



**City of McMinnville**  
**Planning Department**  
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## EXHIBIT 5 - STAFF REPORT

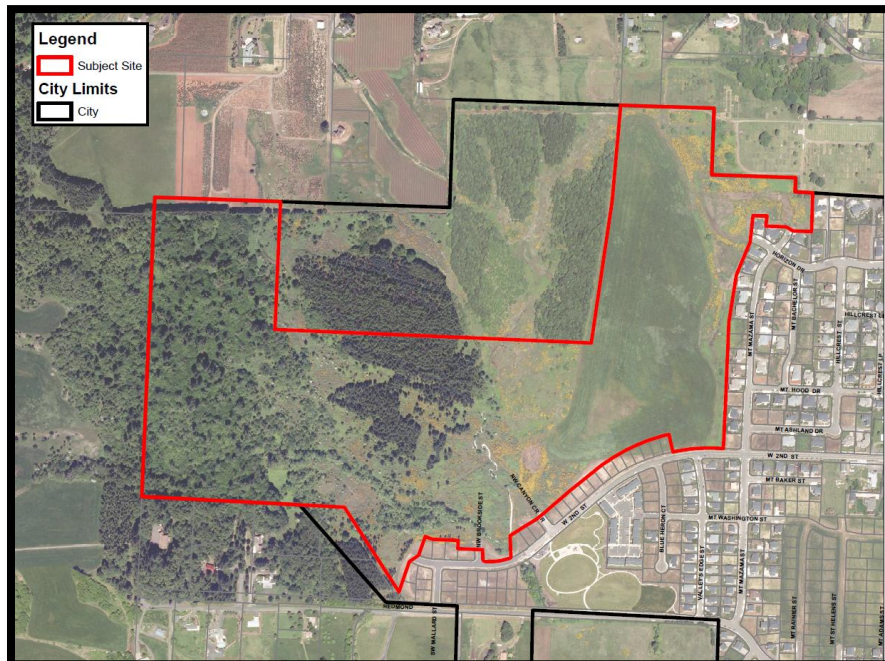
**DATE:** May 18, 2017  
**TO:** McMinnville Planning Commission  
**FROM:** Ron Pomeroy, Principal Planner  
**SUBJECT:** ZC 6-17 (West Hills Properties, LLC)

### Report in Brief:

This is the consideration of West Hills Properties, LLC’s application requesting approval for a Planned Development Amendment (ZC 6-17) to an existing multi-phase residential subdivision master plan located generally north of Redmond Hill Road and West of Mt. Mazama and south of Fox Ridge Road and more specifically described as Tax Lot 801, Section 24, T. 4 S., R. 5 W., W.M.

West Hills Properties, LLC, is requesting approval to amend Planned Development Ordinance No. 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested as part of this Planned Development Amendment request is approval of an amended residential subdivision and phasing plan on approximately 132 acres of land.

Attachment A to this staff report contains the Decision, Conditions of Approval, Findings of Fact, Comments, Attachments, and Conclusionary Findings.



**Attachments:**  
 ZC 6-17 Decision, Conditions of Approval, Findings of Fact, Conclusionary Findings

**Background:**

The applicant is requesting approval to amend Planned Development Ordinance 4868 to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested is approval to amend an approved residential subdivision and phasing plan on approximately 132 acres of land.

This request is to amend a Planned Development approved on April 24, 2007, when the McMinnville City Council adopted Ordinance No. 4868 for a zone change request from an R-1 (Single-Family Residential) zone to an R-2 PD (Single-Family Residential Planned Development) zone on a parcel of land approximately 164 acres in size. At the same time a phased subdivision request for approximately 4.0 acres of multifamily housing, 7.2 acres for park and storm water detention, and approximately 153 acres of residential housing (441 single-family detached residences, 50 single-family attached residences and 60 apartment units) was approved. It is the modification of this Ordinance and its implications to the attendant phased subdivision that is the subject of this Planned Development Amendment application.

Since that time, portions of that phased subdivision plan (referred to as the Hillcrest Planned Development) have been developed including the public park and storm water detention facility, multiple-family residential apartment complex and the Valley's Edge Phases 2 and 3 of the phased development plan. The remaining 132 acres of the original 164-acre multi-phase plan are the subject of this current zone change request.

**Summary of Application:**

The applicant has submitted a proposal to modify the existing Planned Development that currently encumbers this site to allow exceptions to current street grade, block length, block circumference and lot depth to width standards. Also requested as part of this Planned Development Amendment request is approval of an amended residential subdivision and phasing plan on the remaining approximately 132 acres of land.

As noted in the Section 1 (Executive Summary) of the applicant's submittal, at the end of 2007 and continuing through 2009, the U.S. and local housing market experienced one of the most significant declines in many years. This recession quelled demand for new housing in McMinnville and across the Country and, according to the applicant, is the main cause for the delay in the further development of the Hillcrest Planned Development. The current demand for housing now makes it possible for the applicant to move forward with development of the balance of the previously approved Hillcrest Planned Development. However, during the interim years, new and updated Americans with Disabilities Act (ADA) standards have been recommended and cities, including McMinnville, are requiring that these recommendations be implemented; the ADA standards related to development of rights-of-way are referenced as Public Right of Way Accessibility Guidelines (PROWAG).

Implementation of the PROWAG standards at street intersections necessitate a redesign of some elements of the original street layout and subdivision plan and result in associated modifications to other elements of the plan. A brief description of each of the proposed types of modification that comprise this Planned Development amendment request are as follows:

1. Street Grade – Approval of the original subdivision concept was based, in part, on street intersections being designed with intersections grades of 10% or more. The applicant notes that the flattening of these intersections to 5% or less, based on PROWAG standards and construction tolerances, requires that street segments leading into and exiting the flatter intersections must now be graded even steeper to make up for the grade lost by this flattening. Additionally, because streets must be designed with appropriate transitions (vertical curve) between the steep street segments and the shallow intersections to ensure safe sight distance

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and vehicle clearance, the grade of street segments outside of the intersection can be excessive if the original number and locations of intersections were to be held constant. This relationship is graphically demonstrated in Figure 1 on page 26 of the applicant’s narrative.

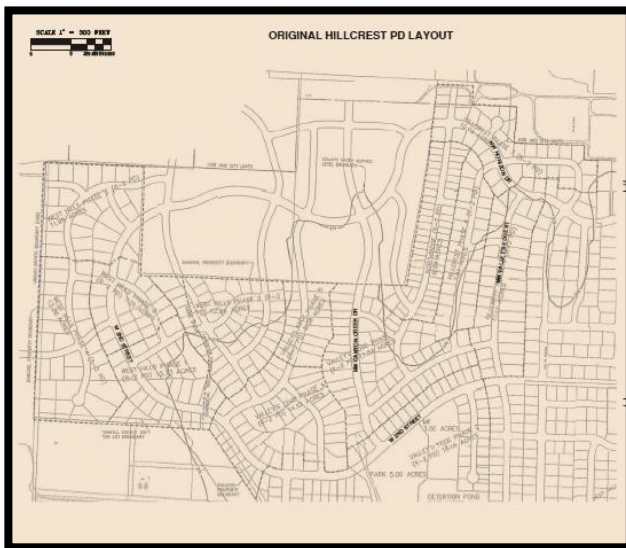
As a practical matter, the resulting steeper street grades exceed that which is permitted by current standards of the Land Division chapter of the McMinnville Zoning Ordinance (Chapter 17.53.101(L). Current standards allow a maximum local (residential) street grade of up to 12% which is less than the 15% maximum grade requested by the applicant. The applicant is requesting an amendment to this standards to allow residential streets grades up and including 15% for street segments no longer than 200 linear feet.

2. Lot Depth to Width Standard – Section 1.53.105(B)(1) of the McMinnville Zoning Ordinance states that the depth of a lot shall not ordinarily exceed two times the average width. Page 10 of the applicant’s narrative states that approximately 114 of the proposed lots throughout the site exceed this guideline due primarily to the need to accommodate an acceptable building envelope on lots where natural drainage ways and/or steep slopes occupy a portion of the rear yard area. Consequently, the applicant is seeking the ability to plat such lots through the allowance that can be made possible through the planned development amendment process.
3. Block Length – In redesigning the street grades to meet current PROWAG standards in combination with the geography of the area, the block length in numerous locations is proposed to exceed the maximum allowance of 400 feet between street corners as specified in Section 17.53.103(B) of the McMinnville Zoning Ordinance. This is also, in part, due to the topographical features of the West Hills area of McMinnville being characterized by numerous ridges, steep slopes and ravines.
4. Block Circumference – Due to the physical topographic challenges of the area noted above and implementation of the more recently applied PROWAG standards, the block circumference in numerous instances is proposed to be exceeded in the proposed plan. Section 17.53.103(B) of the McMinnville Zoning Ordinance limits block length to a maximum of 1,600 feet unless topography or the location of adjoining streets justifies an exception.

For the benefit of context for the Commission, the originally approved (2007) conceptual subdivision plan for this site is provided below:

Original Layout

Proposed Layout



Attachments:

ZC 6-17 Decision, Conditions of Approval, Findings of Fact, Conclusionary Findings

**Discussion:**

The applicant has provided a detailed narrative and numerous exhibits to support the submitted Planned Development amendment land use request. The findings offered by the applicant are extensive and shall be included by reference in the Decision Document (Exhibit A) attached to this report. A summary discussion of selected elements is provided below.

**DENSITY:**

While the differences between these two phased development plans graphically presented above may not be readily apparent, Table 1 as provided on page 5 of the applicant’s narrative, and reproduced below, provides a comparison of dwelling unit counts for both the originally approved and the proposed revised phased development plans for this site. As the shapes and sizes of the individual subdivision phases have changed due to the topographic and regulatory factors previously noted, it is perhaps most informative to review the dwelling unit totals provided at the bottom of the Table.

<b>Phase</b>	<b>Original Approval No. of Lots</b>	<b>Proposed No. of Lots</b>	<b>Already Constructed</b>	<b>Pct. Change from Ord. 4868</b>
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>

In particular, 512 lots were approved for the original Planned Development phased development plan with 64 of those lots having now been constructed. Adding those 64 existing units, to the proposed 488 dwelling unit yields a new total of 552 dwelling units. This results in a proposed increase of 40 additional residential dwelling units above that which was originally approved in 2007. While the base zone of R-2 would allow a theoretical 821 dwelling units on the gross 132-acre site, the applicant is proposing a total of 552 dwelling units which is well under that number. The applicant proposed 446 lots to be detached single-family residences and 42 dwelling lots are proposed to be single-family attached dwellings and planned to be platted in the Northridge Phase of the development which is consistent with the originally approved 2007 phasing plan.

As shown in the various graphics provided on Sheets SU-01 – SU 03 in Exhibit A of the applicant’s submittal, lot sizes in the modified Planned Development are proposed to range from 5,292 square feet to 33,942 square feet in size (Lot 217) with an average lot size of 9,547 square feet; while the applicant’s narrative notes that the largest lot would be 35,305 square feet in site, the largest proposed lot, as confirmed through an email exchange with the applicant on May 5, 2017, confirms that Lot 217 on Sheet SU-03 is to be the largest lot with a proposed size of 33,942 square feet. This average lot size exceeds the minimum lot size of 7,000 square feet required by the R-2 zone by approximately 2,547 square feet (an average lot size approximately 36% greater than the minimum required lot size).

**STREET GRADE**

In order to implement PROWAG standards and achieve efficient development of the site, the applicant is requesting approval to construct certain street segments exceeding the 12% maximum grade permitted for local streets in Section 17.53.101(L) of the McMinnville Zoning Ordinance. The applicant proposed constructing certain street segments with up to a 15% street grade with segments of street grade between 15% and 12% being limited to no more than 200 linear feet in length as shown on Sheet P-02 of Exhibit A of the applicant’s submittal. Such street segments are proposed to be separated by at least 75 linear feet of street grade not to exceed 12% to permit proper functioning of Fire Department apparatus in emergency operation conditions. This street layout and street grade proposal has been reviewed by the McMinnville Fire Department which finds that this proposal provides sufficient opportunity for emergency and fire response to be safely and adequately provided to each lot in these proposed neighborhoods. Additional comments from the Fire Department regarding these design standards is provided below in the Referrals section of this report.

**BLOCK LENGTH**

The applicant proposed to frequently exceed the maximum block length allowance of 400 feet between street intersections as specified in Section 17.53.103(B) of the McMinnville Zoning Ordinance. An overview of the topographic challenges of this site is provided on Sheet GR-00 of Exhibit A of the applicant’s submittal. Additional graphic sheets that follow (GR-01, GR-02 and GR-03) provide a more detailed representation of how the various elements of the proposed phased development overlay with the existing site topography.

The applicant submitted a supplemental narrative on May 9, 2017, providing additional information relative to the proposed longer block lengths. The applicant indicates that applying the ADA standard makes it impossible to meet the City’s block length standard in the context of this relatively steep sloped site because each new public street intersection results in interim street grades that are prohibitively steep. Therefore, eliminating some public street intersections, and subsequently lengthening the block length and block perimeters, is the best way to achieve the ADA guidelines at proposed intersections, while minimizing steep street grades, and maintain a 10% maximum street grade on collector roadways such as W 2<sup>nd</sup> Street. Sheet B-1 of that supplemental narrative provides the resultant block lengths should this planned development amendment be approved. For reference, Sheet B-2 of that supplement provides the originally approved (2007) block lengths for this phased

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subdivision. It is important to observe that the approved 2007 plan permitted block lengths of up to 1,802 linear feet (located along the south and west side of W 2<sup>nd</sup> Street as it traversed through the West Hills Phases 1 and 3 and Valley's Edge Phase 4 areas of the plan) compared to a proposed block length of 1,895 linear feet located in effectively the same location in this current plan (a difference of 93 linear feet). There are also other such similarities between these two plans. However, this observation is to note that the necessity to exceed this block length standard given the unique topography of this site was understood and endorsed by both the Planning Commission and the Council in the 2007 approval of the original planned development request for this site.

## BLOCK CIRCUMFERENCE

The applicant also proposes to exceed the maximum block circumference maximum of 1,600 feet as specified in Section 17.53.103(B) of the McMinnville Zoning Ordinance. The applicant is requesting an exception to this limitation based on the topography of the site as allowed by this code section. The applicant provides a justification for this request based partially on topography and partially due to the implementation of the more recently applied PROWAG standards and their effect on engineering streets on steep, varied terrain. This justification can be found on page 35 of their submitted narrative and in the supplemental narrative provided on May 9, 2017. Additionally, the applicant's graphics referenced above regarding Block Length are also instructive in demonstrating the topographic constraints leading to the request to exceed the City's block circumference standard. Those graphics are found on Sheets GR-00 through GR-03 of Exhibit A of the applicant's submittal.

## OPEN SPACE

As part of the previously approved master plan for this development the applicant coordinated with the McMinnville Parks Department in the provision of a 7-acre park and associated storm water detention facility located along the south side of W 2<sup>nd</sup> Street and adjacent to the west edge of the existing multiple-family phase of this development.

Due to the topography of the site, quite a lot of the open space is actually found along and within the numerous drainage ravines that traverse this hillside in often divergent and meandering directions. However, originally only the stream corridor on the east side of the site was identified and protected through centering the stream corridor along common backyard property lines and protecting them with restrictive backyard easements. The requirements for protection of development of these areas is more stringent now than those in place when the original Planned Development was reviewed ten years ago. These drainage ravines for the entire site have now been fully mapped by the applicant and are proposed to be protected by way of private drainage easements of variable widths to be provided along the common backyard property lines of residential lots. This approach is the same as was endorsed and approved by the City in 2007 and is an effective and way to provide protection and preserve the natural storm conveyance function of these natural drainageways. While amassing these drainageways into a larger public open space is not feasible, a large public park has been developed within the neighborhood designed to serve the larger community.

It is recommended that in order to ensure adequate capacity of the channels to convey larger storm events, the subdivision plats shall state that the areas within the storm drainage easements shall be kept in their natural condition, and that no fill or other construction activities (including the construction of fences) will be allowed within the easement areas. Additionally, the covenants shall identify and specify the maintenance responsibilities for those easement areas. Staff recommends this same condition being carried forward to similarly protect these areas.

## STORM WATER

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The applicant has provided a Storm Water Report prepared by AKS-Engineering for the Hillcrest Planned Development master plan amendment proposal (Exhibit E of the applicant's submittal). The purpose of the report was to provide an evaluation of the effects of the master plan update on the existing seasonal drainage swales and downstream system. The system was modeled on the original 164 acre planned development approval inclusive of the single-family attached and detached lots, the multiple-family apartment complex, Westside public park and detention facility, proposed storm water facility Tract G (identified on Sheet ST-01 of Exhibit A of the applicant's narrative) and associated streets, sidewalks and underground utilities. The McMinnville Engineering Department has thoroughly reviewed this analysis and report and finds that the analysis and its findings are acceptable to the Engineering Department.

## WATER

While McMinnville Water & Light had no comments on this application (see Referral section below) it is commonly known that McMinnville's water is provided by a gravity pressure system. Consequently, the current water pressure can sufficiently serve residential uses up to an elevation of 275 feet. Residential service above of this elevation will either need to be served by private water pump system(s) or by a second tier water reservoir system to be constructed by McMinnville Water & Light at a higher elevation at a later date. This elevation line is shown on Sheet P-01 of Exhibit A of the applicant's submittal.

## TRAFFIC

The applicant has provided a Traffic Analysis Update Memo prepared by AKS-Engineering for the Hillcrest Planned Development master plan amendment proposal (Exhibit F of the applicant's submittal). The purpose of the report was to provide an evaluation of the effects of an increase of 40 dwelling units above that approved in the 2007 adoption of the original Hillcrest phased development plan. The analysis concludes that the improvement recommendations as noted in the 2007 decision remain valid. The McMinnville Engineering Department has thoroughly reviewed this analysis and report and finds that the analysis and findings are acceptable to the Engineering Department.

## PEDESTRIAN

Pedestrian connections in the form of public sidewalks are required as part of public street design standards adopted in the McMinnville Transportation System Plan (TSP, 2010). Public sidewalks will be required along both sides of all public streets should the proposed Planned Development amendment be approved. This is an appropriate requirement for much of the development that occurs locally. However when a planned development is proposed, even an amendment to an existing planned development, an additional level of importance is placed on pedestrian connections.

Comprehensive Plan Policy 77.00 states "the internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways." The pedestrian pathways mentioned here are in addition the public sidewalks mentioned above. Toward this, the applicant notes that three mid-block pedestrian connections are proposed to provide for enhanced pedestrian circulation in situations where block length exceeds the city standard or where cul-de-sacs make pedestrian connections more challenging. Specifically, to address this, the applicant is proposing the provision of pedestrian access tracts in six locations:

- Tract A connecting two segments of Road A between the Northridge Phase and Hillcrest Phases 9-10
- Tract B connecting Road A in Hillcrest Phases 9-10 and NW Valley's Edge Street in the Hillcrest Phase 7

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- Tract C connecting NW Valley's Edge Street in the Hillcrest Phase 7 and a variable width private backyard drainage easement that would be established along the backyards of the easterly lots in Hillcrest Phases 6 and 7 between Lot 380 of Hillcrest Phase 7 and W 2<sup>nd</sup> Street; the purpose of this tract is to provide a secondary access point to this drainage easement
- Tract D connecting a portion of Road A in Hillcrest Phases 9-10 and NW Mt. Ashland Lane in Valley's Edge Phase 5
- Tract E connecting C Loop in Brookshire Phase 2 to D Court in West Hills Phase 1
- Tract F connecting C Loop to W 2<sup>nd</sup> Street both in West Hills Phase 1

Given the topography of this west hills area, the applicant has attempted in good faith to provide these additional pedestrian access and circulation amenities where possible. As some of these connections traverse steep terrain, it is envisioned that some of these pedestrian connections will be provided with stairs to enable safe movement between adjoining elevations.

## STREET TREES

The standards require street tree spacing of between 20 (twenty) and 40 (forty) feet apart dependent on the mature branching width of the approved tree(s). The McMinnville Zoning Ordinance requires that a street trees planting plan be submitted to and reviewed by the Landscape Review Committee as a condition of approval for residential subdivision development.

## REFERRALS

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas, Oregon Department of Transportation, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. As of the date this report was written, the following comments had been received:

### McMinnville Engineering Department

- The applicant is proposing to construct the extensions of 2<sup>nd</sup> Street and Horizon Drive to the minor collector standard contained in the Transportation System Plan (TSP). Per the adopted 2010 TSP, all remaining streets (including the extensions of 2<sup>nd</sup> Street and Horizon Drive) within the development area can be constructed to the local residential street standard. Conditions 14, 15, and 16 of the existing subdivision approval for ZC18-06/S13-06 should be modified to reflect that the remaining streets shall be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets.
- Condition 10 of the existing subdivision approval for ZC18-06/S13-06 should be modified to read, and is represented as Condition of Approval #8 in the Decision Document for this Planned Development Amendment.

10. The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associated with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat.

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- The requested street grade and block length exceptions are acceptable to the Engineering Department.
- The submitted Preliminary Stormwater Management Memo is acceptable to the Engineering Department.
- The submitted Traffic Analysis Update Memo acceptable to the Engineering Department.

**McMinnville Fire Department**

- 1) **GRADE:** Average road grade shall not exceed 12% except that any grade exceeding 12% shall be approved by the Fire Code Official (*during land use application*). No road grade shall exceed 15%.
- 2) When approved to exceed 12% grade, the following condition shall apply:
  - a) A maximum of 200 feet of road length may be allowed with a grade between 12% to 15% in any one section. The roadway must then level out below 12% for a minimum of length of 75 feet for firefighting operations.
  - b) Fire sprinklers shall be installed in any residential or commercial structure that is built on or whose access road is constructed to a grade of 12% or greater. The approval of fire sprinklers as an alternate means of fire safety shall be accomplished in accordance with the provisions of ORS 455.610(6) – (Low Rise Residential Dwelling Code).

**McMinnville Water & Light**

MW&L has no comments on this application.

**McMinnville Parks Department**

After reviewing the material about the planned development changes, I do not find any changes that impact the neighborhood park detention area (2.77 acres). I imagine the park will receive a greater volume of water over time as hard surfaces are more fully developed and the neighborhood is complete. However, that is what was intended with the detention capacity within the park. We shall see if the original calculations were accurate. But there are no concerning issues relative to anticipated impacts to the park of immediate surrounds with the proposed plans.

**Fiscal Impact:**

None.

**Planning Commission Options:**

- 1) Close the public hearing and forward a recommendation for **APPROVAL** to the application to the McMinnville City Council, per the decision document provided which includes the findings of fact.
- 2) **CONTINUE** the public hearing to a specific date and time.
- 3) Close the public hearing, but **KEEP THE RECORD OPEN** for the receipt of additional written testimony until a specific date and time.
- 4) Close the public hearing and **DENY** the application, providing findings of fact for the denial in the motion to deny.

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**Recommendation/Suggested Motion:**

ZC 6-17

The Planning Department recommends the Commission make the following motion recommending approval of ZC 6-17 to the City Council:

**THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL APPROVE ZC 6-17 SUBJECT TO THE RECOMMENDED CONDITIONS OF APPROVAL.**

RP:sjs

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