

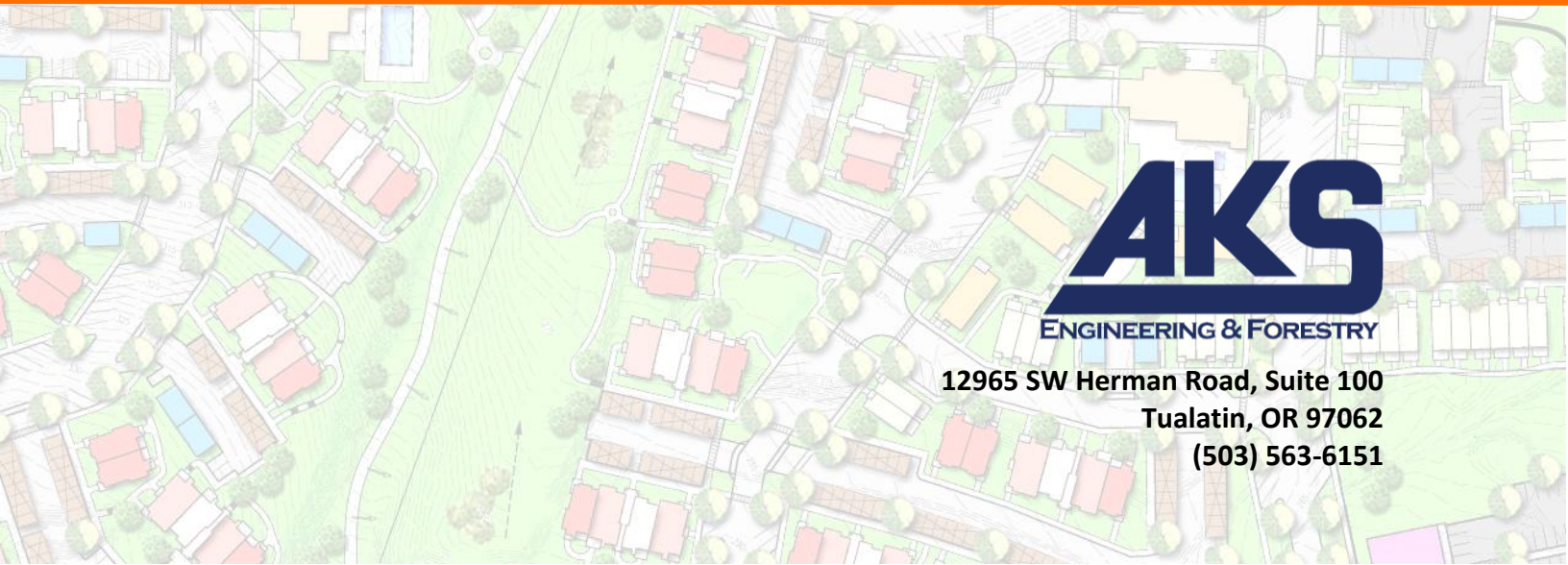
# Modification of a Planned Development

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**Date:** March 30, 2017

**Submitted to:** City of McMinnville  
231 NE Fifth Street  
McMinnville, Oregon 97128

**Applicant:** West Hills Properties, LLC  
P.O. Box 731  
McMinnville, Oregon 97128



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## Exhibits

- Exhibit A:** Preliminary Development Plans
  - Exhibit B:** Application Form
  - Exhibit C:** Property Ownership Information
  - Exhibit D:** City of McMinnville Ord. 4868
  - Exhibit E:** Preliminary Stormwater Management Report
  - Exhibit F:** Traffic Analysis Update Memo
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# Land Use Application for a PUD Modification

<b>Submitted to:</b>	City of McMinnville Planning Department 231 NE Fifth Street McMinnville, OR 97128
<b>Applicant/Owner:</b>	West Hills Properties, LLC P.O. Box 731 McMinnville, OR 97128
<b>Applicant's Consultant:</b>	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 Contact(s): Paul Sellke, P.E., G.E. Email: pauls@aks-eng.com Phone: (503) 563-6151 Fax: (503) 563-6152
<b>Site Location:</b>	North of NW 2nd Street, West of NW Mt. Mazama Street, South of NW Fox Ridge Road in McMinnville, OR
<b>Yamhill County Tax Map:</b>	4S-5-24 Lot 801
<b>Site Size:</b>	± 132.2 acres
<b>Land Use Districts:</b>	PD (R-2)



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## **I. Executive Summary**

AKS Engineering & Forestry, LLC (AKS) is pleased to submit this application on behalf of West Hills Properties, LLC for a modification of the Hillcrest Planned Development (PD; approved via Ordinance [Ord.] 4868).

The Hillcrest PD was approved by the City of McMinnville (City) Council on April 24, 2007. At the end of 2007, and continuing through 2009, the U.S. housing market experienced one of the most significant declines of the last century. The Great Recession quelled demand for new housing in McMinnville and across the Country and is attributed to the delay in the development of the Hillcrest PD. During this period of delay, new and updated Americans with Disabilities Act (ADA) standards have been recommended and cities are requiring that these recommendations be implemented. To meet these ADA standards, new public street intersections are generally required to be flattened to grades of less than 5%.

While Ord. 4868 established an R-2 zoning designation on the site, the approval specified a mix of lot sizes that would accommodate a wide range of housing types and sizes. This modification respects the intent of the original approval and maintains a mix of larger hillside lots, single-family attached units in the Northridge Phase of development, and smaller detached lots near the south end of the site. The modification also preserves the general circulation pattern established in the original approval by maintaining Redmond Hill Road, W 2nd Street, and NW Horizon Drive as the backbone of the street network. Although implementation of the new ADA requirements results in a reduction of overall site connectivity, the application includes 4 mid-block pedestrian accessways that enhance pedestrian mobility throughout the site.

The current demand for housing makes it possible to move forward with development in the Hillcrest PD. However, due to the new ADA standards that have been enacted since the original approval, it is necessary to modify the original site plan before moving ahead. In revising intersection grades to meet the new ADA standards on this site, it is subsequently necessary to reconfigure the overall layout of streets and lots.

This is because the original PD was approved with intersection grades of 10% or more. Flattening these intersections to 5% (or less to allow for construction tolerances) requires that street segments leading into and exiting them must be graded even steeper to make up for the grade lost by this flattening. Also, because streets must be designed with appropriate transitions (vertical curve) between the steep street segments and shallow intersections to ensure safe sight distance and vehicle clearance, the grade of street segments outside of the intersection can be excessive where the number and location of intersections is held constant. An illustration of this relationship is shown in Figure 1.

The only practical solution to this problem, in the context of the relatively steep topography characteristic of this site, was to reconfigure the street network to seek more shallow grades and to eliminate several public street intersections. Through these modifications, the site can satisfy the ADA maximum intersection grade requirement at all new public street intersections. Even with these modifications, however, certain local street segments (see Exhibit A) must still exceed the 12% maximum established in the City's zoning ordinance. We are therefore seeking an adjustment through this PUD to MZO Section 17.53.101.L to permit the grade of certain new local streets up to a maximum of 15%.

A street grade adjustment is appropriate in the context of development on this site due to topographical characteristics that are atypical of other development sites in the City of McMinnville. The plans included in this application incorporate feedback from City Planning, Engineering, and local Fire Department staff to ensure the overall health and community wellbeing objectives of the City's Zoning Ordinance are

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respected. This feedback resulted in revisions to the plan that limit steep street segments to a maximum of 200 feet as well as a condition that all homes accessed by a street exhibiting a grade of 12% percent or more, will include a residential fire suppression system.

In addition to street grade, the new ADA requirements and elimination of some public street intersections, makes it necessary to seek an adjustment to the block length and perimeter standards of MZO Section 17.53.103. Mid-block pedestrian accessways have been added where practical, to facilitate pedestrian movement through the site.

Ord. 4868 approved a total of 513 lots. The final piece of this modification is a new arrangement of residential lots caused by the reconfiguration of streets throughout the site. The reconfigured residential lots respect the variety of lot sizes found desirable by the City in Ord. 4868 and will do an even better job of protecting natural drainage channels on the site.

This application includes the City application forms, written materials, and preliminary plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of the application.

## **II. Site Description/Setting**

The subject site is approximately 132.2 acres in size and contains a single parcel located in the West Hills of the City. The site is currently vacant and flanked by single-family residences on the abutting properties to the east and south. The site includes grades ranging from 1 to 30% and drainage generally flows southeasterly from the northwest corner of the site. The high point of the site is located north and west of the property's center. The property is located within the City's R-2 Zoning District and has received tentative plat approval through Ord. 4868.

## **III. Applicable Review Criteria**

### **CITY COUNCIL FINDINGS IN ORD. 4868**

#### **Observations**

#### **Tentative Subdivision Plan (S 13-06)**

The applicant has submitted a tentative multi-phase subdivision plan for the entire 164.1 acres comprising the subject site. This tentative plan proposes the platting of 441 detached housing units, 50 attached housing units, a four-acre parcel for multi-family housing to accommodate an estimated 60 residential units, and the setting aside of some 5.1 acres for public park space adjacent to a 2.1-acre storm water detention area. As part of the development of this subdivision, the applicant would construct several new public streets, and improve existing streets, as may be required by the City Engineer or Yamhill County. West Second Street and Horizon Drive, for example, would be extended west of their present termini, and Redmond Hill Road would be improved as necessary to support the anticipated traffic needs.

Further information regarding each of these applications and elements of the submitted proposal are found in the following observations and the applicant's submitted materials.

- The applicant, KHA Properties, LLC, has submitted a detailed, multi-phased master plan for the entire site. In the applicant's supplemental information sheets, you will find categories providing a count of the number of lots, number of residential units by type, and other summary information. In some instances, however, this information differs slightly from that which is depicted on the tentative subdivision plan and other graphics provided by the applicant. As this plan was recently modified from an earlier draft version, this is simply an oversight in preparation of the application submittal

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and not material to these requests. The tentative plan, however, does clearly represent the applicant's request and will be used in review of these requests.

- The plan depicts a total of 487 single-family residential lots dispersed according to the following 13 phases:

Hillcrest Phase 6	36 Lots
Hillcrest Phase 7	34 Lots
Hillcrest Phase 8	50 Lots
Northridge	43 Lots (single-family attached)
Valley's Edge Phase 2	51 Lots (additional lots/tract for park and detention facility)
Valley's Edge Phase 3	50 Lots
Valley's Edge Phase 4	45 Lots (one additional lot for multi-family housing)
Valley's Edge Phase 5	56 Lots
West Hills Phase 1	16 Lots
West Hills Phase 2	21 Lots
West Hills Phase 3	29 Lots
West Hills Phase 4	28 Lots
West Hills Phase 5	28 Lots

**Response:** As shown in Exhibit A, the application includes a modification to the Hillcrest PD (Ord. 4868) as approved by the City Council on April 24, 2007. The purpose of the modification is to accommodate new ADA requirements for maximum grades at public street intersections as well as to locate natural drainageways within protective easements along shared rear property lines to the maximum extent practicable.

In preparation for submitting the final plats for Valley's Edge Phase 4 and Hillcrest Phase 6, the applicant and their consultant discovered that streets throughout the Hillcrest PD would not meet new ADA standards, which require a maximum grade of 5% within the vicinity of a public street intersection. Given the relatively challenging topography on the 132-acre Hillcrest PD site, reconfiguration of the street network was necessary to satisfy these ADA requirements. Revisions to the arrangement of streets subsequently required a revision to residential lots accessed by these streets. Following discussions with City staff, the course of action determined to be most optimal was to simultaneously seek a modification from the original Hillcrest PD and a street grade adjustment to ensure future development throughout the Hillcrest PD would meet current ADA standards.

The street grade adjustment is a result of the need to create public street intersections that do not exceed 5% because to accommodate the shallower intersection grades, it is necessary that local street segments outside of the intersection area will have grades of up to 15% in some cases. Because the City's maximum grade for local streets is 12%, the application includes a street grade adjustment (permissible as part of a PD) which would permit 15% grades for certain local street segments.

The modification will affect the lot and street configuration, as well as the total area of the individual development phases. For this reason, it is not possible to compare the lot

changes on a per phase basis. Nonetheless, to provide a general comparison of where changes to the number of lots will occur on site, we have included Table 1 below. The modified Hillcrest PD included in this application will comprise 488 lots (446 detached and 42 attached single family lots) across 15 phases. This is a 13% increase in the total number of lots and a 5% increase in the overall gross density, but remains more than 250 lots fewer than would be allowed on this site under R-2 zoning standards. The phases shown in Exhibit A are approximate at this time and may change in size and location as the project proceeds.

**Table 1** Comparison of Lots by Phase

Phase	Original Approval No. of Lots	Proposed No. of Lots	Already Constructed	Pct. Change from Ord. 4868
Hillcrest Phase 6	36	13		
Hillcrest Phase 7	34	26		
Hillcrest Phase 8	50	44		
Hillcrest Phase 9-10		57		
<b>Hillcrest Total</b>	<b>120</b>	<b>140</b>	<b>0</b>	<b>16.67%</b>
Northridge	43	43		
<b>Northridge Total</b>	<b>43</b>	<b>43</b>	<b>0</b>	<b>0.00%</b>
Valley's Edge Phase 2	52		36	
Valley's Edge Phase 3	50		28	
Valley's Edge Phase 4	69	10		
Valley's Edge Phase 5	56	25		
Valley's Edge Phase 6		23		
Brookshire Phase 1		46		
Brookshire Phase 2		48		
<b>Valley's Edge Total</b>	<b>227</b>	<b>152</b>	<b>64</b>	<b>-4.85%</b>
West Hills Phase 1-5	122	153		
<b>Valley's Edge Total</b>	<b>122</b>	<b>153</b>		<b>25.41%</b>
<b>TOTAL</b>	<b>512</b>	<b>488</b>	<b>64</b>	<b>7.81%</b>

- The applicant's narrative further clarifies that Hillcrest Phases 6-8, located in the northeastern portion of the site, would consist of larger hillside lots that would typically be found on R-1 zoned land. Valley's Edge Phases 2-5, located in the southern and central portions of the site, will consist of middle and lower end housing typically found on R-2 and R-3 zoned properties. A four-acre multi-family parcel is proposed within Valley's Edge Phase 4. West Hills Phases 1-5 consist of larger, hillside lots varying in size between 10,000 and 30,000 square feet in size. This area is generally located in the northwest portion of the site; significant stands of trees are found here.



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Northridge is sited on top of the north-south ridge in the eastern portion of the site and is proposed to be developed with common wall, mostly single-level, housing to meet the need of the retiring, downsizing baby boomer market. In addition, the plan also proposes the platting of a 7.2-acre combination park/storm water detention facility (5.1-acre public park, and 2.1-acre storm water detention) as part of the platting of Phase 2 of Valley's Edge. These uses are proposed to be located in the southeast portion of the site with the public park space being bounded by Redmond Hill Road to the south, West 2nd Street to the north, single-family residential to the east and multi-family residential to the west. A four-acre lot would be included in the Valley's Edge Phase 4 development for multi-family housing. It has been positioned adjacent to the planned public parkland and on collector streets, thereby taking advantage of open space for the future residents, and to afford appropriate access consistent with City policy for the siting of such housing.

**Response:** As shown in Exhibit A, the modification will reconfigure the area of individual phases approved with Ord. 4868. However, the Hillcrest phases will remain within the eastern and northeastern portions of the site. Lots within the Hillcrest phases will continue to be larger hillside lots, which resemble lots typically found in the City's R-1 zoning district. Additionally, while Valley's Edge Phase 2 has been completed, the Valley's Edge phases will include relatively smaller lots consistent with the original approval. This variation in lot sizes throughout the Hillcrest PD will create new residential lots with the ability to accommodate a wide range of housing demand across a variety of age and income groups. The phases shown in Exhibit A are approximate at this time and may change in size and location as the project proceeds.

The multi-family housing initially planned for Phase 4 of Valley's Edge has since been completed in the location originally identified as Valley's Edge Phase 2. This housing abuts the combination park/stormwater facility planned for this area. These new multi-family units will help satisfy the need for more affordable housing in the City.

Finally, 42 of the 43 lots in the Northridge Phase of the PD remain intended for single-family attached homes as approved in Ord. 4868.

- The street pattern for this multi-phased residential development proposes the westerly extensions of Horizon Drive, West 2nd Street, and Redmond Hill Road as the "backbone" of the internal street network. More specifically, West Second Street is proposed to be extended through the site toward its western edge to then turn north and east, joining with Horizon Drive in the proposed Hillcrest Phase 7 subdivision. This forms an effective looped end to West Second Street. This looping of West Second Street to join with Horizon Drive is proposed to be developed with a 36-foot-wide paved section with five-foot-wide curbside planters and five-foot-wide sidewalks within of a 60-foot-wide right-of-way to match the existing improvement of Horizon Drive.

**Response:** As shown in Exhibit A, westerly extensions of Horizon Drive, W 2nd Street, and Redmond Hills Road will continue to make up the backbone of the Hillcrest PD. As mentioned above, the precise location of these new streets has been slightly modified to accommodate new requirements for shallow grades at public street intersections. Per the City's current Minor Collector Street standard, West 2nd Street is designed in a 30-foot-wide paved section with 6.5-foot-wide curbside planters and 5-foot wide-sidewalks in a 56-foot-wide right-of-way.



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Redmond Hill Road will continue to serve as part of the site's southern edge and will be developed with a three-quarter street improvement; 27-foot-wide paved section with a five-foot-wide curbside planter strip and five-foot-wide sidewalk on the north side within what will eventually be a 60-foot right-of-way (see "Redmond Hill Road Typical Section" found on Sheet 2 of 6 of the Hillcrest Master Plan drawings). This improvement would extend the entire distance that Redmond Hill Road will abut the subject site. The applicant will not be required to provide the remaining improvements along the southern portion of the right-of-way as such will be the responsibility of adjacent land owners either as conditions of approval based on their future development requests, or by participation in a local improvement district (LID) if so formed at a future time.

**Response:** As shown in Exhibit A, the phases of the original Hillcrest PD abutting Redmond Hills Road have been constructed. No additional improvements to Redmond Hills Road are either necessary or anticipated to accommodate development within the remaining portions of the Hillcrest PD.

A number of local residential streets would then extend from these main streets to create a modified grid street network to ensure adequate access to each of the proposed lots. This network will also provide stubs to the north, west and south to serve other future development on adjacent land.

**Response:** As shown in Exhibit A, the revised street network will eliminate several public street intersections previously included in the Hillcrest PD. This is largely attributed to the need to maintain a maximum grade of 5% at public street intersections, as discussed above.

Although no detail has been provided at this time, it appears that the applicant is proposing the creation of three landscaped medians marking the entrances to the Northridge subdivision. Staff understands these to be similar to the existing median constructed within the NW Meadows Drive right-of-way located at the south entrance to the Park Meadows Third residential subdivision. The proposed medians would similarly signify a transition from the adjacent single-family detached subdivisions to the Northridge single-family attached subdivision.

- As part of their submittal, the applicant contracted with Lancaster Engineering to perform a traffic impact study for the proposed Hillcrest development; a copy of this analysis is attached to this report. A brief summary of the study's conclusions is provided below; please refer to page 27 of the study for additional detail.

1. The results of the analysis indicate that the impact area intersections are capable of supporting traffic from either the proposed or the highest allowable density under the proposed zone change with minimal operational and safety mitigations.
2. Left-turn lane warrants were examined for Hill Road at the three study intersections. The analysis concluded that the intersections of Hill Road at Horizon Drive and Hill Road at West Second Street will meet left-turn lane warrants with development of the proposed subdivision. Left turn lanes will be needed for these intersections after the site is developed with more than 289 homes. Left-turn lane warrants will not be met at the intersection of Hill Road and Redmond Hill Road.
3. Traffic signal warrants were examined for future traffic conditions at the three study intersections.

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Based on the analysis, it is anticipated that signal warrants will not be met at any of the subject intersections under year 2026 traffic conditions either with or without the proposed zone change. No traffic signal installations are recommended in association with the proposed development.

4. The intersection of Hill Road at Horizon Drive is currently operating acceptably and will continue to operate acceptably through 2026 either with or without the proposed zone change. No operational mitigations are needed for the zone change or the proposed development plan. Note: A left-turn pocket will be needed as noted in #2 above.
5. The intersection of Hill Road at Second Street is currently operating acceptably but is projected to operate at level of service "F" under year 2016 traffic conditions with development of the proposed subdivision. If the intersection is converted to four-way stop control, intersection operation is projected to be acceptable.
6. The intersection of Hill Road at Redmond Hill Road is currently operating acceptably and will continue to operate acceptably through 2026 either with or without the proposed zone change. No mitigations are required for the proposed zone change or development plan. Based upon this analysis, staff has drafted recommendations that would obligate the developer to mitigate anticipated traffic impacts, in part, through the construction of left turn lanes at the intersections of Hill Road and West Second Street, and Hill Road and Horizon Drive. These improvements will require coordination with Yamhill County and the City.

**Response:** As shown in Exhibit F, Lancaster Engineering provided an updated Traffic Memo (dated March 8, 2017) to confirm that area roadways have capacity to serve traffic generated by this development with the recommended mitigation measures included in the original Traffic Analysis.

- Detail as to specific site and building design elements for the proposed multi-family lot have not been provided at this time. In the absence of such details from the applicant, staff recommends that several site and building design conditions be incorporated into the planned development for this site, should the zone change and subdivision requests be approved. These would include conditions related to the landscaping of the multifamily site with emphasis along the perimeter of the site, and the physical arrangement and architectural scale of the future multifamily buildings, exterior lighting, landscaping and off-street parking. These are modeled on similar conditions applied in recent years to other vacant land rezoned for multi-family development, including the initial Hillsdale development proposal.

Staff estimates that, given the density of other garden apartment projects in McMinnville (two-story buildings; surface parking; appropriate landscaping) that this site would develop at a density of 15 to 18 dwelling units per acre, or a total of 60 to 72 dwelling units.

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**Response:** The multi-family component of the original Hillcrest PD has been constructed and is currently occupied. This modification does not include revisions to this element of the PD.

- The Planning Commission is aware that land zoned for multi-family development in McMinnville is virtually non-existent. Aside from a 3.5 acre parcel of land situated at the southeast corner of Baker Creek Road and Hill Road, staff is unaware of any other vacant multi-family zoned lands larger than three acres in size in McMinnville. The siting of nearly any new multi-family housing within McMinnville will therefore require rezoning, and in some cases, amending the comprehensive plan designation, of a particular property to allow such use.

Elements that restrict site selection and development of multi-family housing are City policies regarding dispersal of such housing, and density limitations applied to development occurring on the west side of McMinnville. Specifically, Comprehensive Plan Policy 86.00 states, in part, that dispersal of new multiple housing development will be encouraged throughout the residential designated areas in the city to avoid a concentration of people, traffic congestion, and noise. Further, Plan Policy 91.00 states that multiple-family housing developments [...] 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; this element will be addressed below.

As regard the multi-family dispersal policy and its application to the subject site, the nearest multi-family housing project is the 34-unit Westvale Village apartment complex situated to the southeast, across Hill Road at a distance of slightly about three-quarters of a mile from the subject site. Within a one and one-half mile radius of the site are found apartment complexes in the Jandina planned development (adjacent to the linear park, the Columbus apartments on Fellows Street), Tall Oaks development (Tall Oaks Estates), and the Heather Glen apartments (on Goucher Street). The proposed multi-family development would be the first apartment complex located west of Hill Road. This multi-family lot is located adjacent to Redmond Hill Road and West Second Street, both of which are collector streets (or have sufficient capacity to accommodate the assumed density of this development) and would, therefore, satisfy the locational requirements of Plan Policy 91.00.

**Response:** The multi-family component of the original Hillcrest PD has been constructed and is currently occupied. This modification does not include revisions to this element of the PD.

This site comprises some 164.00 acres of land planned and zoned for residential development. Assuming 25 percent of this land would be devoted to public infrastructure (streets, rights-of-way, easements, etc), removing lands for park and storm water detention purposes, and that all lots would be platted at the R-2 minimum lot size of 7,000 square feet, a total of 732 dwelling units could be realized within the borders of the subject site. The applicant indicates in the submitted materials that 547 dwelling units are proposed. While providing opportunities for a range of residential types at a range of price points, this proposal is under the maximum number of dwelling units permitted by Plan Policy 71.01 (six dwelling units per acre). The applicant states in their submitted material that additional density may be realized within this development as a result of additional detailed engineering that would occur prior to the platting of each phase. Staff supports this direction and would recommend authority be granted to the Planning Director to grant adjustments to the details of this plan in order to allow for such increases, within certain prescribed limits.

**Response:** As shown in Exhibit A, the modified PD will include 488 residential lots (446 detached and 42 attached single family units). Added to the 92 lots that have already been platted, the

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modified number of lots throughout the original Hillcrest PD boundary will be 552. This will represent a 13% increase from the number of lots approved with Ord. 4868 and be within the allowable density on this site.

- The applicant's narrative proposes the construction of 50 common wall (single-family attached) units, with 43 of these units comprising the entirety of the Northridge phase of the proposed tentative plan. The applicant's tentative plan locates the remaining seven common wall lots within Hillcrest Phase 8 (Lot 210) and Valley's Edge Phase 2 (six lots -- Lots 37-38, 42-43, and 74-75). The applicant indicates that the Northridge Lot 21 and the Hillcrest Phase 8, Lot 210 are to be complementary units joined by a common wall. Typically, residences that are attached are both part of the same subdivision and the applicant has not explained why this design was chosen. Staff encourages the applicant to consider adjusting either the lotting pattern or subdivision phasing boundaries to remedy this situation.

**Response:** As shown in Exhibit A, Lot 642 has been designed to accommodate a single-family detached home in response to this original finding.

- Not all of the lots proposed for single-family detached development will meet the minimum 7,000-square-foot area requirement for the R-2 zone. More specifically, lots less than 7,000 square feet in size identified for single-family detached development are planned for the following subdivisions and phases: Hillcrest Phase 8; Valley's Edge Phases 2, 3, 4 and 5; and, Northridge. Lot size averaging to enable the provision of smaller lots and still achieve the average required minimum lot size for the zone is a common feature of planned developments and, as noted previously, is requested as an element of this current proposal. Although a number of smaller lots are currently proposed, the average residential lot size within this multi-phased plan is some 10,390 square feet, which greatly exceeds the 7,000 square foot minimum required by the R-2 zoning designation alone.

**Response:** As shown in Exhibit A, lot sizes in the modified PD range from 5,292 square feet to 35,305 square feet with an average lot size of 9,547 square feet. Consistent with the approval in Ord. 4868, the average lot size exceeds the 7,000 square foot minimum as required in the R-2 District.

The modified PD includes a total of 58 lots that are less than 7,000 square feet. 43 of these lots are located in the Northridge phase of the site (primarily intended for single-family attached residences). The remaining lots which are less than 7,000 square feet are intended for single-family detached homes.

- There are a number of lots that exceed the recommended maximum lot depth to width ratio of two to one as noted in the Land Division Ordinance. The configuration of these lots is acceptable not only because this ratio is only a recommendation, but also because these proposed lot configurations are made necessary due to topographic constraints found within certain areas of the site. Even so, the general shape of the majority of these lots is fairly uniform and falls within the recommended ratio as provided within the Land Division Ordinance.

**Response:** Per Section 17.53.105.B.1, "...The depth of [a] lot shall not ordinarily exceed two times the average width." As shown in Exhibit A, lots throughout the modified Hillcrest PD exhibit a depth to width ratio near 2 to 1. Approximately 114 lots throughout the site exceed this guideline due primarily to, the need to accommodate an acceptable building footprint on lots where natural drainageways and/or steep slopes occupy a portion of the

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rear yard area. The application therefore seeks flexibility per the PD standards to allow a depth to width ratio that slightly exceeds the 2:1 guidance in limited circumstances.

- The applicant is requesting approval of 15-foot exterior side yard setbacks for all corner lots. The applicant's narrative states, in part, that approval of the 15-foot exterior side yard setbacks for such lots allows the applicant and future home buyers flexibility in addressing the sloping topography across these corner lots and provides for flexibility in house building footprint width. In most cases, the Planning Commission has approved requests to reduce or modify the standard residential setback requirements in a planned development, particularly if it will result in an improved streetscape design, or is necessary to avoid the removal of trees, or is in response to other unique characteristics of a property (in this case, slope). As to this proposal, staff is unable to find within the applicant's submitted material a strong argument for adjusting this exterior side yard setback. We find, for example, that subdivisions developing to the immediate east of this site, on which are slope constrained lands, are required to meet 20 foot exterior side yard setback standards. We are not aware of issues in siting these homes within these properties.

Staff would support, however, the use of R-4 zone setbacks to the single-family attached housing within the Northridge subdivision, and the multi-family lot. R-3 zone setbacks, which have a 15 foot exterior side yard setback would also be appropriate for Valley's Edge Phase 2 development in which lot sizes appear to average under 7,000 square feet in size. We would further support the ability to adjust setbacks on those lots with significant trees if, in so doing, the tree(s) are retained. At no time, however, should the front of a garage or carport be allowed to be located closer than 18 feet to property line.

**Response:** The application does not seek a modification to the side yard setbacks approved as part of Ord. 4868.

- The subject site is encumbered by the requirements of the West Hills Planned Development Overlay (No. 4132). As such, certain policies and requirements apply to development within the west hills area. Specifically, this overlay states that scenic values of the property, as viewed from the City towards the site, shall be emphasized and enhanced in residential development designs. The overlay goes on to state that this should be accomplished by encouragement of a design which clusters housing in suitable areas while reserving open areas.

As regard the wooded areas of the site, the submitted tentative plan provides a north-south line that delineates the boundary between the hardwood trees (maples and oaks) that are native to the site and found on the site's western portion, and the conifer trees that were planted by the applicants for commercial harvesting (Christmas trees) and located on the eastern portion of the site. The applicant explored the opportunity to cluster development in a more traditional manner, leaving larger areas of open space and more densely designed residential spaces. Ultimately, they did not propose such a design for two prominent reasons:

1. A more dense clustering of residential uses and preservation of larger open spaces would result in a patchwork design of rooftops and vegetation. To accommodate more substantial clustering of residences, large areas would need to be virtually cleared of vegetation. In doing so, the area would not retain much of the tree cover's current integrity when viewing this hillside from the east.
2. Designing a street system to navigate these 12% to 25% slopes and serve a more traditional clustered



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housing development plan for this site proved inefficient at best. With avoiding significant tree stands, the resulting street system was characterized with numerous dead-ends (cul-de-sacs) and a noticeable decrease in neighborhood connectivity.

The application before you proposes to address the goal of residential clustering by developing an approximately 60-unit multi-family complex as well as 50 single-family attached residences; 43 of which are proposed to be located within the Northridge subdivision, along the prominent ridge in the northeast portion of the site.

**Response:** The application includes modifications to the overall street network which will result in a loss of street connectivity in exchange for satisfying ADA requirements for public street intersections that have been enacted since the passage of Ord. 4868. While this resulting street network will reduce overall connectivity, it will avoid a greater number of trees when compared to the original street network. To improve connectivity, the PD modification includes 4 pedestrian mid-block connections located within private tracts.

Additionally, and as stated above, the goal of residential clustering has been addressed through the development of the multi-family residential units in Valley's Edge Phase 2, as well as through the attached units within the Northridge Phase of the project.

Further, the proposed public street layout has been designed to weave between the majority of the established, mature trees. To further preserve trees, the applicant proposes to:

1. Perform a detailed tree survey prior to submitting engineered construction drawings for public street and utility improvements within the site's naturally wooded area. The tree survey would be completed by a licensed surveyor and the survey would show horizontal location of tree, provide tree species and size of tree (DBH).
2. Limit clearing activities to the footprint of the public right-of-way and adjacent public utility easement.
3. Meander sidewalks where significant or desirable hardwood trees can be avoided.
4. Consider adjusting street alignment to avoid significant or desirable trees.
5. Avoid mass grading within residential lot areas as this leads to clearing large areas of vegetation prior to placing engineering fill embankments.
6. Plant street trees as required by City code.
7. Enact CC&Rs that require each home builder/lot developer to work with the City Planning Department staff to shift house footprint on the lot, within the allowable setbacks, to avoid impact to significant or desirable hardwood trees. Because the lots in the West Hills phases are large, there exists the ability to shift home sites on the lots.

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8. Enact CC&Rs that require each home builder/lot developer to replant trees on the lots based upon the number of existing natural trees on the lot and the number of proposed trees to be removed to accommodate home construction. The proposed requirement for inclusion in the CC&Rs is: "Plant one new tree for every tree removed on lots with five or fewer natural trees, or plant one tree for every one and one-half trees removed on lots with six or more natural trees."

In sum, given the steep and varied topography of the site and the tree preservation and replanting efforts addressed by the applicant, staff finds that the proposed design provides a sensitivity to the scenic value of the area that results in a reduced impact on the existing natural habitat and tree cover than would otherwise typically occur. Staff contends that the intent and purpose of ORD 4132 have been met.

**Response:** The application does not seek to modify the above tree protection measures which will be further evaluated during the final plat review of each individual phase of the Hillcrest PD.

- A 30-foot-wide storm drainage easement is proposed along the centerline of the central north-south natural drainageway that forms the boundary between Phases 3 and 4 of the Valley's Edge subdivision, and the Hillcrest Phase 8 and Valley's Edge Phase 4 subdivisions. The purpose of this easement would be to prevent building adjacent to the drainageway and to ensure that the channel retains its capacity to collect and convey storm water. With the exception of two street crossing locations, the applicant proposes to keep this drainageway in its natural, undisturbed conditions.

As designed, rear lot lines of the adjacent properties are located in the center of this easement (except for the multifamily and public park sites). In discussion with the applicant's engineer it was acknowledged that one benefit of this easement would be the creation of a defacto 30-foot-wide no-build zone along its length. This then would provide a view of the drainageway at the back of each lot, and of the neighbor's backyard across the drainageway as construction, including fences or accessory buildings, would not be allowed within the storm drainage easement. While this is the intent, given the observed history of other similar easements and tracts, the area within this easement would likely be used, over time, for a variety of residential purposes. While this is purely speculation on the part of staff, it is conceivable that some improvements (obstructions) may occur to include the placement of play structures, decks, and landscaping features, and even fences in some locations. It is suggested that a restrictive covenant be included to address this restriction in any recorded CC&Rs for the affected subdivisions; Hillcrest Phase 8, and Valley's Edge Phases 2, 3 and 4.

**Response:** In addition to meeting new ADA public street standards, this PD modification will also better preserve existing drainages on site. While the original PD layout was designed to locate the easternmost drainage channel in a protective easement at the rear of most lots, the original layout did not identify or accommodate on-site channels on the west side of the site. As shown in Exhibit A, the PD included in this modification will locate all drainage channels at the rear of most lots so they may be placed within a protective easement.



- There is some history to the allocation of parkland being proposed by the applicant. By way of background, the applicants for this proposed zone change and tentative subdivision were responsible for the development of the property to the immediate east on which is located the existing phases of the Hillcrest, West Valley Estates, and Hillsdale residential subdivisions, as well as the Osprey Point Assisted Living facility, and Hillsdale Plaza commercial complex.

On April 28, 1998, the McMinnville City Council approved a zone change request on land east of the subject site and located at the southwest corner of the intersection of West 2nd Street and Hill Road. A companion subdivision tentative plan was also approved for this site the previous month by the Planning Commission. As part of that tentative plan, the applicant, Mr. Ed Christensen, proposed the creation of a centrally located 3.98-acre park. The plan for this park, as depicted by the applicant, included a softball/soccer field, basketball court, tennis courts, and a tot lot. It was the applicant's intent to dedicate this park land (without the improvements) to the City for use by the general public. The value of this dedication would have been applied as a credit against the park land system development charges applicable to the subject site. A design for the park was to be developed by the Parks and Recreation Department in concert with the surrounding neighborhoods in the future.

Ultimately Mr. Christensen did not move forward with his plans and in October of 1999 a new applicant stepped forward with a plan for this site. In summary, this plan, which was submitted by the applicants of the current proposal, requested the platting of 160 lots, to include 153 single-family residential lots; five two-family, "common-wall" lots; a 5.0-acre commercial lot; and, a 5.93-acre lot planned for multi-family residential development (this multi-family lot was subsequently developed for the Osprey Point Assisted Living Community facility). The park land identified in the original proposal was determined to be better addressed through a future development proposal on adjacent land to the west. The City granted approval of this proposal in December of 1999, subject to a number of conditions as contained in Ordinance No. 4713.

Subsequently, the same applicant later submitted, and received approvals for, detailed development plans for that on which now is developed with multiple phases of the Hillsdale and West Valley Estates residential subdivisions. Through the approvals of these subdivisions, the provision of parkland had been shifted to lands further to the west to the site of this current application. Part of the rationale for this adjustment from earlier plans was that, depending upon the final design for this park, the environmental assets found to the west might be afforded greater protection under that scenario and used for open space purposes. Further, this future park general location and need is more consistent with the City's adopted "Parks, Recreation and Open Space Plan." Staff posited that its construction would satisfy the applicable requirements of the West Hills Planned Development Overlay ordinance. Staff also recommended that the value of any future dedication of parkland on this site would be applied as a credit against parks system development charges applicable to that land to the west (the subject site).

Staff contends that, with the current proposal for the creation of a 5.1-acre public park, in addition to the 2.1-acre storm water detention facility, this proposal complements the Parks, Recreation and Open Space Plan and satisfies the prior land use decisions in planning such parkland within the subject site. Further, in the February 7, 2006, memo from the City's Park Director, it is made clear that the city fully supports this current plan and is intent on pursuing negotiations for acquisition of that land for public park space. The agreement will likely take the form of a purchase, parks system development charge (SOC) credit, or some combination thereof.

**Response:** The park land discussed above was constructed alongside the rest of the development proposed in Valley's Edge Phase 2. The application does not seek to modify this element of Ord. 4868.

- Water service to McMinnville residents is delivered by a gravity feed system with reservoirs located in the higher elevations of Fox Ridge Road. This system has the capacity to adequately serve development below an elevation of 275 feet. Service above this elevation required one of two improvements. Namely, installation of a pump to move water from existing reservoirs to a higher elevation to new reservoirs thereby allowing the water to gravity feed to an acceptable pressurization minimum and ensure adequate service. Alternatively, development above the 275-foot elevation could be served directly by a pump. However, in the event of a power failure to the pump system, this alternative would leave residents and the Fire Department completely without water in that area until power was restored. Given the alternatives, McMinnville Water & Light is preparing to move forward toward a system to include a pump as well as the construction of new reservoir(s) as may be necessary. In summary, no development within this proposed subdivision would be allowed above the 275-foot elevation without prior approval of McMinnville Water and Light, and presence of water service infrastructure necessary to support the planned development. A condition specific to this concern is included in the staff recommendation.

**Response:** The application does not seek a modification to this finding. The modified PD will include 309 lots located above the 275-foot elevation. The applicant understands that lot development above this elevation will not be allowed until necessary water system improvements are in place.

#### Findings of Fact

1. The applicants are requesting approval of a zone change from an R-1 PD (Single-Family Residential Planned Development) zone to an R-2 PD (Single-Family Residential Planned Development) zone on some 164.1 acres of land. In addition, the applicant is requesting approval of a tentative residential subdivision plat for this same property that would provide for approximately 4.0 acres of multi-family housing, 7.2 acres for park space and detention pond purposes, and 152.9 acres for single-family housing (441 single-family detached residences; 46 single-family attached residences, and 60 apartment units). The subject property is generally located north of Redmond Hill Road, and west of West Second Street and Horizon Drive. The property is further described as Tax Lot 800, Section 24, T. 4 S, R 5 W, W.M.
2. The site is currently zoned R-1 PD (Single-Family Residential Planned Development) and designated as residential on the McMinnville Comprehensive Plan Map.
3. Sanitary sewer and municipal water (below the 275-foot elevation) and power can serve the site. The municipal waste treatment plant has sufficient capacity to handle expected waste flows resulting from development of the property.
4. Northwest Natural Gas, Verizon, Comcast, School District 40, and the McMinnville Fire Department have all recommended approval of the request.

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5. Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 that are applicable to this request include:

Chapter V      Housing and Residential Development

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

**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.**

**General Housing Policies:**

- 58.00 City land development ordinances shall provide opportunities for development of a variety of housing types and densities.
- 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.
- 60.00 Attached single-family dwellings and common property ownership arrangements (condominiums) shall be allowed in McMinnville to encourage land-intensive, cost-effective, owner-occupied dwellings.
- 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.
- 71.1 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.
- 71.2 The City shall plan for development of the property located on the west side of the City to be limited to a density of six units per acre. It is recognized that it is an objective of the City to disperse multiple-family units throughout the community. In order to provide for multiple-family units on the west side, sewer density allowances or trade-offs shall be allowed and encouraged.

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- A. It will be the obligation of the City Planning Director and the City Engineer to determine whether or not the density of each proposed development can exceed six units per acre. School property, floodplain, and parklands will not be included in the density calculations.
  - B. For those developments which have less than six units per acre, the differences between the actual density of the development and the allowed density (six units per acre) may be used as an additional density allowance by other property which is located in the same immediate sewer service area, provided that no peak loading effect would occur which would cause overloading of particular line design capacity, and provided that the zone change application is processed under the provisions of Chapter 17.51 of the zoning ordinance.
  - C. The City will monitor development on the west side of McMinnville to determine which property is available for development at increased densities.
  - D. In no case will a residential development of a higher density than six units per acre be approved if, by allowing the development, some other undeveloped property (which is not included in the application, but which is within the above- mentioned sewer service area) would be caused to develop at less than six units per acre because of lack of sewer capacity.
  - E. Applications for multiple-family zone changes will be considered in relation to the above factors, e.g., sewer line capacity and dispersal of units. In addition, requests for zone changes to multiple-family shall consider those factors set forth in Section 17.72.035 (zone change criteria) of the zoning ordinance. (As amended by Ord. 4218, Nov. 23, 1985)"

71.05 The City of McMinnville shall encourage annexation and rezoning which are consistent with the policies of the comprehensive plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types (as amended by Ord. No. 4243, Apr. 5, 1983).

**Planned Development Policies:**

- 73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.
- 75.00 Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.

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- 76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.
- 78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.

**Multiple-family Development Policies:**

- 86.00 Dispersal of new multiple-family housing development will be encouraged throughout the residentially designated area 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.
- 89.00 All multiple-family housing developments shall provide landscaped grounds and large open spaces.
- 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.

**Urban Policies:**

- 99.1 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development. 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).
  5. Energy distribution facilities and adequate energy resource supplies.

**Chapter VI      Transportation System**

**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:**

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- 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.
- 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

Chapter VII Community Facilities and Services

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.

Sanitary Sewer System:

- 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.

Storm Drainage:

- 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.

Water System:

- 144.00 The City of McMinnville, through the City Water and Light Department, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.
- 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and the City Water and Light Department to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with the City Water and Light Department in making land use decisions.

Water and Sewer - Land Development Criteria:

- 151.1 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:



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1. Sufficient municipal water system supply, storage and distribution facilities, as determined by the City Water and Light Department, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency 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 the Water and Light Department and City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.
  4. Federal, state, and local water and wastewater quality standards can be adhered to.
  5. Applicable policies of the Water and Light Department and the City relating to water and sewer systems, respectively, are adhered to.

**Parks and Recreation:**

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

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.

**Chapter VIII Energy**

**GOAL VIII 2: TO CONSERVE ALL FORMS OF ENERGY THROUGH UTILIZATION OF LAND USE PLANNING TOOLS.**

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

**Chapter IX Urbanization**

**GOAL IX 1: TO PROVIDE ADEQUATE LANDS TO SERVICE THE NEEDS OF THE PROJECTED POPULATION TO THE YEAR 2000, AND TO INSURE THE CONVERSION OF THESE LANDS IN AN ORDERLY, TIMELY MANNER TO URBAN USES.**

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

**General Provisions:**

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



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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."

**Planned Developments:**

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

C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:

- (1) There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- (2) Resulting development will not be inconsistent with the comprehensive plan objectives of the area;
- (3) The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels (as amended by Ordinance No. 4242, April 5, 1983);
- (4) The plan can be completed within a reasonable period of time;
- (5) The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- (6) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- (7) The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the City as a whole.

**Review Criteria:**

17.72.035 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:

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- 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."

- 7. The following sections of the West Hills Planned Development Overlay (McMinnville Ord. No. 4132) are applicable to the request:

Section 4. Policies. The following policies shall apply to the subject property:

- (a) The goals and policies of the McMinnville Comprehensive Plan, Volume II, and applicable regulations and standards in Volume III, and other City codes shall be adhered to.
- (c) The density of any proposed development shall be set by the zoning classification.
- (d) The wooded portions of the site shall be incorporated into the development of the property so that they will be left substantially intact and with consideration given to the preservation of wildlife habitat. (Amended by Ordinance No. 4225, November 23, 1982)
- (e) Scenic values of the property, as viewed from the City towards the site, shall be emphasized and enhanced in residential development designs. This should be accomplished by encouragement of a design which clusters housing in suitable areas while reserving large open areas. This policy shall not preclude incorporation of single-family structures in development designs.

Section 5. Procedures for Review.

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- (a) The Planning Commission shall review proposals on the subject property to determine the acceptability of the plans. Neglect or failure of the applicants to take reasonable account of policies (a) through (e) in Section 4 shall constitute the Commission's sole basis for disapproving a proposal provided all applicable City codes are adhered to.

#### CONCLUSIONARY FINDINGS FOR APPROVAL

1. The subject request complies with goals and policies of the McMinnville Comprehensive Plan, 1981 (Finding of Fact No. 5) as follows:

- (a) Goal V-1 and V-2 and Policy 68.00 are satisfied by the request as a variety of additional housing stock will be added to the City (60 multi-family housing units; 46 common wall homes; and, 441 single-family homes); the application of the Uniform Building Code guarantees the quality of the housing; and an urban level of services is available to the development. According to the applicant, the development will provide housing for a variety of users, from entry level single-family housing and multi-family apartments in Valley's Edge Phase 2, to upper end housing in Hillcrest and West Hills subdivisions.

**Response:** This PD modification will continue to satisfy Goals 1 and 2 of Policy 68.00 by establishing a variety of additional housing units for existing and future residents of the City. 68 multi-family units were constructed in Valley's Edge Phase 2. Additionally, the application includes 42 lots intended for attached single-family residences in the Northridge Phase and another 446 single-family detached lots in the remaining phases of the Hillcrest PD.

- (b) Policies 58.00 and 59.00 are satisfied by the request as multi-family and townhome housing, which is a type of housing that is presently in relatively short supply, will be provided, thereby providing an opportunity for development of a variety of housing types and densities. This housing will be developed in accordance with applicable City ordinances, planned development requirements, and conditions of this approval.

**Response:** This PD modification will continue to satisfy Policies 58.00 and 59.00 by establishing a variety of additional housing units for existing and future residents of the City. 68 multi-family units were constructed in Valley's Edge Phase 2. Additionally, the application includes 42 lots intended for attached single-family residences in the Northridge Phase and another 446 single-family detached lots in the remaining phases of the Hillcrest PD.

- (g) Policy 60.00 is satisfied in that some 43 common wall units are proposed within the Northridge plat; an additional three such units would be located at

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street corner locations elsewhere in the development. These units, when constructed, should provide cost-effective, owner-occupied housing for the residents of McMinnville. This housing type is in relatively short supply in McMinnville.

**Response:** This PD modification will continue to satisfy Policy 60.00. The application includes 42 lots intended for attached single-family residences in the Northridge Phase and another 446 lots in the remaining phases of the Hillcrest PD.

- (h) Policy 71.00 is satisfied in that the subject site is planned for residential use, as designated on the Comprehensive Plan Map, and the proposal to rezone the subject site to R-2 PD would allow for the construction of multi-family dwellings and commonwall housing in a planned development which, when built out, will consist primarily of single-family dwellings.

**Response:** This PD modification will continue to satisfy Policy 71.00 since the remaining development phases will primarily consist of single-family dwellings.

- (i) The various subdivisions that comprise this development will build out at gross densities ranging from 2.3 dwelling units per acre in the relatively steep West Hills Phases 1 - 5 areas to 6.5 dwelling units per acre in the Northridge subdivision (commonwall lots). Overall, the development site will average 3.6 dwelling units per gross acre. Plan policy 71.01, which limits west side density to a maximum of six dwelling units per acre, is therefore satisfied by the subject zone change request.

**Response:** This PD modification will continue to satisfy Policy 71.01 because the site density will average 3.7 dwelling units per gross acre.

- (j) Policy 71.05 is satisfied by the request in that the rezoning of this property from R-1 to R-2, and its subsequent development consistent with the plan submitted by the applicant, would increase the number of housing units that could be realized in this area. Additional engineering and verification of contours may result in additional building lots being platted, which this approval recognizes and supports up to the maximum permitted R-2 density. This proposal would move the city closer to the creation of a continuous five-year supply of land for all needed housing types.

**Response:** This application does not seek to modify the approved zoning authorized through Ord. 4868. The application therefore will continue to satisfy Policy 71.05.

- (k) Policy 73.00 is satisfied in that there is a variety of housing types offered by this proposal, including multi-family, single-family detached, and single-

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family attached. Lot sizes within the development, and type of housing proposed, should foster a wide variety of prices, as well.

**Response:** This PD modification will continue to satisfy Policy 73.00 because the overall Hillcrest PD will offer a variety of housing types, including multi-family (constructed as part of Valley's Edge Phase 2), single-family attached, and single-family detached dwellings. Additionally, the range of lot sizes will promote a variety of housing types in meeting demand across a broad spectrum of age and income groups.

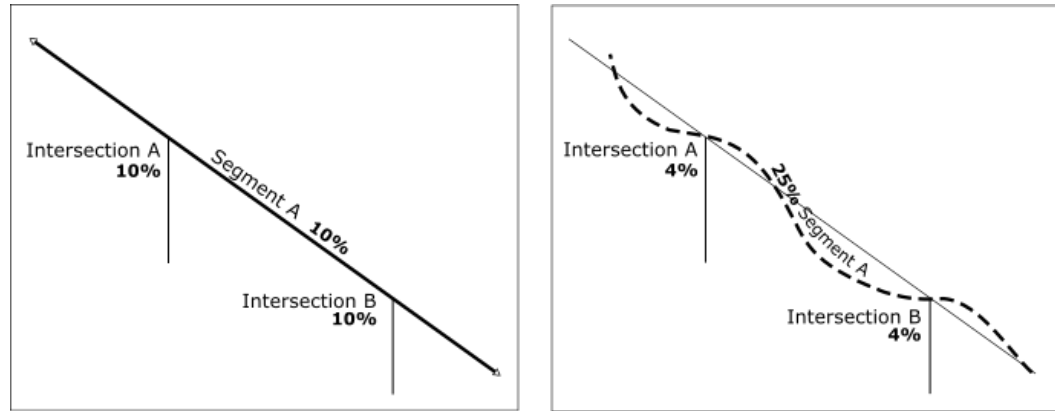
- (l) As part of the development of this subdivision, the applicant intends to offer for sale to the City approximately 7.2 acres of land for public park and open space use (5.1 acres of this is for detention pond purposes). This parkland is located within the southeast portion of the subject site and, when developed, will provide direct benefit to the adjacent multi-family housing and single-family residential neighborhoods within this development and adjoining lands. In addition, as a condition of this approval, useable open space within the multi-family complex is to be provided by the developer. Policies 75.00 and 76.00 are therefore satisfied.

**Response:** The park and open space described above was developed with Valley's Edge Phase 2. This public amenity will directly benefit the City and nearby uses. Policies 75.00 and 76.00 are therefore satisfied.

- (m) The street system proposed by the applicant, as depicted on the master plan, is designed in a manner that is compatible with the circulation patterns of adjoining properties and accounts for the steep topography present within this site. The street system provides for the extension of West Second Street, Horizon Drive, and Redmond Hill Road. Policy 78.00 is satisfied by this proposal.

**Response:** This PD modification is necessary due to new ADA intersection standards enacted since the passage of Ord. 4868. This new requirement to design public street intersections with a maximum grade not exceeding 5% (4% was conservatively shown to allow for flexibility due to construction tolerances) will not only affect the intersections themselves, but have a cascading effect on the overall site layout. The original Hillcrest PD approved intersections where grades exceeded 10% in many cases. As shown in Figure 1 below, street segments between these intersections would include grades exceeding 20% or more if the intersections were simply flattened to meet the new ADA requirements.

**Figure 1** Impact to corresponding street grades with shallow intersection grade



This is because the American Association of State Highway Transportation Officials (AASHTO) specifies a maximum vertical curvature that public streets may be built to. This specification ensures that public streets allow sufficient sight distance as vehicles move up and down steep roadways, as well as so that vehicles do not high-center on any portion of a steep vertical curve.

The most practical solution for addressing this situation in the context of the Hillcrest PD is to eliminate several intersections and subsequently increase the length of the street segments between intersections. This has the corresponding effect of requiring a new lot configuration to obtain access from these reconfigured streets, and makes it necessary to seek an adjustment to allow street grades of up to 15% along certain local street segments.

- (n) Policy 86.00 is satisfied in that, as part of the City's dispersal policy, all large scale residential subdivisions have been required to include land set aside for multi-family development. This insures that the multi-family uses will be dispersed throughout the larger scale single-family developments. The subject parent parcel is some 164.1 acres in size. The majority of the site will be developed with single-family attached and detached housing as may be permitted through this and future development application(s) and approval(s). The zone change insures that multi-family uses will be included as part of that large scale development.

**Response:** As mentioned above, a 68-unit, multi-family residential development was constructed as part of the Valley's Edge Phase 2 plat. The application does not seek to modify the zoning established in Ord. 4868.

- (o) Policy 89.00 will be satisfied at the time development occurs on the subject site in that extensively landscaped grounds shall be required as a condition of approval of this zone change and subsequent multi-family housing development. The McMinnville zoning ordinance requires a minimum of 25 percent of multi-family



development to be landscaped. In addition, a 7.2-acre public park (open space) would be provided within the southeast portion of the proposed development.

**Response:** A 68-unit, multi-family development (Valley Pointe Apartments) was constructed as part of the Valley's Edge Phase 2 plat. As shown in Figure 2 below, the multi-family development includes significant perimeter, interior, and parking lot landscaping. Additionally, the development borders the eastern side of a thoughtfully-landscaped, large public park and open space.

**Figure 2** Aerial Photo of Valley Pointe Apartments



Source: 2016 Google

- (p) Policy 91.00 is satisfied by the request in that all driveways from the proposed multi-family development will access onto a street designed to minor collector standards (Redmond Hill Road).

**Response:** The Valley Pointe Apartments multi-family development takes primary access/egress to/from NW 2nd Street, which is classified as a minor collector in the City's Transportation System Plan (TSP). Valley Pointe has a secondary access/egress from SW Blue Heron Court, which is a local street. This application does not seek to modify access to or from the existing multi-family development.

- (q) Goal VI-1 and Policy 117.00 are satisfied as the proposed development will be required to develop to city standards in terms of off-street parking, street construction, and sidewalk improvements as required by this planned development and the McMinnville Zoning Ordinance. As noted previously, the proposed street system will be



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designed to provide safe and easy access to every parcel, and will provide connection to adjacent properties. The applicant's traffic impact study indicates that, at full buildout, intersections adjacent to the proposed development will continue to operate at Level of Service "B" or "C," provided certain improvements are made to the West Second and Hill Road, and Redmond Hill Road and West Second Street intersections following the construction of the 2701 home within the subject site.

Such a condition is part of this zone change approval. Streets within and adjacent to the subject site have adequate capacity to accommodate the expected trips from this project

**Response:** As shown in Exhibit A, all streets will be constructed in accordance with applicable local and collector street standards, and the revised street network will continue to provide connections to abutting properties outside of the Hillcrest PD site. Exhibit F (Traffic Analysis Update Memo) indicates that at full buildout, intersections adjacent to the Hillcrest PD will continue to operate at acceptable levels.

- (r) Policy 126.00 will be satisfied in that approval of the multi-family housing site will require demonstration of compliance with off-street parking standards prior to release of building permits. Additional off-street parking is required of each single-family attached and detached home as a condition of building permit approval, consistent with the standards provided in the McMinnville Zoning Ordinance.

**Response:** The application does not seek to modify requirements for off-street parking for single-family or multi-family development throughout the Hillcrest PD.

- (s) Goal VII-1 and Policies 99.00, 136.00, 144.00, and 151.00 are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and energy distribution facilities, are all available to the site, and the site can be served by Hill Road, a designated minor arterial, and West Second, a designated major collector, streets. In addition, the sewage treatment plant easily has capacity to serve the project, and all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. Municipal water service can be provided to those portions of the subject site located below the 275-foot elevation; the construction of an upper level water system will be required prior to the platting of lots located above this elevation, as conditioned herein.

**Response:** Adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and energy distribution facilities will remain available to serve the Hillcrest PD. Additionally, westerly extensions of NW 2nd Street and Horizon Drive will provide the primary means

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of access into and out of the site. Consistent with the approval in Ord. 4868, water service will be available to all portions of the site located below the 275-foot elevation line. Portions of the site above this elevation will rely on the future construction of additional water infrastructure improvements before they may be platted.

- (t) Policies 142.00 and 147.00 will be satisfied by the request in that the subject site will be converted in an orderly manner to urbanizable standards through the coordinated extension of utilities, and as conditioned by this planned development. In addition, adequate storm water system will be designed and constructed to the satisfaction of the City Engineer when the property is developed.

**Response:** Policies 142.00 and 147.00 remain satisfied since development on this site will ensure the coordinated extension of utilities, including adequate stormwater facilities.

- (u) Goals VII-3 and Policy 163.00 are satisfied by this request in that the applicant intends to provide parkland within this development for public use. This park, when developed, will benefit the adjacent west McMinnville neighborhoods.

**Response:** The park land discussed above was constructed as part of the Valley's Edge Phase 2 plat and can be seen in Figure 2 above. Therefore, Goal VII-3 and Policy 163.00 are satisfied.

- (v) Goal VIII-2 and Policy 178.00 are satisfied by the request as the development proposes a compact urban development pattern at a density higher than what would be permitted under the site's current R-1 zone. In addition, the proposal integrates commonwall and multi-family housing, thereby further increasing density and conserving energy. Utilities presently abut the property or are nearby and can be extended to the site in a cost effective and energy efficient manner, as required by an approved phasing plan for the site.

**Response:** The application does not seek to modify the mix of housing types or result in any measurable change in overall residential density from what is approved in Ord. 4868. Additionally, utilities will remain located nearby and can be extended to serve future development through the site.

- (w) Goal IX-1 is satisfied since the property is within the McMinnville Urban Growth Boundary and all urban services are available to the site.

**Response:** The site will remain within the City and its Urban Growth Boundary (UGB). As mentioned above, urban services will be available to the site. Also, as previously mentioned, development above the 275-foot elevation line will depend on future water system improvements, which will be provided upon the conditioning of future lot platting above this elevation by Ord. 4868. Goal IX-1 is therefore satisfied.

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2. The subject request complies with the applicable requirements of the McMinnville Zoning Ordinance (Finding of Fact No. 6) as follows:

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

**Response:** Please see the response to Conclusionary Finding for Approval No. 1 above.

(b) The applicable sections of Section 17.51.030 are also satisfied by the request as follows:

(1) There are special conditions and objectives which warrant a departure from the standard regulation requirements, including the need to condition the future development of the multi-family lot, and townhome lots, permit additional residential housing types beyond that which would be permitted under the provisions of the R-2 zone standards, and address slope and tree cover issues. In addition, the West Hills, of which the site is a part, is an area encumbered by a planned development overlay. The overlay requires that all zoning be processed under Chapter 17.51 of the zoning code.

**Response:** While the multi-family component and a portion of the single-family development originally approved in Ord. 4868 has been constructed, the physical and environmental constraints remain. The application does not seek to modify any of the conditions of approval or zoning authorized through Ord. 4868.

(2) As noted in the conclusionary findings for approval, the proposed development will be consistent with the comprehensive plan objectives for the area.

**Response:** See responses under the Conclusionary Findings section above.

(3) Adequate access and services will be provided to the proposed development through the construction of streets and sidewalks.

**Response:** As mentioned above, adequate access and services will be provided to the development through the construction of streets and sidewalks.

(4) The project, if approved, is expected to be completed within the next 10 to 15 years. This is a reasonable period to complete a project of this scale.

**Response:** Ord. 4868 was approved on April 24, 2007. Shortly thereafter, the U.S. housing market experienced one of the most devastating recessions in modern times. Excluding the phases already developed, the Hillcrest PD will now include 15 phases. Three-hundred-and-nine lots in modified PD lie above the 275-foot elevation line, whereby development

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will be predicated on the provision of new water system infrastructure for which the timing of implementation is unknown. Ord. 4868 did not establish a timeline for the completion of the various phases of the Hillcrest PD. This application does not seek to modify the approved phasing timeline.

- (5) As noted in the conclusionary findings for approval, the existing and planned streets are adequate to support the anticipated traffic.

**Response:** As discussed above, all new streets will be constructed to the City's local and minor collector street standard and will therefore be adequate to support anticipated future traffic.

- (6) Utility facilities presently serving the area are adequate to serve the proposed development of the subject site.

**Response:** As discussed above, utilities serving the site will be adequate for serving future development on the site. Also, as noted above, development of lots located above the 275-foot elevation mark will rely on the provision of future water system improvements capable of supporting these homes.

- (7) No air, noise or water pollutants will be generated by the proposed development that are greater than those generated by any other residential development.

**Response:** The Hillcrest PD is expected to generate air, noise, and water impacts to a degree similar to typical residential development.

- (8) All of the requirements of Section 17.51.030 are satisfied by this request.

**Response:** As explained throughout this narrative, the PD modification continues to satisfy the PD criteria in 17.51.030.

- (c) Section 17.72.035 is satisfied by the request as the proposed change is consistent with the applicable goals and policies of the McMinnville comprehensive plan (see Conclusionary Finding for Approval No. 1), and utilities and services can be provided to the site. The request for "needed" housing eliminates the issues addressed in criterion "B" from consideration.

**Response:** Please see the response under Conclusionary Finding for Approval No. 1 above.

3. The subject request complies with the requirements of the West Hills Planned Development Overlay (Finding of Fact No. 7) as follows:

- (a) The applicable goals and policies of the McMinnville Comprehensive Plan, Volume 1 1 , have been satisfied as is enumerated in conclusionary Finding for Approval No. 1, above.

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- (b) The density of the proposed development (overall density of 3.6 dwelling units per acre) falls within the limitations of the R-2 zone, and satisfies the requirements of plan policy 71.01.
  - (c) The submitted aerial photograph of the subject site delineates the boundary between conifer trees that were planted by the applicants for commercial harvesting and those hardwood trees (maples and oaks) that are native to the site. The applicants intend to clear or thin the commercially planted trees, as they were not harvested when originally planted and have overgrown to an unhealthy density.

The trees to the west of this delineation line are native to the site and exist in an area that is approximately 44 acres in size. The area of the public rights-of-ways encumbers approximately 21.6% (9.5 acres) of this wooded area.

On the adjacent properties to the west and south of this naturally wooded area are more naturally wooded areas. The tree density and canopy coverage is noticeably higher on the properties to the west and south of the subject property, as shown on the submitted aerial.

Within the subject property, the tree density and canopy coverage is uniform, but lower, with a greater spacing within the naturally wooded area on the subject property. This lower density is likely attributable to thinning efforts performed by the Applicants in the past to provide a healthier, better spaced tree canopy.

Rural residential development has occurred within some of the naturally wooded area to the south of the subject property. These naturally wooded areas to the south of the subject property have recently been brought into the City's UGB through partial approval of the City's UGB expansion request (Redmond Hill Road exception area).

Within the West Hills Phases 1, 3, 4 and 5 the applicants propose to develop larger residential home sites along a public street system as shown on the submitted tentative subdivision plan. The applicants have considered clustering development as requested in the West Hills Planned Development Overlay. However, because the tree coverage is uniform, cluster housing would save trees in undeveloped areas but require greater tree removal within the clustered housing areas. A second issue with clustering housing is developing a street system to navigate the 12% to 25% slopes in this area of the subject property that avoids dead end streets and provides the required street connectivity.

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To minimize tree impacts during public infrastructure and housing construction the applicants are conditioned as part of this subdivision's approval to enact the following development policies for this naturally wooded portion of the site:

Perform detailed tree survey prior to submitting engineered construction drawings for public street and utility improvements within the site's naturally wooded area. Tree survey to be completed by licensed surveyor and survey will show horizontal location of tree, provide tree species and size of tree (DBH).

Limit clearing activities to the footprint of the public right-of-way and adjacent public utility easement.

Meander sidewalks where significant or desirable hardwood trees can be avoided. Consider adjusting street alignment to avoid significant or desirable trees.

Avoid mass grading within residential lot areas as this leads to clearing large areas of vegetation prior to placing engineering fill embankments.

Plant street trees as required by City code.

Enact CC&Rs that require each home builder / lot developer to work with City Planning Dept. staff to shift house footprint on the lot, within the allowable setbacks, to avoid impact to significant or desirable hardwood trees. Because the lots in the West Hills phases are large, there exists the ability to shift home sites on the lots.

Enact CC&Rs that require each home builder / lot developer to replant trees on the lots based upon the number of existing natural trees on the lot and the number of natural trees to be removed to accommodate home construction. Proposed CC&Rs would be as follows:

Plant one new tree for every tree removed on lots with five or less natural trees, or plant one tree for every one and one-half trees removed on lots with six or more natural trees.

Given the above findings, the City finds that Sections 4 (d) of Ordinance No. 4132 is satisfied.

**Response:** Modifications to the configuration of streets and lots included in this application will not have an appreciable impact to native trees on site. Furthermore, the application does not seek to modify the above conditions of approval.

(d) As "viewed from the city" nearly all of the subject site is unseen. In addition, development proposed for the lower elevations of the subject site include

public park and open space, and multi-family housing, both of which require extensive landscaping and, as to the latter, additional design review by City staff. Development of this project requires the planting of trees, and the use of practices that would retain as many existing trees as is practicable, thereby enhancing the visual quality of the West Hills area. Section 4(e) of Ordinance No. 4132 is satisfied.

**Response:** The application does not modify the accuracy of the above finding.

## CITY OF MCMINNVILLE ZONING ORDINANCE – TITLE 17

### Title 17 Zoning

#### Chapter 17.53 LAND DIVISION STANDARDS

##### 17.53.101 Streets

- L. Grades and curves. Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street. Centerline radii or 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 steeper grades and sharper curves.

**Response:** Per Subsection L above, local streets may not exceed a grade of 12% unless the Planning Commission determines that existing conditions, such as existing topography, warrant steeper grades. This PD application includes a request for an adjustment to authorize street grades of up to 15% for limited sections of the streets listed in Table 1 below (see also Exhibit A). This adjustment is the minimum necessary to allow project conformance to the preliminary subdivision plat approval vested in Ord. 4868 while simultaneously integrating new ADA requirements for crosswalks at street intersections, which may not exceed a maximum grade of 5%.

**Table 2** Streets in modified PD where adjustment is requested

Street Name	Functional Classification	Maximum Grade allowed per MZO 17.53.101.L	Maximum Proposed Grade
NW Mt. Ashland Lane	Local Street		15%
Road D	Local Street		15%
C Loop	Local Street		15%
Road G	Local Street		12.01-14.99%
Road D	Local Street		12.01-14.99%
Road F	Local Street		15%
Road E	Local Street		15%



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#### 17.53.103 Blocks

- A. General. The length, width, and shape of blocks shall take into account the need for adequate lot size and street width and shall recognize the limitations of the topography.
- B. Size. No block shall be more than 400 feet in length between street corner lines or have a block perimeter greater than 1,600 feet unless it is adjacent to an arterial street, or unless the topography or the location of adjoining streets justifies an exception. The recommended minimum length of blocks along an arterial street is 1,800 feet.

**Response:** As shown in Exhibit A, certain blocks included in this application exceed the length and perimeter standard in Subsection B. above. There are approximately 31 block segments and 11 block perimeters that do not satisfy the standard in B. above. As discussed above, the elimination of public street intersections was necessary to accommodate new ADA requirements that have been enacted since the passage of Ord. 4868. The removal of these intersections subsequently created longer block lengths and perimeters. To minimize block length and facilitate pedestrian mobility throughout the site, the application includes several mid-block pedestrian accessways. Nonetheless, the application must seek an adjustment to these standards through the City's PD process.

#### C. Easements.

- 1. Utility lines. Easements for sewers, water mains, electric lines, or other public utilities shall be dedicated whenever necessary. The easements shall be at least 10 (ten) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six (6) feet in width. Easements of 10 (ten) feet in width shall be required along all rights-of-way. Utility infrastructure may not be placed within one foot of a survey monument location noted on a subdivision or partition plat. The governing body of a city or county may not place additional restrictions or conditions on a utility easement granted under this chapter.

**Response:** The applicant is aware that public- and franchise utility easements will be necessary prior to final plat approval.

- 2. Water courses. If a subdivision is traversed by water courses such as a drainage way, channel, or stream, there shall be provided a storm unit easement or drainage right-of-way conforming substantially with the lines of the water course and of such width as will be adequate for the purpose, unless the water course is diverted, channeled, or piped in accordance with plans approved by the City Engineer's office. Streets or parkways parallel to major water courses may be required.

**Response:** As shown in Exhibit A the subdivision is traversed by several water courses that generally run north to south through the site. The modified PD site layout includes lots that backup

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against these water courses and where the resource is located in a variable width easement at the rear of these lots.

3. Pedestrian ways. When desirable for public convenience, safety, or travel, pedestrian ways not less than 10 (ten) feet in width may be required to connect to cul-de-sacs, to pass through unusually long or oddly shaped blocks, to connect to recreation or public areas such as schools, or to connect to existing or proposed pedestrian ways.

**Response:** As shown in Exhibit A and as mentioned above, the application includes several mid-block pedestrian accessways that are intended to connect cul-de-sacs with nearby streets and/or minimize travel distance along unusually long or oddly shaped blocks.

#### Chapter 17.74 REVIEW CRITERIA

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

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

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

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

**Response:** Responses to this criterion can be found under the Conclusionary Findings section above. With regard to the street grade adjustment, adherence to ADA intersection grade requirements in the context of this relatively steep site, results in portions of certain streets located throughout the site with grades of up to 15%.

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

**Response:** Responses to this criterion can be found under the Conclusionary Findings section above. With regard to the street grade adjustment, the resulting development will comply with new ADA requirements that have been enacted since the original approval was granted.

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

**Response:** Responses to these criteria can be found under the Conclusionary Findings section above. With regard to the street grade adjustment, the resulting development will comply with new ADA requirements that have been enacted since the original approval was granted. Additionally, feedback from City Planning, Engineering, and Fire Department staff has resulted in short stretches of steep road segments and residential fire suppression systems to ensure fire and other local services are accommodated. Finally, although connections to adjacent parcels have been slightly relocated as a result of the revised site circulation, connections to adjacent parcels remain a key feature of the PD.

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

**Response:** Responses to these criteria can be found under the Conclusionary Findings section above.

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

**Response:** Responses to these criteria can be found under the Conclusionary Findings section above. With regard to the street grade adjustment, the applicant and their consultant have met with City Planning, Engineering, and local Fire Department staff to receive feedback regarding street grades exceeding 12% in the areas indicated in Exhibit A. Feedback from these agencies resulted in the following revisions to the applicant's preliminary subdivision plans:

1. Street segments designed at between 12-15% grade are limited to a maximum distance of 200 feet. This recommendation from the Fire Department is intended to ensure that continuous sections of steep street grades include flat benches to facilitate stopping and starting or slow movement of fire apparatus in these areas.
2. Future homes on lots abutting streets accessed via street segments exceeding 12% grade will be required to include fire sprinklers. The Fire Department recommended this as a condition of approval to ensure street grades are not an impediment to fire suppression.

The feedback received from these City agencies directly responds to the desire to ensure the subdivision and future homes on these lots can exist in harmony with the overall community health and well-being objectives outlined in the City's Zoning Ordinance, engineering design standards, and state and local fire standards. The applicant supports the feedback provided by these City agencies and accepts the suggested conditions of approval.

Exhibit F confirms that streets and anticipated mitigation efforts are adequate to support anticipated traffic from the development.

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

**Response:** Responses to these criteria can be found under the Conclusionary Findings section above.

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

**Response:** Responses to these criteria can be found under the Conclusionary Findings section above.

#### **IV. Conclusion**

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the McMinnville Zoning Ordinance. The evidence in the record is substantial and supports approval of the application. Therefore, the applicant respectfully requests that the City approve this application.