landscaping shall include berming, and street trees a minimum of two-inch caliper at time of planting. In addition, parking lots shall be broken up by landscaping, and usable open space shall be provided within the development.
 - D. Signage shall be limited to a maximum of two free-standing monument-type signs, each not more than four feet in height and not exceeding 36 square feet in area. The signs, if illuminated, must be indirectly illuminated and non flashing.
 - E. Horizontal lap siding or similar type siding must be used (no T-111 or similar), and architectural composition roofing or a similar or higher grade type of roofing must be applied.
5. Prior to the issuance of the 290th building permit for the master planned development, the developer shall complete the installation of left-turn-lane improvements, meeting the City's and Yamhill County's standards, at the intersections of Hill Road / Horizon Drive and Hill Road / West Second Street.
6. That minimum lot sizes within the Hillcrest development may be reduced below 7,000 square feet, provided the overall residential density within the subject site (less the parkland and storm detention areas) does not exceed the net density allowed by the R-2 zone (gross density reduced by 25 percent to account for public infrastructure).
7. Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street except as described below. Any local street

grade exceeding 12 (twelve) percent shall be reviewed for approval by the Fire Code Official during the land use application review process. When a local residential street is approved to exceed 12 (twelve) percent the following shall be required:

- A. A maximum of 200 feet of roadway length may be allowed with a grade between 12 (twelve) percent and 15 (fifteen) percent for any one section. The roadway grade must reduce to no more than 12 (twelve) percent for a minimum of 75 linear feet of roadway length between each such section for firefighting operations.
- B. Fire sprinklers shall be installed in all residential and commercial structures whose access road is constructed at a grade higher than 12 (twelve) percent. The approval of such fire sprinklers shall be accomplished in accordance with the provisions of ORS 455.610(6).

Centerline radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 (ten) feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept sharper curves.

8. That condition of approval number 10 of S 13-06 is supplanted as follows: "The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associate with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat."
9. That condition of approval numbers 14, 15 and 16 of S 13-06 is supplanted as follows: "Per the adopted 2010 Transportation System Plan (TSP), all remaining streets (including the extensions of 2nd Street and Horizon Drive) within the development area can be constructed to the local residential street standard. All streets shall be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets."
10. That the applicant shall provide information detailing the number of lots that will be made available for individual sale to builders for review and approval by the Planning Director prior to recording of the final plat. Upon approval, the referenced lots will be made available for sale to the general public for a minimum of one hundred twenty (120) days prior to building permit issuance for said lots.
11. That in addition to the pedestrian connections shown on Sheet SU-00 of the applicant's submittal, pedestrian connections shall also be provided between NW Brookshire and NW Canyon Creek Drive, NW Canyon Creek Drive and Road A, between Road A and the adjacent westerly edge of the subdivision (Tax Lot 809), between NW C Loop and NW Elizabeth, between Road D and the northwesterly edge of the subdivision (Tax Lot 809) and between Road E and NW 2nd Street. All private pedestrian connections shall be dedicated as tracts commonly held and maintained by a Homeowner's Association.
12. That based on a Geo-Technical Engineering report dated May 10, 2016, and the soils conditions shown in this report, foundations will necessitate design by a Geo-Technical Engineer. Each design must take into account what might occur to the down slope

West Hills Properties, LLC
July 3, 2017
Re: ZC 6-17

Page 4

construction (Phase 4), when further development of the hillside occurs in the future. Since the May 10, 2016, report this hillside has been saturated with substantial rainfall. How this has affected any construction on the downside as well as future development should be taken into consideration in the design of Phase 4.

13. That Planned Development Ordinance No. 4868 is repealed in its entirety.

The subject site is located north of West Second Street, west of NW Mt. Mazama Street and south of NW Fox Ridge Road and is more specifically described as Tax Lot 801, Section 24, T. 4 S., R. 5 W., W.M.

Pursuant to the Zoning Ordinance of the City of McMinnville, an action or ruling of the City Council may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of the decision is mailed. If no notice of intent to appeal to LUBA is submitted by July 24, 2017, the decision of the City Council will become final.

Enclosed for your records is the Decision Document, as well as a copy of Ordinance No. 5024, which was adopted by the City Council.

If you have any questions regarding this matter, please feel free to contact me at (503) 434-7330.

Sincerely,



Heather Richards, PCED
Planning Director

HR:sjs

c: Zach Pelz, AKS Engineering, 12965 SW Herman Road Ste. 100, Tualatin, OR 97062
Paul Selke, AKS Engineering, 12965 SW Herman Road Ste. 100, Tualatin, OR 97062
Susie Bamer, 2663 NW Horizon Drive
Brad Bassitt, 5455 NE Riverside Drive
John Dan, email
Rich Decker, 2535 NW Mt. Mazama Street
Barry House, 502 NW Willamette Court
Nick Scarla, 2068 NW Meadows Street
Scott Schieber, email

Enclosures:

*Ordinance No. 5024;
Decision, Conditions of Approval, Findings of Fact and Conclusionary Findings for the Approval of a Planned Development Amendment request (ZC 6-17), Tax Lot 801, Section 25, T. 4 S., R. 5 W., W.M., located generally north of Redmond Hill Road and west of Mt. Mazama and south of Fox Ridge Road.*