



City of McMinnville
Planning Department
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McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

EXHIBIT 2 - STAFF REPORT

DATE: August 17, 2017
TO: Planning Commissioners
FROM: Chuck Darnell, Associate Planner
SUBJECT: ZC 9-17 / ZC 10-17 – 1730 SW 2nd Street

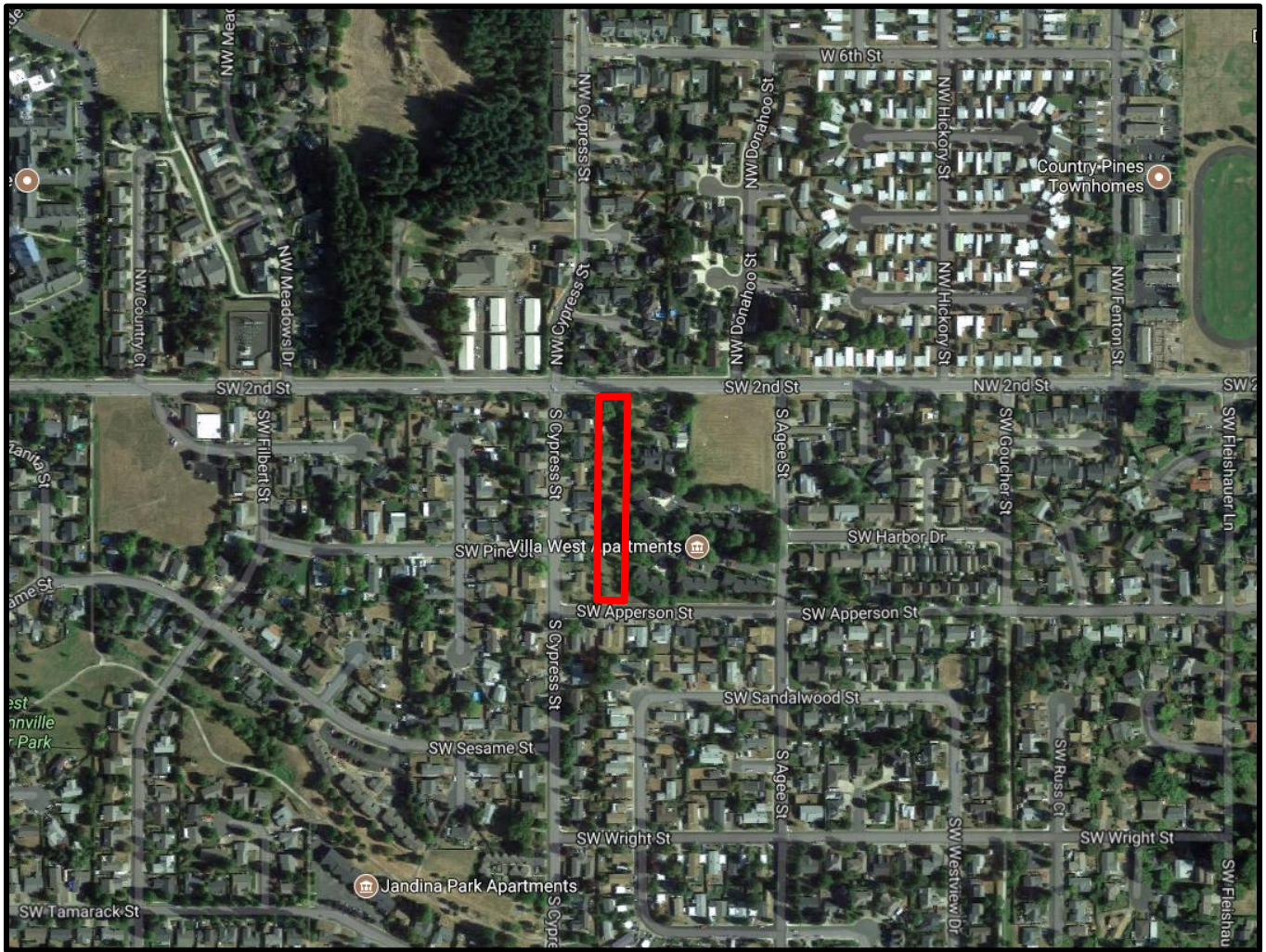
Report in Brief:

This is a public hearing to consider an application for a zone change from R-1 (Single Family Residential) to R-4 (Multiple-Family Residential) on a parcel approximately 0.22 acres, and an amendment to an existing planned development (R-4 PD) of approximately 0.89 acres, that would increase the allowed density, provide variances for setbacks, allow for multiple duplexes as a multi-family project, and increase the size by adding the 0.22 acre parcel that has been rezoned to R-4 for a new multiple-family residential planned development of approximately 1.11 acres. The two parcels are located immediately adjacent to each other, with the smaller parcel adjacent to 2nd Street and the larger parcel to the south extending down to SW Apperson Street. The rezoning and planned development amendment would result in the ability to develop 21 (twenty-one) multiple-family residential dwelling units on the two parcels. The subject sites are located at 1730 SW 2nd Street, and more specifically described as Tax Lots 101 and 100, Section 20CB, T. 4 S., R. 4 W., W.M., respectively.

Background:

The subject sites are currently largely undeveloped. There is an existing single family home on the northern parcel and the southern parcel is vacant. The site is bounded on the north by SW 2nd Street and on the south by SW Apperson Street. Existing single family homes in the Jandina subdivision are located to the west of the subject site. Immediately to the east of the subject site are a few single family homes and a larger apartment complex, the Villa West Apartments. The subject sites are identified below:

Site Reference Map



The northern parcel is currently zoned R-1 (Single Family Residential) and is designated on the comprehensive plan map as Residential. The southern parcel is currently zoned R-4 PD (Multiple Family Residential Planned Development) and is also designated on the comprehensive plan map as Residential.

The existing Planned Development overlay that applies to the southern parcel (Ordinance 4097) was adopted in 1980 and resulted in a rezoning of the property to R-4 PD to allow for the development of up to five (5) dwelling units. The approval of the planned development included conditions of approval as follows:

- 1) That the density allowed for development of this property be limited to five units.
- 2) That sewer and water facilities be extended to the property prior to the issuance of building permits
- 3) That “A” Street be improved to City standards prior to the issuance of building permits.
- 4) That a ten-foot easement for utilities be granted to the City along the subject site’s “A” Street frontage.

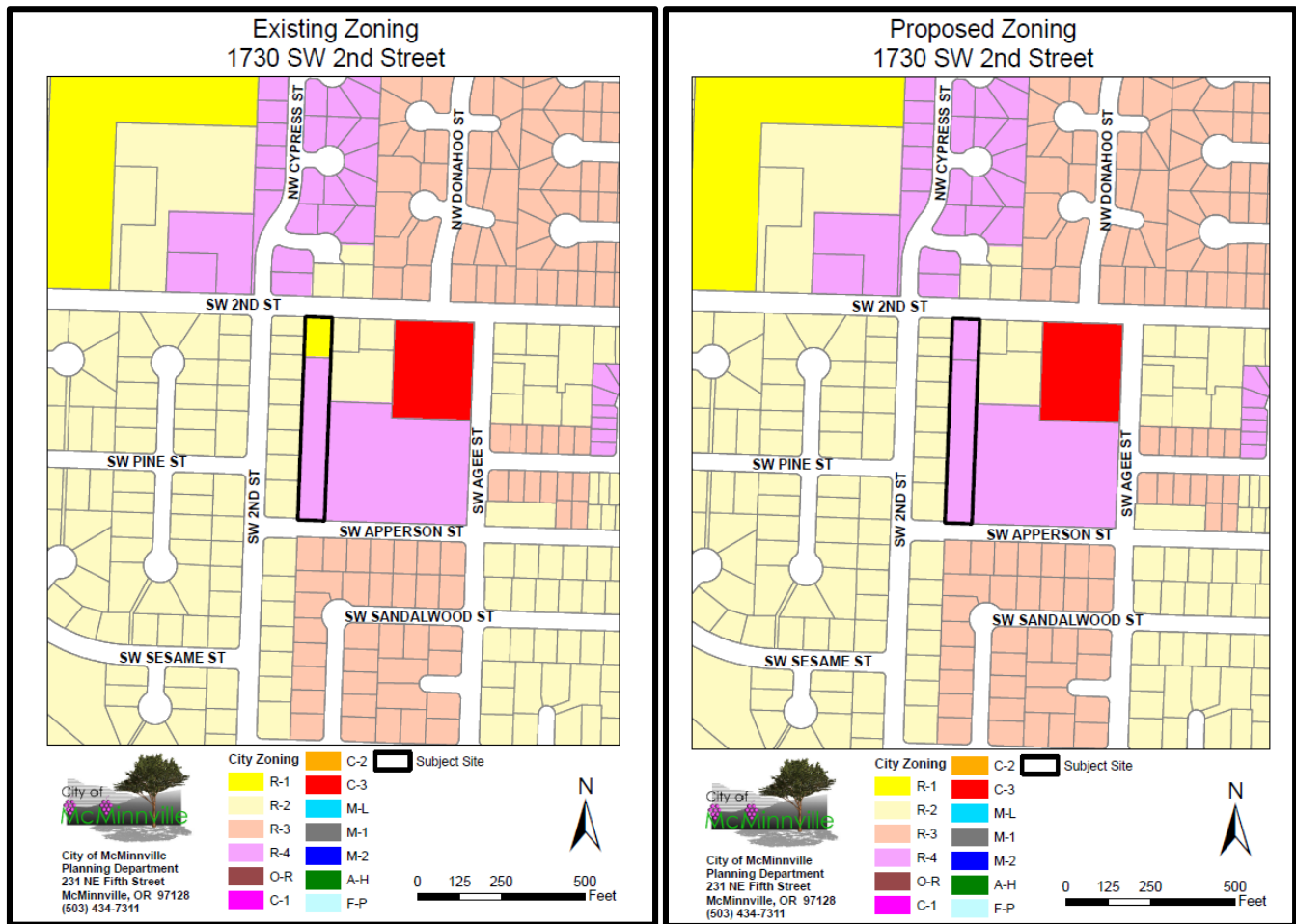
The applicant is proposing to repeal the outdated existing planned development ordinance and replace it with a new planned development ordinance that more accurately reflects their proposed development

plan. The original conditions of approval from the 1980 planned development have either already been completed or will be required as part of the applicant's development. The required improvements to "A" Street, which is now SW Apperson Street, have already occurred. Sewer and water facilities and any necessary easements will be required by McMinnville Water and Light and the Engineering Department through the building permit process should the zone change and planned development requests be approved.

The original condition of approval related to density and the limit to 5 (five) dwelling units was based on a sewer system analysis completed in 1979, which had determined that downstream capacity issues existed in the sanitary sewer system serving this property and this area of the city. One of the recommendations of the 1979 sewer system analysis was to limit density in the western side of McMinnville to 6 (six) dwelling units per acre. This resulted in the southern parcel being limited to 5 (five) dwelling units based on its 0.89 acres size. Since the adoption of the existing planned development in 1980, improvements to the sanitary sewer system have occurred and will be discussed in more detail below during the evaluation of the review criteria.

Properties immediately adjacent to the subject site to the west in the Jandina subdivision are zoned R-2 PD (Single Family Residential Planned Development). Other properties immediately adjacent to the subject site are zoned R-2 (Single Family Residential) and R-4 PD (Multiple Family Residential Planned Development). The R-4 PD property to the east is the location of the Villa West Apartments and was allowed to be developed at a density of up to 15 dwelling units per acre as part of a planned development that was adopted in 1978. The zoning of other properties in the general vicinity of the subject site is varied, with some R-2 (Single Family Residential) and R-3 (Two Family Residential) zoned property, as well as some other R-4 (Multiple Family Residential) zoned properties in both directions along SW 2nd Street.

Reference maps showing the existing and proposed zoning designations of the subject site and the surrounding properties are provided below:



Discussion:

The Planning Commission’s responsibility regarding this type of land use request is to conduct a public hearing and, at its conclusion, render a decision to recommend approval or approval with conditions to the City Council, or deny the zone change and planned development amendment requests utilizing the criteria in Section 17.74.020 of the McMinnville Zoning Ordinance for a zone change, and the criteria in Chapter 17.51 of the McMinnville Zoning Ordinance for a planned development, and Section 17.74.070, planned development amendment review criteria

There are two concurrent requests being made by the applicant. The zone change request applies to the northern parcel, and the planned development amendment request applies to both the southern and northern parcels. The two requests have different review criteria, and have been reviewed against those criteria separately. However, the overall planned development as proposed would expand to cover both parcels and the entire development site, so the entire site was considered when reviewing the proposed development plan against the planned development review criteria.

Northern Parcel Zone Change

The request that is applicable to the northern parcel is to rezone the parcel from R-1 (Single-Family Residential) to R-4 (Multiple-Family Residential). An amendment of the zoning map may be authorized provided that the proposal satisfies all applicable zoning requirements and provided that the applicant demonstrates the following:

Attachments: Decision, Conditions of Approval, Findings of Fact and Conclusionary Findings for the Approval of Zone Change and Planned Development Amendment Requests for Property Located at 1730 SW 2nd Street.

Section 17.74.020

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

There are numerous Comprehensive Plan Goals and Policies that are applicable to this request. The narrative provided by the applicant identifies those goals and policies in detail, and they have also been identified in the attached decision document.

The more notable Comprehensive Plan policies being satisfied by the rezoning are found in Chapter V (Housing and Residential Development). Goals from Chapter V of the Comprehensive Plan promote the development of affordable, quality housing for all city residents, and also promote a land-intensive development pattern. Policies adopted to support and achieve those goals include providing opportunities to develop a variety of housing types and densities, and an encouragement of a compact form of urban development close to the city center and in areas where urban services are readily available. Specifically, there is a policy that provides guidance in the designation of high density residential zones. Policy 71.13 states that the following factors should serve as criteria in determining areas appropriate for high-density residential development:

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

The northern parcel is currently zoned for low density residential development. However, the applicant is arguing that the site better meets the locational criteria for high density residential development. The adjacent property that will be part of the overall development of the northern parcel is currently zoned for high density residential development. In addition, the surrounding residential neighborhoods are zoned for a variety of residential densities, with a variety of housing types in the immediate area. The northern parcel can be buffered by landscaping from adjacent lower density residential areas on the west and east sides of the site. A condition of approval is being suggested to require landscaping as buffering along the planned development's east and west property lines to maximize the privacy of established lower density residential areas adjacent to the site. The condition of approval will also require that a landscape plan be submitted for review, at which time the Landscape Review Committee would ensure that any proposed landscaping is achieving the required buffering effect.

In addition, because the request is to rezone a property with a lower residential density to a higher residential density that has adjacency to existing single family development, a condition of approval is being recommended to increase required setbacks if the maximum building height normally allowed in lower density residential zones is exceeded. Currently the R-4 (Multiple Family Residential) zone states that a side yard shall not be less than six (6) feet, except an exterior side yard shall not be less than 15 (fifteen) feet. And all yards shall be increased over the requirements of this section, one (1) foot for each two (2) feet of building height over 35 (thirty-five) feet (Section 17.21.040). Since the subject site is adjacent to existing single family residential development, it is recommended that the language for increasing the side yard setbacks relative to building height over 35 (thirty-five) feet be increased to one (1) foot for each one (1) foot of building height over 35 (thirty-five) feet. The applicant has stated in their

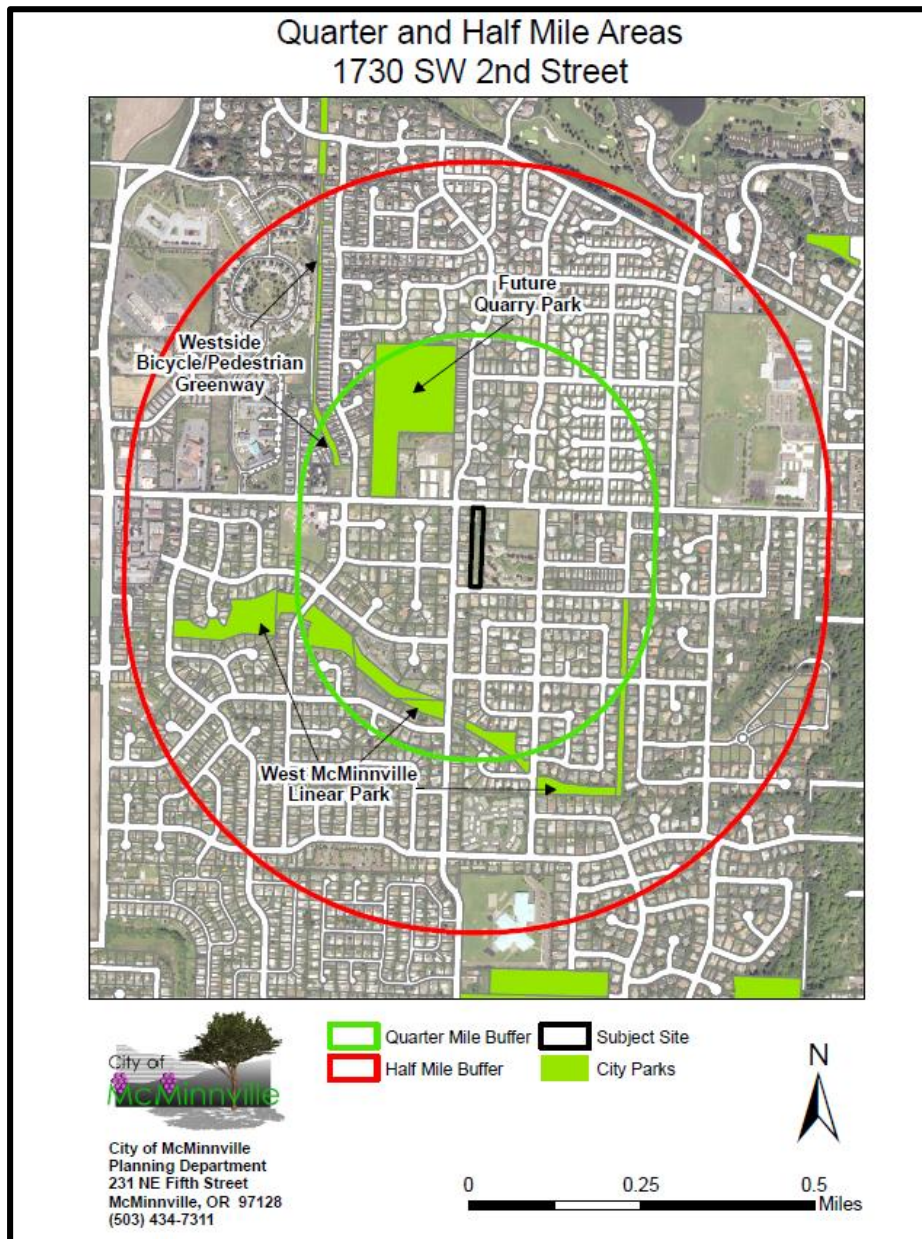
narrative that they intend to construct duplex units with similar architecture and exterior design as the applicant’s recently constructed multiple family complex across SW 2nd Street, west of Newby Elementary School. These units were not more than 35 feet in height, but because there are no specific architectural plans associated with the planned development request, this condition of approval would ensure that adequate spacing and buffering is provided.

The northern parcel has direct access from SW 2nd Street, which is an arterial street. The northern parcel is not subject to any development limitations, as the site is flat and does not contain any significant natural or topographic features or that would reduce the developable area of the site.

The applicant has provided a traffic analysis that concluded that the surrounding street network has the capacity to accommodate the increase in trips that would result from the applicant’s request to rezone the northern parcel and develop 21 (twenty-one) dwelling units on the entire site, including the southern parcel. The traffic analysis showed that minimal increases in delays would occur at all of the surrounding intersections on SW 2nd Street, SW Agee Street, and SW Cypress Street. The minimal increases in delay did not have any impact on the overall level of service of any intersection within the study area. The Engineering Department has reviewed the traffic analysis, and does not have any concerns with the analysis or the findings. The Engineering Department has also verified that adequate sanitary and storm sewer facilities exist to serve the increased density of the site proposed by the applicant.

Public transit is available immediately adjacent to the property, as Yamhill County Transit Route 2 (McMinnville East-West Express) runs hourly along SW 2nd Street for most of the day. The northern parcel is within one-quarter mile of a future commercial area, as there is a vacant piece of land at the southwest corner of the intersection of SW 2nd Street and SW Agee Street that is zoned C-3 (General Commercial). The northern parcel is not immediately adjacent to any permanent public open space, but private open space will be provided within the site and will be discussed in more detail below in the review of the planned development. The site is located in close proximity to permanent public open space. A nearly 2,000 foot long segment of the West McMinnville Linear Park is located within a quarter mile of the subject site, and the southern end of the Westside Bicycle/Pedestrian Greenway is also located within a quarter mile of the subject site. Also within a quarter mile of the subject site is the future Quarry Park, which is proposed in the Parks, Recreation, and Open Space Master Plan to be a special use park. While there is no neighborhood park within a half mile of the property, there are multiple other existing or planned park and recreation facilities within a quarter mile of the site.

The amenities within a quarter mile and half mile of the subject site can be seen below:



Section 17.74.020

- 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.

The development pattern in the surrounding area is widely varying. Within a quarter mile of the subject site, there are nearly all forms of residential zones and housing types. The area to the west in the Jandina subdivision is primarily single-family residences, with some duplexes on corner lots along SW Cypress Street. Immediately adjacent to the subject site to the east is an existing higher density apartment complex. Slightly further east and across SW Agee Street, a number of duplex and townhome type residential dwelling units have been developed. Across SW 2nd Street and near the intersection of SW 2nd Street and SW Cypress Street, another R-4 (Multiple Family Residential) zoned property contains another apartment complex. The established development pattern for the larger surrounding area is clearly a mix of residential housing types.

The parcel immediately to the south of the northern parcel is vacant, but is zoned R-4 PD (Multiple Family Planned Development). Therefore, the rezoning of the northern parcel to R-4 would be consistent with the zoning of other properties immediately adjacent to the site, and also would be consistent with the overall development pattern of the area. The existing R-4 PD zoned property to the south is very deep and narrow, which makes development of that property difficult. The rezoning of the northern parcel to R-4 will allow for the property to be developed along with the vacant parcel to the south, which will be discussed in more detail below in the review of the planned development. The rezoning of the property to R-4 will allow for more efficient and orderly development of the vacant land in this area of the city.

The applicant is also arguing that the current zoning designation of R-1 (Single Family Residential) is not consistent with the City’s locational policies for R-1 zoned land. Comprehensive Plan policies 71.06 and 71.07 state that low density residential development should be limited to areas adjacent to collector and local streets, areas with development limitations such as natural or topographic features, and areas where utilities cannot support more intense uses. The subject site does not meet many of these locational requirements. Together with the adjacent land uses and pattern of development in the surrounding area, the subject site better meets the locational policies for higher density residential development.

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

Utility and Service Provision: This area is well served by existing sanitary and storm sewer systems as well as other public utilities. The Engineering Department has reviewed this proposal and has offered no concerns with providing adequate services to this site to support the residential development density proposed by the applicant as part of the planned development.

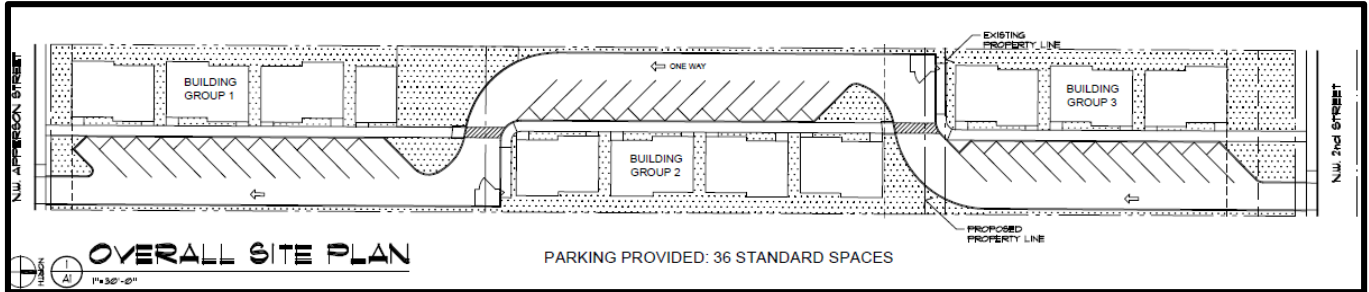
Street System: As discussed above, the applicant has provided a traffic analysis that concluded that the surrounding street network has the capacity to accommodate the increase in trips that would result from the applicants request to rezone the northern parcel and develop 21 dwelling units on the entire site, including the southern parcel. The traffic analysis showed that minimal increases in delays would occur at all of the surrounding intersections on SW 2nd Street, SW Agee Street, and SW Cypress Street. The minimal increases in delay did not have any impact on the overall level of service of any intersection within the study area. The Engineering Department has reviewed the traffic analysis, and does not have any concerns with the analysis or the findings.

Planned Development Amendment

The request that is applicable to the southern parcel is an amendment of the existing planned development. The primary reasons for the amendment are to increase the density of the planned development which is limited based upon an outdated land-use decision; request a variance in the setbacks from the street to be able to create more open space interior to the project due to the unique and constrained layout of the property, and to allow several duplexes as a multi-family project on one parcel rather than one large apartment complex.

The applicant is requesting to repeal the existing planned development ordinance and replace it with a new planned development overlay. The zoning of the property would remain as R-4 PD (Multiple Family Residential Planned Development), but a development plan has been proposed by the applicant to become binding on the site. Also, the applicant is proposing to expand the planned development overlay to encompass the northern parcel. Therefore, the entire site would become R-4 PD, and the entire site was considered when reviewing the proposed development plan against the planned development review criteria

The proposed development plan can be seen below:



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

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- 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;

The subject site is uniquely shaped, as it is a somewhat narrow (80 feet wide) and deep (510 feet deep) parcel. This unique lot size creates a difficulty in the development of multiple family dwelling units on the site. The subject site is also located between two properties with different residential zoning classifications and existing residential uses. Immediately to the west are properties zoned R-2 PD (Single Family Residential Planned Development) and developed as single family dwellings. Immediately to the east is a property zoned R-4 PD (Multiple Family Residential Planned Development) and developed as a higher density apartment complex.

To allow for efficient development of the parcel, the applicant is proposing to combine the property with the adjacent property to the north, should the concurrent zone change request be approved, to provide one-way access through the site. This allows the applicant to reduce the amount of space required for vehicular movement, and also allows for the dwelling units to be more evenly distributed and spread out throughout the site.

In addition, the applicant is proposing to construct multiple duplex units within the site, clustered into three separate groups throughout the site. This pattern of development would not normally be allowed under standard zoning requirements. The City's definition of a multiple family dwelling unit is "a building containing three or more dwelling units". The buildings proposed by the applicant would only contain two dwelling units, which are defined as two-family dwelling units and are more commonly known as duplexes. Duplexes are allowed in the underlying R-4 zone, but normally no more than one duplex is allowed on a single lot. The allowance for multiple duplex units on a single lot is the primary reason for the applicant's planned development request. The proposed pattern of development with multiple duplex units clustered throughout the site would also provide more of a transition in building massing between the existing apartment complex to the east and the existing single family residences to the west.

The physical conditions of the site being uniquely shaped, and the applicant's intent to distribute housing units throughout the site and provide a transition between existing land uses, warrant a departure from the standard regulation requirements and the allowance of multiple duplex units in one development site.

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

There are numerous Comprehensive Plan Goals and Policies that are applicable to this request. The narrative provided by the applicant identifies those goals and policies in detail, and they have also been identified in the attached decision document.

Housing and Residential Development Policies

The more notable Comprehensive Plan policies being satisfied by the planned development amendment are found in Chapter V (Housing and Residential Development). Goals from Chapter V of the Comprehensive Plan promote the development of affordable, quality housing for all city residents, and also promote a land-intensive development pattern. The applicant is proposing to provide a housing type that is needed in the city in multiple family dwelling units, and the infill development of this parcel with increased densities is an efficient and land-intensive development pattern.

The applicant is requesting an increase in density on the southern parcel as part of the planned development amendment. The existing planned development overlay limits the southern parcel to five (5) dwelling units, which is based on a maximum density of six (6) units per acre. The development plan for the overall planned development, which includes the parcel to the north, shows the construction of 21 (twenty-one) dwelling units. The requested increase to 21 (twenty-one) dwelling units then represents an overall increase of 15 (fifteen) dwelling units. The density of the overall planned development as proposed would be 18.9 units per acre. This level of density is more consistent with the densities intended for high density residential (R-4) properties in Comprehensive Plan Policy 71.09. The southern parcel also meets the locational requirements described in Policy 71.13 for high density residential (R-4) land, in that the site will have direct access from an arterial street if the planned development is approved. The site also has access to existing transit service, access to future commercial services, access to public parks and pedestrian walkways, and the development of the site is not limited by any natural or topographic features.

Westside Density Policy

The existing Planned Development overlay that applies to the southern parcel (Ordinance 4097) was adopted in 1980 and resulted in a rezoning of the property to R-4 PD to allow for the development of up to five (5) dwelling units. The limit to five (5) dwelling units was included as a condition of approval and was based on a sewer system analysis completed in 1979, which had determined that downstream capacity issues existed in the sanitary sewer system serving this property and this area of the city. One of the recommendations of the 1979 sewer system analysis was to limit density in the western side of McMinnville to six (6) dwelling units per acre. This resulted in the southern parcel being limited to five (5) dwelling units based on its 0.89 acres size.

In response to the sewer capacity issues identified in the 1979 analysis, the City adopted the Westside Density Policy in 1985 as a policy within the Comprehensive Plan. The Westside Density Policy (Policy 71.01) formally limited densities on the west side of the city to no more than six (6) units per acre. However, in an effort to disperse multiple family units throughout the community, the policy was amended in 2003 to exclude properties within a quarter mile of planned or existing transit corridors from the density limitation. The southern parcel is located well within a quarter mile of transit service. The Yamhill County Transit Route 2 (McMinnville East-West Express) currently operates immediately adjacent to the site, running hourly along SW 2nd Street for most of the day. Therefore, the subject site is not limited to six dwelling units per acre.

Planned Development Policies

Comprehensive Plan policies related to planned developments are contained in Policies 72.00 – 78.00. These policies encourage planned developments as a form of residential development as long as social, economic, and environmental savings will accrue to the city. The planned development policies also require preservation of natural and topographic features, the development of open space and community facilities within the planned development, and the development of safe and efficient traffic patterns and vehicle circulation within the planned development.

The proposed planned development will provide for a type of needed housing in the city in the form of multiple family residential rental housing. The increase in density on the site is more consistent with the city’s policies for high density residential zones, as described above, but the increase in dwelling units also increases the efficiency with which vacant land in the city is being developed. This can be considered an environmental savings as it will allow for densification within the existing urban growth boundary.

There are no significant natural or topographic features to preserve within the site. Open space is being provided within the development that directly benefits the future residents of the development. The applicant had originally submitted a development plan that included minimal open space, outside of some small areas that would be used for landscaping. To better meet the purpose of a planned development and Comprehensive Plan policies 75.00 and 76.00, the applicant revised the site plan to include more open space. On the north side of the southernmost grouping of duplexes, one of the duplex units was reduced to a single stand-alone unit. This allowed for a contiguous open space area to be provided within the site, totaling 2,360 square feet. The space is centrally located within the site, and will provide opportunities for gathering space and recreation for future residents. The open space provided equates to five (5) percent of the site being preserved as contiguous, usable open space.

In order to provide that larger open space within the site, the applicant is requesting reduced setbacks for the overall development site. The reduced setbacks are shown on the development plan that would become binding on the site, should the planned development amendment be approved. Specifically, the reduced setbacks are as follows:

	Front Yard	Rear Yard
Standard Required Setback	20 Feet	15 Feet
Proposed Setback	15 Feet	10 Feet

Since the City does not have specific standards for the amount of open space to be provided, staff reviewed other Oregon city’s requirements and found that the proposed percentage of open space is consistent with what other communities require within multiple family developments.

The internal traffic system is being designed to be efficient and safe. The circulation through the site will be one-way traffic, with ingress to the site from SW 2nd Street and egress to SW Apperson Street. The one-way drive aisle will meander through the site, primarily to allow for clustering of the duplex units, but that will effect traffic movement and should help to limit vehicle speed through the site. Also, landscaped islands will be provided near the curves in the drive aisle, which should assist more with traffic calming through the site.

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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;

The surrounding area is fully developed, and the property within the planned development will not provide for access or services to adjoining parcels. Buffering will be required as a condition of approval between

the subject site and the adjoining parcels, and the planned development will directly connect to the streets adjacent to the property without any major reconstruction or change to the surrounding transportation system.

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

The applicant has developed other properties in the city, and has a bona fide ability to develop this site. From conversations with the applicant, it is staff's understanding that, should the zone change and planned development amendment be approved, the applicant intends to begin site work this fall in anticipation of construction of the dwelling units during the next construction season. In order to ensure that the plan is completed in a reasonable period of time, a condition of approval is recommended to require that the proposed improvements commence within two years of the effective date of this proposal. If the proposed improvements have not commenced within two years, and if they are not fully complete within seven years, the planned development approval shall be terminated and the applicant would be required to resubmit a planned development amendment application.

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

The applicant has provided a traffic analysis that concluded that the surrounding street network has the capacity to accommodate the increase in trips that would result from the applicant's request to rezone the northern parcel and develop 21 (twenty-one) dwelling units on the entire site, including the southern parcel. The traffic analysis showed that minimal increases in delays would occur at all of the surrounding intersections on SW 2nd Street, SW Agee Street, and SW Cypress Street. The minimal increases in delay did not have any impact on the overall level of service of any intersection within the study area. The Engineering Department has reviewed the traffic analysis, and does not have any concerns with the analysis or the findings. The engineering department has also verified that adequate sanitary and storm sewer facilities exist to serve the increased density of the site proposed by the applicant.

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

Improvements to the sanitary sewer system have occurred since the time of the adoption of the Westside Density Policy, which was discussed in more detail above. Those improvements have addressed the capacity issues that drove the need for the Westside Density Policy, and the Engineering Department has reviewed this proposal and has offered no concerns with providing adequate services to this site to support the residential development density proposed by the applicant as part of the planned development. The applicant has also discussed the proposed development plan with other utility providers, McMinnville Water and Light and Northwest Natural, and neither entity has concerns with providing services to the site. Water, electricity, natural gas, sanitary sewer, and storm sewer all exist in either SW 2nd Street or SW Apperson Street to service the site. The engineering department will require that onsite stormwater detention and storm system improvements be provided that comply with the City's Storm Drainage Master Plan, and the applicant has verified that they intend to design their onsite system to meet that requirement.

Section 17.74.070

- 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.

The proposed development will be relatively low in intensity as a multiple family residential development. Based on the size of the site at 1.11 acres and the allowable densities in the R-4 (Multiple Family Residential) zone, the property could be developed with up to 32 (thirty-two) dwelling units. Therefore, significant noise, air, and water pollutants from the proposed development of the 21 (twenty-one) dwelling units will not have an adverse effect on the surrounding area or the city as a whole.

Additional Conditions of Approval

As proposed, the development plan shows three clusters of duplex units. The northern-most cluster is identified to be located primarily on the northern parcel. However, one of the duplex units in the northern cluster is currently shown to be constructed over the existing property line between the two subject parcels. In order to not have a duplex unit constructed over a common property line, staff is recommending a condition of approval to require that the applicant complete a property line adjustment to either eliminate the common property line between the parcels or to adjust the property line to allow for the construction of all duplex units on one parcel.

Fiscal Impact:

None.

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.

Recommendation/Suggested Motion:

The Planning Department recommends that the Planning Commission make the following motion recommending approval of ZC 9-17/ZC 10-17 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 9-17/ZC 10-17.

CD:sjs



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

503-434-7311

www.mcminnvilleoregon.gov

**DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS
FOR THE APPROVAL OF ZONE CHANGE AND PLANNED DEVELOPMENT AMENDMENT
REQUESTS FOR PROPERTY LOCATED AT 1730 SW 2ND STREET.**

DOCKET: ZC 9-17/ZC 10-17 (Zone Change and Planned Development Amendment)

REQUEST: The applicant is requesting approval of a zone change from R-1 (Single Family Residential) to R-4 (Multiple-Family Residential) on a parcel approximately 0.22 acres, and an amendment to an existing planned development (R-4 PD) of approximately 0.89 acres, that would increase the allowed density, provide variances for setbacks, allow for multiple duplexes as a multi-family project, and increase the size by adding the 0.22 acre parcel that has been rezoned to R-4 for a new multiple-family residential planned development of approximately 1.11 acres. The two parcels are located immediately adjacent to each other, with the smaller parcel adjacent to 2nd Street and the larger parcel to the south extending down to SW Apperson Street. The rezoning and planned development amendment would result in the ability to develop 21 (twenty-one) multiple-family residential dwelling units on the two parcels.

LOCATION: The subject sites are located at 1730 SW 2nd Street, and more specifically described as Tax Lots 101 and 100, Section 20CB, T. 4 S., R. 4 W., W.M., respectively.

ZONING: The subject site's current zoning is R-1 and R-4 PD.

APPLICANT: Ray Kulback

STAFF: Chuck Darnell, Associate Planner

HEARINGS BODY: McMinnville Planning Commission

DATE & TIME: August 17, 2017. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

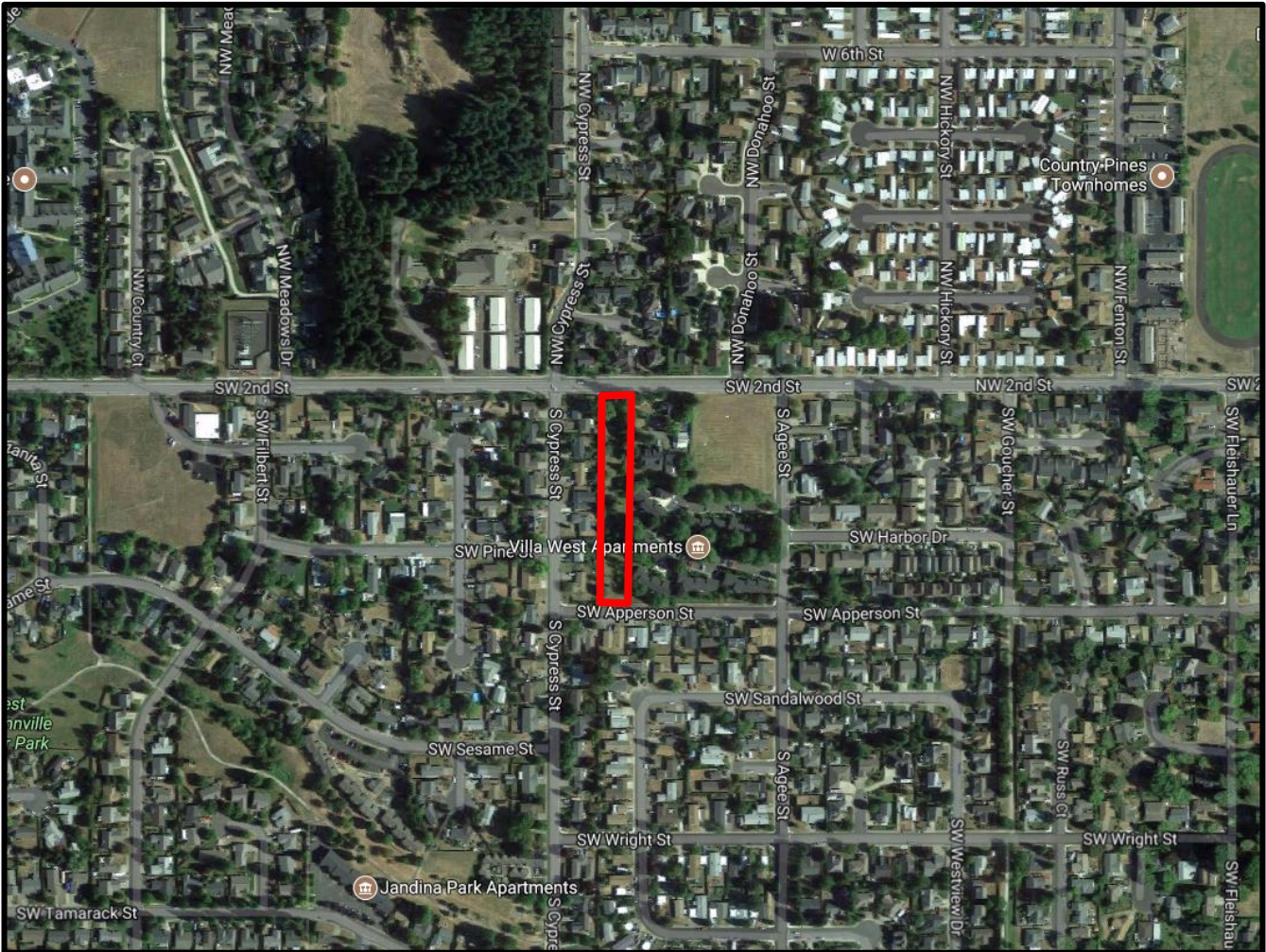
HEARINGS BODY: McMinnville City Council

DATE & TIME: September 12, 2017. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

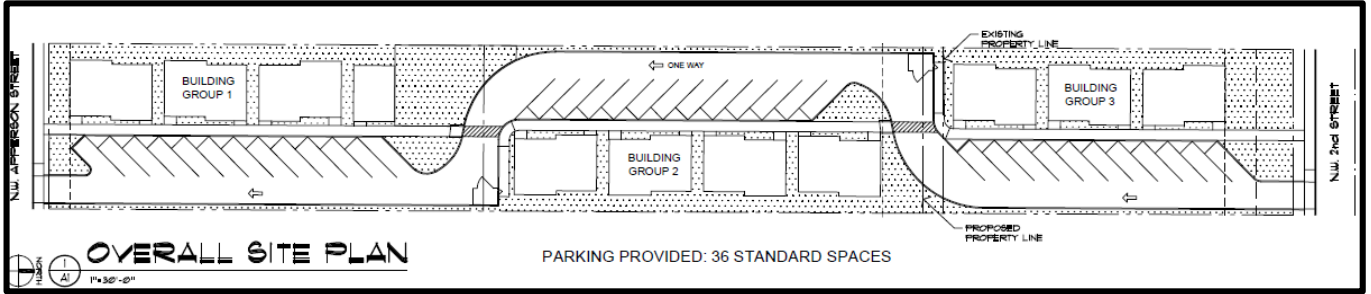
COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Recology Western Oregon; Comcast; Northwest Natural Gas. Their comments are provided in this decision document.

Application Summary:

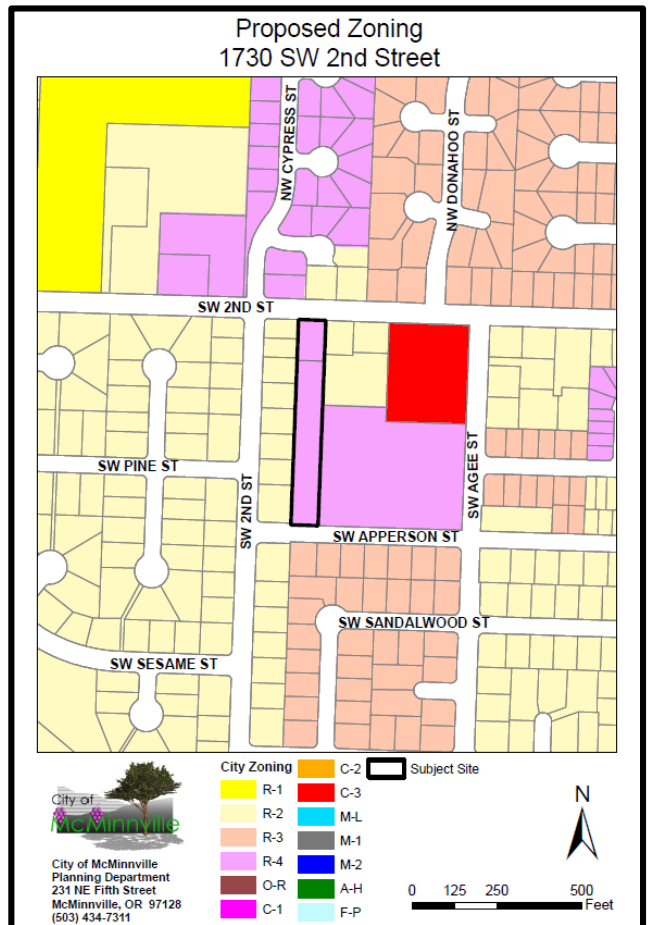
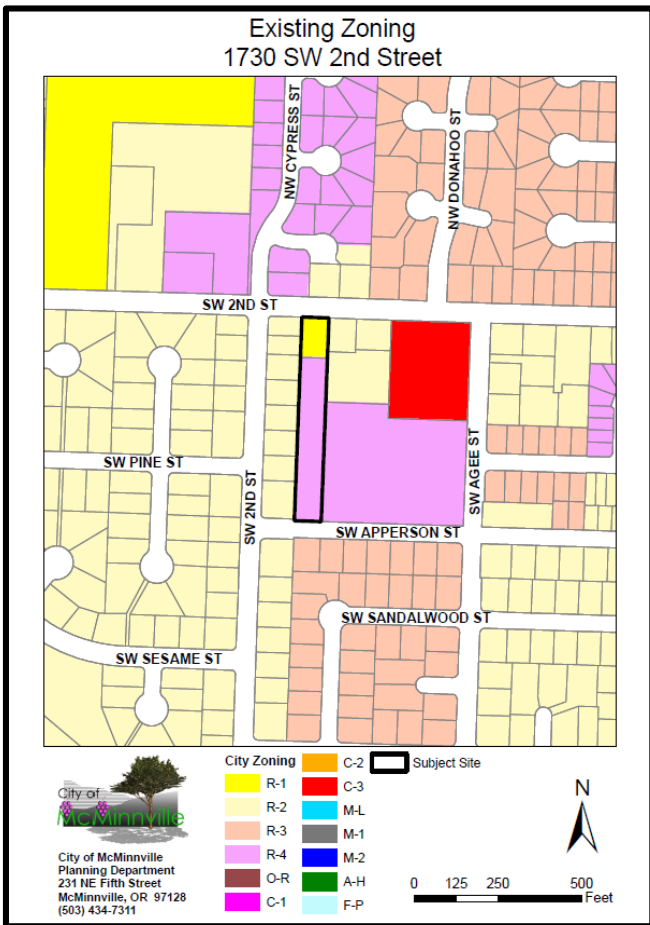
The applicant is requesting approval of a zone change from R-1 (Single Family Residential) to R-4 (Multiple-Family Residential) on a parcel approximately 0.22 acres, and an amendment to an existing planned development (R-4 PD) of approximately 0.89 acres, that would increase the allowed density, provide variances for setbacks, allow for multiple duplexes as a multi-family project, and increase the size by adding the 0.22 acre parcel that has been rezoned to R-4 for a new multiple-family residential planned development of approximately 1.11 acres. The two parcels are located immediately adjacent to each other, with the smaller parcel adjacent to 2nd Street and the larger parcel to the south extending down to SW Apperson Street. The rezoning and planned development amendment would result in the ability to develop 21 (twenty-one) multiple-family residential dwelling units on the two parcels. The subject sites are identified below:



The proposed development plan can be seen below:



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



CONDITIONS OF APPROVAL:

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

1. That the development plan shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer.

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

2. Side yards setbacks shall be increased one (1) foot for each one (1) foot of building height over 35 (thirty-five) feet.
3. Buffering along the western and eastern boundaries of this site shall be required and shall utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from this site onto the neighboring properties located to the west and east of this site and shall include a mix of vertical and horizontal vegetation, fencing and/or berms. A landscape plan for the site, which includes proposed plant material to provide the required buffering, shall be submitted to the McMinnville Landscape Review Committee for review and approval prior to the issuance of building permits for the site.
4. The current development plan includes one duplex unit that would be constructed over the existing common property line between the subject parcels. To prevent a duplex unit from being constructed over a common property line, the applicant shall submit a property line adjustment application to the Planning Department to either eliminate the common property line between the subject parcels, or to adjust the common property line to allow for the construction of each duplex unit on an individual lot of record. The property line adjustment shall be recorded, as approved by the Planning Director, with the Yamhill County Clerk's office prior to the issuance of building permits for the site.
5. That the applicant shall submit shared parking and access agreements or easements to the Planning Department for review. The shared parking and access agreements or easements shall be recorded, as approved by the Planning Director, with the Yamhill County Clerk's office prior to the issuance of building permits for the site.
6. That the applicant shall dedicate 18 (eighteen) feet of right-of-way along the site's SW 2nd Street frontage to provide the necessary right-of-way for the roadway as it is classified in the Transportation System Plan.
7. That the applicant shall dedicate a 10 (ten) foot public utility easement along the site's SW 2nd Street frontage.
8. That driveway and sidewalk improvements within the site and adjacent to the site shall be constructed to meet current Public Right-of-Way Accessibility Guidelines (PROWAG).
9. That the applicant shall provide onsite stormwater detention and storm system improvements that satisfy the requirements of the City of McMinnville Storm Drainage Master Plan.
10. That the planned development amendment approval shall be terminated if the proposed improvements do not commence within two years of the effective date of this approval, and if the proposed improvements are not complete with seven years of the effective date of this approval.
11. That Ordinance No. 4097 is repealed in its entirety.

ATTACHMENTS

1. ZC 9-17/ZC 10-17 Application and Attachments

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Recology Western Oregon; Comcast; Northwest Natural Gas. Their comments are provided in this decision document:

Engineering Department:

We have reviewed proposed ZC 9/10-17, and do not have concerns with the proposal. As noted in the applications, and associated attachments, there is adequate transportation network and sanitary sewer system capacity to accommodate the proposed zone change.

At the time of development of the properties, the appropriate infrastructure improvements and right-of-way dedications, in compliance with the City's adopted master plans, will be required. Those requirements will include:

- The dedication of an additional 18' of right-of-way along the site's 2nd Street frontage per the adopted Transportation System Plan;
- The dedication of a 10' public utility easement along the site's 2nd Street frontage;
- Site driveway and sidewalk improvements meeting current Public Right-of-Way Accessibility Guidelines (PROWAG); and
- Onsite stormwater detention and storm system improvements in compliance with the City's Storm Drainage Master Plan.

Building Department:

A full Geo-Technical study of the proposed development will be required specifically areas of bearing capacities of the building footprint.

Yamhill County Public Works:

I have reviewed the subject Planned Development Amendment and have no conflicts with the interests of Yamhill County Public Works.

McMinnville Water and Light:

MW&L has no comments on this application.

FINDINGS OF FACT

- A. Ray Kulback is requesting approval of a zone change from R-1 (Single Family Residential) to R-4 (Multiple-Family Residential) on a parcel approximately 0.22 acres, and an amendment to an existing planned development (R-4 PD) of approximately 0.89 acres, that would increase the allowed density, provide variances for setbacks, allow for multiple duplexes as a multi-family project, and increase the size by adding the 0.22 acre parcel that has been rezoned to R-4 for a new multiple-family residential planned development of approximately 1.11 acres. The two parcels are located immediately adjacent to each other, with the smaller parcel adjacent to 2nd Street and the larger parcel to the south extending down to SW Apperson Street. The rezoning and planned development amendment would result in the ability to develop 21 (twenty-one) multiple-family residential dwelling units on the two parcels.
- B. The site is currently designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
- C. Sanitary sewer and municipal water and power can adequately serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
- D. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

CONCLUSIONARY FINDINGS

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

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

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

Policy 59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.

Finding: Goal V 1 and Policies 58.00 and 59.00 are met by this proposal in that approval of the zone change requests from R-1 (Single-Family Residential) to R-4 (Multiple-Family Residential) will allow for the opportunity to develop the property and increase the variety of housing types and densities in this area of the city. The multiple family residential units proposed would provide rental housing, which is a needed type of housing in the city. Higher density residential development is also consistent with the surrounding development pattern, as there are numerous multiple-family development projects located within a quarter mile of the subject sites.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND-INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

Policy 71.00 The City of McMinnville shall designate specific lands inside the urban growth boundary as residential to meet future projected housing needs. Lands so designated may be developed for a variety of housing types. All residential zoning classifications shall be allowed in areas designated as residential on the Comprehensive Plan Map.

Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes and triplexes, and townhouses. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments. The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

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

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

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

Finding: Goal V 2 and Policies 68.00, 71.00, 71.09, and 71.13 are met by this proposal in that the proposal to rezone this land as requested is encouraged by the existing Comprehensive Plan. In addition, rezoning of this site to allow higher residential density encourages more efficient residential development in an area where urban services are already available before committing alternate areas to residential development. The northern parcel is currently zoned for low density residential development. However, the site better meets the locational criteria for high density residential development. The adjacent property that will be part of the overall development of the northern parcel is currently zoned for high density residential development. The site can be buffered by landscaping from adjacent lower density residential areas on the west and east sides of the site. A condition of

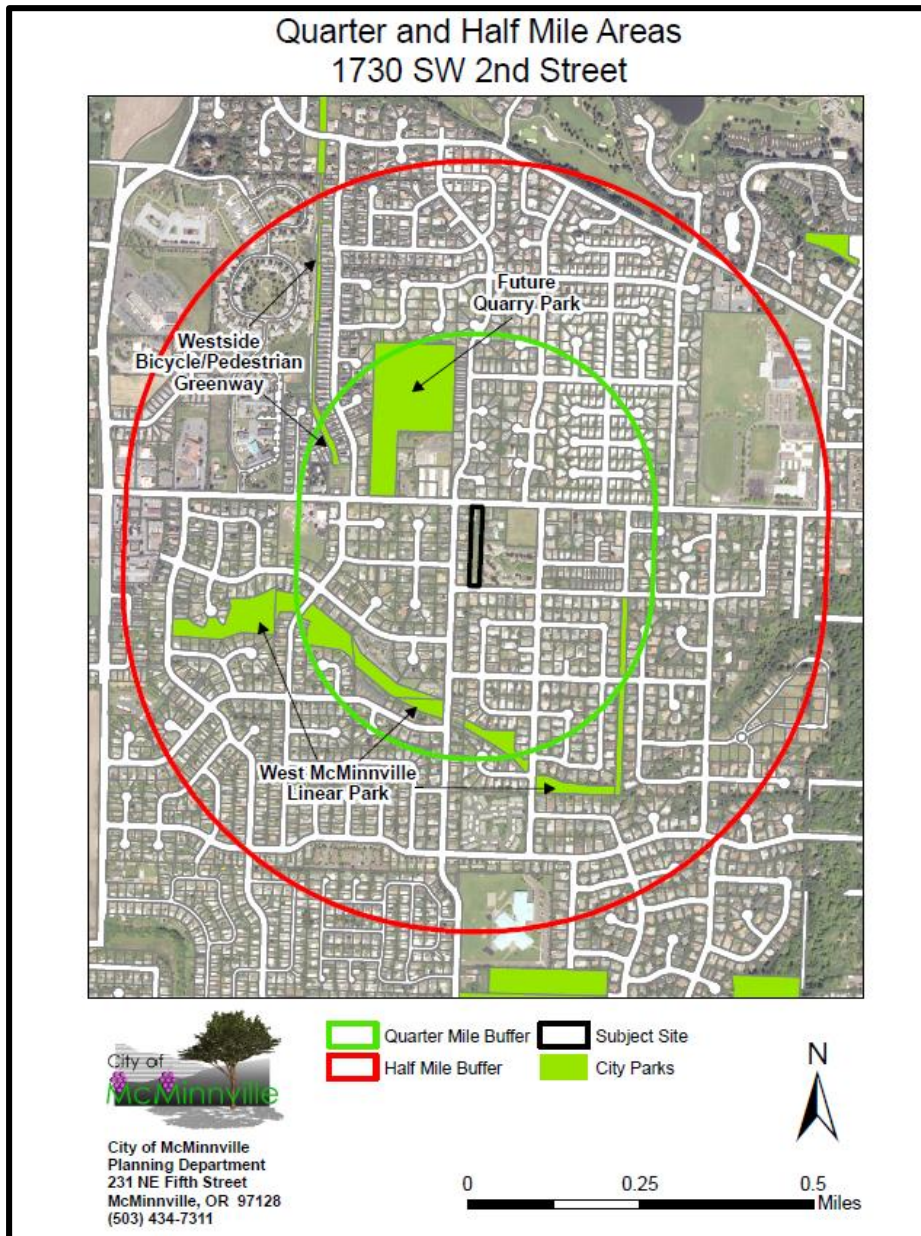
approval is included to require landscaping as buffering along the planned development's east and west property lines to maximize the privacy of established lower density residential areas adjacent to the site. The condition of approval also requires that a landscape plan be submitted for review, at which time the Landscape Review Committee would ensure that any proposed landscaping is achieving the required buffering effect.

In addition, because the request is to rezone a property with a lower residential density to a higher residential density that has adjacency to existing single family development, a condition of approval is included to increase required setbacks if the maximum building height normally allowed in lower density residential zones is exceeded. Currently the R-4 (Multiple Family Residential) zone states that a side yard shall not be less than six (6) feet, except an exterior side yard shall not be less than 15 (fifteen) feet. And all yards shall be increased over the requirements of this section, one (1) foot for each two (2) feet of building height over 35 (thirty-five) feet (Section 17.21.040). Since the subject site is adjacent to existing single family residential development, a condition of approval is included to require that side yards be increased by one (1) foot for each one (1) foot of building height over 35 (thirty-five) feet. The applicant has stated in their narrative that they intend to construct duplex units with similar architecture and exterior design as the applicant's recently constructed multiple family complex across SW 2nd Street, west of Newby Elementary School. These units were not more than 35 feet in height, but because there are no specific architectural plans associated with the planned development request, this condition of approval will ensure that adequate spacing and buffering is provided.

The northern parcel has direct access from SW 2nd Street, which is an arterial street. The northern parcel is not subject to any development limitations, as the site is flat and does not contain any significant natural or topographic features or that would reduce the developable area of the site.

The applicant has provided a traffic analysis that concluded that the surrounding street network has the capacity to accommodate the increase in trips that would result from the applicant's request to rezone the northern parcel and develop 21 (twenty-one) dwelling units on the entire site, including the southern parcel. The traffic analysis showed that minimal increases in delays would occur at all of the surrounding intersections on SW 2nd Street, SW Agee Street, and SW Cypress Street. The minimal increases in delay did not have any impact on the overall level of service of any intersection within the study area. The Engineering Department has reviewed the traffic analysis, and does not have any concerns with the analysis or the findings. The Engineering Department has also verified that adequate sanitary and storm sewer facilities exist to serve the increased density of the site proposed by the applicant. Conditions of approval have been included to ensure that when the site is developed, it is done so to meet current street, right-of-way, and stormwater requirements.

Public transit is available immediately adjacent to the property, as Yamhill County Transit Route 2 (McMinnville East-West Express) runs hourly along SW 2nd Street for most of the day. The northern parcel is within one-quarter mile of a future commercial area, as there is a vacant piece of land at the southwest corner of the intersection of SW 2nd Street and SW Agee Street that is zoned C-3 (General Commercial). The northern parcel is not immediately adjacent to any permanent public open space, but a condition of approval has been included to require common open space within the planned development. The site is also located in close proximity to permanent public open space. A nearly 2,000 foot long segment of the West McMinnville Linear Park is located within a quarter mile of the subject site, and the southern end of the Westside Bicycle/Pedestrian Greenway is also located within a quarter mile of the subject site. Also within a quarter mile of the subject site is the future Quarry Park, which is proposed in the Parks, Recreation, and Open Space Master Plan to be a special use park. While there is no neighborhood park within a half mile of the property, there are multiple other existing or planned park and recreation facilities within a quarter mile of the site. Please see the aerial map below.



Policy 71.01 *The City shall plan for development of the property located on the west side of the city that is outside of planned or existing transit corridors (1/4 mile either side of the route) 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 higher density housing on the west side, sewer density allowances or trade-offs shall be allowed and encouraged. (Ord. 4961, January 8, 2013; Ord.4796, October 14, 2003)*

1. *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.*
2. *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, providing 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.*

3. *The City will monitor development on the west side of McMinnville to determine which property is available for development at increased densities.*
4. *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.*
5. *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 for in Section 17.74.020 (Comprehensive Plan Map Amendment and Zone Change – Review Criteria) of the zoning ordinance (Ord. 4796, October 14, 2003; Ord. 4218, November 23, 1985).*

Finding: Policy 71.01 is met by this proposal in that the property is located well within a quarter mile of transit service. The Yamhill County Transit Route 2 (McMinnville East-West Express) currently operates immediately adjacent to the site, running hourly along SW 2nd Street for most of the day. Therefore, the subject site is not limited to six dwelling units per acre. The Engineering Department has no concerns with providing adequate services to this site to support the residential development density proposed by the applicant as part of the planned development.

Policy 72.00 Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.

Policy 73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.

Finding: Policies 72.00 and 73.00 are satisfied by this proposal in that the proposed planned development will provide for a type of needed housing in the city in the form of multiple family residential rental housing. The increase in density on the site is more consistent with the city's policies for high density residential zones, and will also increase the efficiency with which vacant land in the city is being developed. This can be considered an environmental savings as it will allow for densification within the existing urban growth boundary.

Policy 74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.

Finding: Policy 74.00 is satisfied by this proposal in that there are no significant natural or topographic features to preserve within the site.

Policy 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 homeowner's association, assessment district, or escrow fund will be required to maintain the common area.

Policy 76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.

Finding: Open space is being provided within the development that directly benefits the future residents of the development. The applicant had originally submitted a development plan that included minimal open space, outside of some small areas that would be used for landscaping. To better meet the purpose of a planned development and Comprehensive Plan policies 75.00 and 76.00, the applicant revised the site plan to include more open space. On the north side of the southernmost grouping of duplexes, one of the duplex units was reduced to a single stand-alone unit. This allowed for a contiguous open space area to be provided within the site, totaling 2,360 square feet. The space is

centrally located within the site, and will provide opportunities for gathering space and recreation for future residents. The open space provided equates to five (5) percent of the site being preserved as contiguous, usable open space.

Policy 77.00 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.

Policy 78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.

Finding: The internal traffic system is being designed to be efficient and safe. The circulation through the site will be one-way traffic, with ingress to the site from SW 2nd Street and egress to SW Apperson Street. The one-way drive aisle will meander through the site, primarily to allow for clustering of the duplex units, but that will also help to limit vehicle speed through the site. In addition, landscaped islands will be provided near the curves in the drive aisle, which should assist further with traffic calming through the site. Since the planned development will include two (2) existing parcels, a condition of approval is included to require that shared parking and access agreements or easements between the two (2) parcels be created and recorded with the Yamhill County Clerk's office.

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

Finding: Policy 86.00 is satisfied by this proposal in that the rezoning and planned development amendment will allow for the development of multiple-family residential units in a residentially designated area of the city that has both low density and high density existing residential development. The development of multiple family residential units would not be inconsistent with the surrounding development pattern, but would allow for additional dispersal of new multiple family units in the city.

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

Finding: Policy 89.00 is met by this proposal in that landscaping will be provided for the site, and a landscape plan will be required to be submitted and approved by the Landscape Review Committee.

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

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

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

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

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

Finding: Policies 90.00, 92.00, 92.01 and 92.02 are satisfied by this proposal in that the subject site is located adjacent to and accessed from SW 2nd Street, which is a minor arterial street. Public transit is available immediately adjacent to the property, as Yamhill County Transit Route 2 (McMinnville East-West Express) runs hourly along SW 2nd Street for most of the day. The northern parcel is within one-quarter mile of a future commercial area, as there is a vacant piece of land at the southwest corner of the intersection of SW 2nd Street and SW Agee Street that is zoned C-3 (General Commercial). In addition, there are multiple schools and parks within one-half mile of the subject site. The subject site is not located near any undesirable land uses such as railroad lines or heavy industrial uses.

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

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

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

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Policy 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.

Policy 119.00 The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.

Policy 120.00 The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.

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

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

Finding: Goal VI 1 and Policies 117.00, 119.00, 120.00 and 122.00 are satisfied by this proposal in that the subject site is currently adjacent to public streets along two sides, SW 2nd Street on the north and SW Apperson Street on the south. Access to the site will be provided from SW 2nd Street, with entry

only off of SW 2nd Street and a one-way drive aisle through the site that exits onto SW Apperson Street. This circulation pattern will limit access points and traffic delays on SW 2nd Street, which is a minor arterial street. The driveway on SW 2nd Street is also being located as far east as possible to increase the distance between the driveway and the intersection of SW 2nd Street and SW Cypress Street.

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

Policy 127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and right-of-ways as transportation routes.

Finding: Policies 126.00 and 127.00 are satisfied by this proposal in that off-street parking will be provided in excess of the minimum number of required parking spaces for a multiple family development.

Policy 130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connect residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities.

Policy 132.15 The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.

Finding: Policies 130.00 and 132.15 are satisfied by this proposal in that public sidewalks will be required to be upgraded to Public Right-of-Way Accessibility Guidelines (PROWAG) as a condition of approval, which will enhance pedestrian connections between the site and the surrounding area. An accessible pedestrian walkway will be provided through the site, connecting to the existing sidewalk network on SW 2nd Street on the north side of the site and SW Apperson Street on the south side of the site.

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

Policy 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines with the framework outlined below:

- 1. Sufficient municipal treatment capacities exist to handle maximum flows of effluents.*
- 2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*
- 3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized*
- 4. Extensions will implement applicable goals and policies of the comprehensive plan.*

Policy 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through

requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00 The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00 The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

- 1. Facilities are placed in locations and in such manner as to insure compatibility with surrounding land uses.*
- 2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
- 3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized;*
- 4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

Policy 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 1. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
- 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 4. Federal, state, and local water and waste water quality standards can be adhered to.*
- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 139.00, 142.00, 143.00, 144.00, 145.00, 147.00 and 151.00 are satisfied by the request as, based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and

McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

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

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

Finding: Policies 153.00 and 155.00 are satisfied in that emergency services departments have reviewed this request and no concerns were raised.

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

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

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

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

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

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

Finding: Policies 173.00 and 177.00 are satisfied in that McMinnville Water and Light and Northwest Natural Gas were provided opportunity to review and comment regarding this proposal and no concerns were raised. A building permit pre-application meeting was held, and McMinnville Water and Light did not have any concerns with providing adequate services to this site to support the residential development density proposed by the applicant as part of the planned development

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

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

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

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

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

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

17.21.010 Permitted uses. In an R-4 zone, the following uses and their accessory uses are permitted:

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

Finding: Section 17.21.010 is satisfied by the proposal in that the proposed planned development will include two-family dwellings that will operate as a larger multiple family complex. The applicant is proposing to construct multiple duplex (two-family) units within the site, clustered into three separate groups throughout the site. This pattern of development would not normally be allowed under standard zoning requirements, but the unique development pattern with multiple duplex units on a single lot can be allowed within a planned development overlay, which will be described in more detail below.

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

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

Finding: Section 17.21.040 is satisfied by the proposal in that the required side yard setbacks in the R-4 zone will be met based on the development plan associated with the proposed planned development. The applicant has requested reduced front and rear yard setbacks as part of the planned development overlay, which will be described in more detail below.

17.21.060 Density requirements. In an R-4 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.21.020(M) are utilized.

Finding: Section 17.21.060 is satisfied in that the proposed density of the planned development is under the maximum density allowed based on the size of the lot. Based on the size of the lot at 1.11 acres, the site could accommodate up to 32 (thirty-two) dwelling units. As proposed, the planned development would include 21 (twenty-one) dwelling units.

17.51.010 Purpose. The purpose of a planned development is to provide greater flexibility and greater freedom of design in the development of land than may be possible under strict interpretation of the provisions of the zoning ordinance. Further, the purpose of a planned development is to encourage a variety in the development pattern of the community; encourage mixed uses in a planned area; encourage developers to use a creative approach and apply new technology in land development; preserve significant man-made and natural features; facilitate a desirable aesthetic and efficient use of

open space; and create public and private common open spaces. A planned development is not intended to be simply a guise to circumvent the intent of the zoning ordinance.

Finding: Section 17.51.010 is satisfied in that the proposed planned development, along with the conditions of approval described in this decision document, is consistent with the purpose of a planned development. The planned development provides for the efficient development of a unique shaped lot. The planned development will increase the variety of housing types available in the area of the city it will be located in, while not being inconsistent with the surrounding development pattern. Private common open space will be provided, which will help to facilitate a desirable aesthetic within the planned development site. The open space being provided within the development will directly benefit the future residents of the development.

The applicant had originally submitted a development plan that included minimal open space, outside of some small areas that would be used for landscaping. To better meet the purpose of a planned development and Comprehensive Plan policies 75.00 and 76.00, the applicant revised the site plan to include more open space. On the north side of the southernmost grouping of duplexes, one of the duplex units was reduced to a single stand-alone unit. This allowed for a contiguous open space area to be provided within the site, totaling 2,360 square feet. The space is centrally located within the site, and will provide opportunities for gathering space and recreation for future residents. The open space provided equates to five (5) percent of the site being preserved as contiguous, usable open space. In order to provide that open space, the applicant is proposing reduced setbacks for the overall development site. The reduced setbacks are shown on the development plan that will become binding on the site. Specifically, the reduced setbacks are as follows:

	Front Yard	Rear Yard
Standard Required Setback	20 Feet	15 Feet
Proposed Setback	15 Feet	10 Feet

17.51.020 Standards and requirements. The following standards and requirements shall govern the application of a planned development in a zone in which it is permitted:

- A. The principal use of land in a planned development shall reflect the type of use indicated on the comprehensive plan or zoning map for the area. Accessory uses within the development may include uses permitted in any zone, except uses permitted only in the M-2 zone are excluded from all other zones. Accessory uses shall not occupy more than twenty-five percent of the lot area of the principal use;
- B. Density for residential planned development shall be determined by the underlying zone designations.

Finding: Section 17.51.020 is satisfied by this proposal in that the use of land as proposed, with duplex units functioning as a larger multiple family complex, is consistent with the Comprehensive Plan and zoning of the underlying property. The property is designated as residential on the Comprehensive Plan, and the underlying R-4 (Multiple Family Residential) zone allows for two-family and multiple family dwelling units as permitted uses. The proposed density for the planned development is well within that which would be allowed in the R-4 zone.

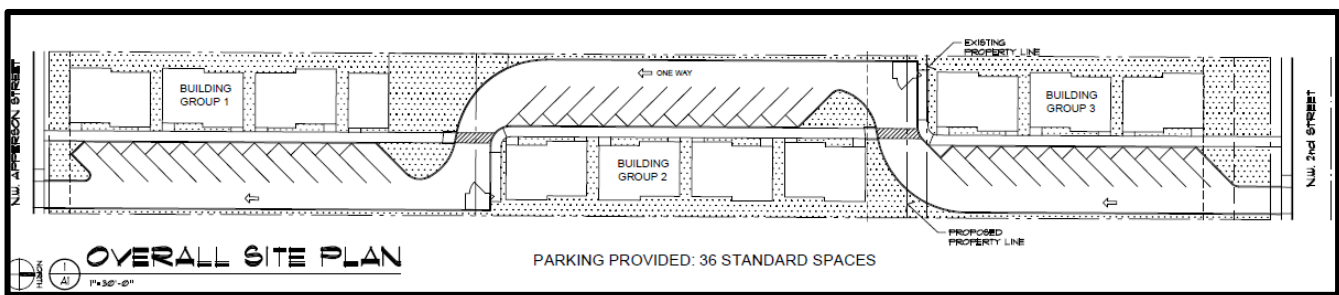
17.51.030 Procedure. The following procedures shall be observed when a planned development proposal is submitted for consideration: [...]

- 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;
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;

Finding: Section 17.51.030(C) is satisfied in that the proposed planned development, along with the conditions of approval described in this decision document, meets the necessary review criteria for a planned development.

The development plan, which would become binding on the site, is identified below:



There are special physical conditions of the subject site that warrant the use of a planned development overlay. The subject site is uniquely shaped, as it is a somewhat narrow (80 feet wide) and deep (510 feet deep) parcel. This unique lot size creates a difficulty in the development of multiple family dwelling units on the site. The subject site is also located between two properties with different residential zoning classifications and existing residential uses. Immediately to the west are properties zoned R-2 PD (Single Family Residential Planned Development) and developed as single family dwellings. Immediately to the east is a property zoned R-4 PD (Multiple Family Residential Planned Development) and developed as a higher density apartment complex.

To allow for efficient development of the parcel, the applicant is proposing to combine the property with the adjacent property to the north, should the concurrent zone change request be approved, to provide one-way access through the site. This allows the applicant to reduce the amount of space required for vehicular movement, and also allows for the dwelling units to be more evenly distributed and spread out throughout the site.

In addition, the applicant is proposing to construct multiple duplex units within the site, clustered into three separate groups throughout the site. This pattern of development would not normally be allowed under standard zoning requirements. The City’s definition of a multiple family dwelling unit is “a building containing three or more dwelling units”. The buildings proposed by the applicant would only contain two dwelling units, which are defined as two-family dwelling units and are more commonly known as duplexes. Duplexes are allowed in the underlying R-4 zone, but normally no more than one duplex is allowed on a single lot. The allowance for multiple duplex units on a single lot is the primary reason for the applicant’s planned development request. The proposed pattern of development with multiple duplex units clustered throughout the site would also provide more of a transition in building massing between the existing apartment complex to the east and the existing single family residences to the west.

The physical conditions of the site being uniquely shaped, and the applicant’s intent to distribute housing units throughout the site and provide a transition between existing land uses, warrant a departure from

the standard regulation requirements and the allowance of multiple duplex units in one development site.

The proposed planned development is consistent with the goals and policies of the Comprehensive Plan, as described in more detail above in the specific findings for each Comprehensive Plan goal and policy.

The surrounding area is fully developed, and the property within the planned development will not provide for access or services to adjoining parcels. Buffering will be required as a condition of approval between the subject site and the adjoining parcels, and the planned development will directly connect to the streets adjacent to the property without any major reconstruction or change to the surrounding transportation system.

The applicant has developed other properties in the city, and has a bona fide ability to develop this site. Should the zone change and planned development amendment be approved, the applicant intends to begin site work this fall in anticipation of construction of the dwelling units during the next construction season. In order to ensure that the plan is completed in a reasonable period of time, a condition of approval is included to require that the proposed improvements commence within two years of the effective date of this proposal. If the proposed improvements have not commenced within two years, and if they are not fully complete within seven years, the planned development approval shall be terminated and the applicant would be required to resubmit a planned development amendment application.

The applicant has provided a traffic analysis that concluded that the surrounding street network has the capacity to accommodate the increase in trips that would result from the applicant's request to rezone the northern parcel and develop 21 (twenty-one) dwelling units on the entire site, including the southern parcel. The traffic analysis showed that minimal increases in delays would occur at all of the surrounding intersections on SW 2nd Street, SW Agee Street, and SW Cypress Street. The minimal increases in delay did not have any impact on the overall level of service of any intersection within the study area. The Engineering Department has reviewed the traffic analysis, and does not have any concerns with the analysis or the findings. The engineering department has also verified that adequate sanitary and storm sewer facilities exist to serve the increased density of the site proposed by the applicant.

Improvements to the sanitary sewer system have occurred since the time of the adoption of the Westside Density Policy, which was discussed in more detail above. Those improvements have addressed the capacity issues that drove the need for the Westside Density Policy, and the Engineering Department has reviewed this proposal and has offered no concerns with providing adequate services to this site to support the residential development density proposed by the applicant as part of the planned development. The applicant has also discussed the proposed development plan with other utility providers, McMinnville Water and Light and Northwest Natural, and neither entity has concerns with providing services to the site. Water, electricity, natural gas, sanitary sewer, and storm sewer all exist in either SW 2nd Street or SW Apperson Street to service the site. The engineering department will require that onsite stormwater detention and storm system improvements be provided that comply with the City's Storm Drainage Master Plan, and the applicant has verified that they intend to design their onsite system to meet that requirement.

The proposed development will be relatively low in intensity as a multiple family residential development. Therefore, significant noise, air, and water pollutants from the proposed development will be minimal and will not have an adverse effect on the surrounding area or the city as a whole.

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

- D. The Commission may attach conditions to carry out the purpose of this ordinance provided that such conditions are not used to exclude needed housing or unnecessarily reduce planned densities, and do not result in unnecessary costs or delay;

Finding: Section 17.51.030(E) is satisfied in that conditions of approval have been included to better carry out the purpose of a planned development.

The proposed development plan shows three clusters of duplex units. The northern-most cluster is identified to be located primarily on the northern parcel. However, one of the duplex units in the northern cluster is currently shown to be constructed over the existing property line between the two subject parcels. In order to not have a duplex unit constructed over a common property line, a condition of approval has been included to require that the applicant complete a property line adjustment to either eliminate the common property line between the parcels or to adjust the property line to allow for the construction of all duplex units on one parcel.

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

17.57.050 Area Determination—Planning factors.

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

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

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

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

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

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2)

unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

Finding: Section 17.74.020 is satisfied by this proposal in that the proposed zone change is consistent with the goals and policies of the Comprehensive Plan, as described in more detail above in the specific findings for each Comprehensive Plan goal and policy.

The proposed zone change is orderly and timely, based on the pattern of development in the surrounding area. The development pattern in the surrounding area is widely varying. Within a quarter mile of the subject site, there are nearly all forms of residential zones and housing types. The area to the west in the Jandina subdivision is primarily single-family residences, with some duplexes on corner lots along SW Cypress Street. Immediately adjacent to the subject site to the east is an existing higher density apartment complex. Slightly further east and across SW Agee Street, a number of duplex and townhome type residential dwelling units have been developed. Across SW 2nd Street and near the intersection of SW 2nd Street and SW Cypress Street, another R-4 (Multiple Family Residential) zoned property contains another apartment complex. The established development pattern for the larger surrounding area is clearly a mix of residential housing types.

The parcel immediately to the south of the northern parcel is vacant, but is zoned R-4 PD (Multiple Family Planned Development). Therefore, the rezoning of the northern parcel to R-4 would be consistent with the zoning of other properties immediately adjacent to the site, and also would be consistent with the overall development pattern of the area. The existing R-4 PD zoned property to the south is very deep and narrow, which makes development of that property difficult. The rezoning of the northern parcel to R-4 will allow for the property to be developed along with the vacant parcel to the south. The rezoning of the property to R-4 will allow for more efficient and orderly development of the vacant land in this area of the city. Together with the adjacent land uses and pattern of development in the surrounding area, the subject site better meets the locational policies for higher density residential development.

Utilities and services can be efficiently provided to the subject site. This area is well served by existing sanitary and storm sewer systems as well as other public utilities. The Engineering Department has reviewed this proposal and has offered no concerns with providing adequate services to this site to support the residential development density proposed by the applicant as part of the planned development. The applicant has provided a traffic analysis that concluded that the surrounding street network has the capacity to accommodate the increase in trips that would result from the applicants request to rezone the northern parcel and develop 21 dwelling units on the entire site, including the southern parcel. The traffic analysis showed that minimal increases in delays would occur at all of the surrounding intersections on SW 2nd Street, SW Agee Street, and SW Cypress Street. The minimal increases in delay did not have any impact on the overall level of service of any intersection within the study area. The Engineering Department has reviewed the traffic analysis, and does not have any concerns with the analysis or the findings.

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.

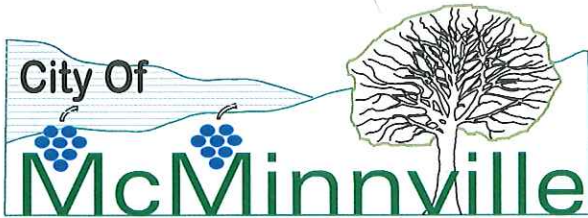
An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- 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;
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
- D. The plan can be completed within a reasonable period of time;
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- 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.

Finding: Section 17.64.070 is satisfied by this proposal. The planned development amendment is considered a major change, as the applicant proposed an increase in density and an increase in the size of the planned development. As a major change, the planned development amendment request was processed consistent with Section 17.72.120, which includes a review of the application by the Planning Commission during a public hearing and ultimately final approval by the City Council.

The planned development amendment proposed on the both the northern and southern parcels is consistent with the review criteria for a planned development amendment, as described in more detail above in the findings for the overall planned development that will apply to both parcels.

CD:sjs



Planning Department
231 NE Fifth Street o McMinnville, OR 97128
(503) 434-7311 Office o (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:
File No. ZC 9-17
Date Received 6-12-17
Fee 1595.00
Receipt No. 17MD114
Received by SJS

Comprehensive Plan Map Amendment/
Zone Change Application

Applicant Information

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

Applicant Name Ray Kulback / RB&R Contractors Inc. Phone (503) 434-0483

Contact Name (If different than above) Phone

Address 737 NW Adams Street

City, State, Zip McMinnville, OR 97128

Contact Email r.kulback@frontier.com

Property Owner Information

Property Owner Name Same as above (If different than above) Phone

Contact Name Phone

Address

City, State, Zip

Contact Email

Site Location and Description

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

Property Address 1730 SW Second Street

Assessor Map No. R4420CB-00101 Total Site Area 9,600 sq. ft.

Subdivision Fairlawn Block Lot

Comprehensive Plan Designation Residential Zoning Designation R-1

This request is for a:

Comprehensive Plan Amendment

Zone Change

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

See attached narrative

2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. 2). _____

See attached narrative

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

See attached narrative

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

See attached narrative

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

See attached narrative

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

See attached narrative

7. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use.

See attached narrative

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

See attached narrative

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

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

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.


Applicant's Signature

6-5-2017
Date


Property Owner's Signature

6-5-2017
Date

Supporting Narrative for Zone Change Application

R-1 (Single-Family Residential) Zone to R-4 PD (Multi-Family Residential Planned Development) Zone

1730 SW Second Street
Assessor's Map No. R4420CB – 00101
July 17, 2017

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

The applicant wishes to construct 20, two-family residential housing units (duplexes), and one, single-family, three-bedroom “manager’s unit” within approximately 1.1 acres (48,400 square feet) of land located south of West Second Street, north of Apperson Street, and some 100 feet east of Cypress Street. This project site, which measures a relatively narrow 80 feet in width by 605.1 feet in length, is comprised of two parcels, the southern of which is zoned R-4 PD and measures 38,800 square feet in area (identified as Assessor Map No. R4420CB-00100). The northern R-1 zoned parcel is 9,600 square feet in area (R4420CB-00101) and is the subject of this proposed zone change request.

For this project to move forward, two separate – but complementary – land use application approvals are required: 1) Rezoning of the northern parcel from its current R-1 (Single-Family Residential) zone to R-4 PD (Multi-Family Residential Planned Development) zone; and 2) amending (supplanting) provisions of an existing planned development ordinance that encumbers most of the larger, southern parcel (Ordinance No. 4097).¹ The materials contained in this supporting narrative are intended to address the relevant criteria for the zone change request; a separate planned development amendment for the southern parcel has been prepared and filed with the City to run concurrently with this zone change request.

Detailed plans for the proposed development are offered as part of this submittal to demonstrate to the review bodies how this project would develop, should approval of these land use requests be granted (see attached site plan). This plan is also offered to satisfy one of the requirements for approval of a planned development overlay (see Section 17.51.010(A) of the McMinnville Zoning Ordinance), and would be binding upon the applicant and City, as may be approved through this land use process. In general, the units, each measuring approximately 42 feet by 28 feet and two-stories

¹ The applicant recognizes that, in addition to these two land use requests, a separate application for a boundary line adjustment will be necessary to ensure that the property line common to these two parcels does not conflict with the proposed building's location. This is an administrative review and not subject to Planning Commission action.

in height, would be arranged in three "clusters" and in a non-linear fashion, to the extent permitted in such a narrow width of land. Vehicular access to each of the units would be provided by a one-way private drive extending south from West Second Street to Apperson Street. This drive's entrance from West Second Street is positioned as far to the east as possible to provide maximum separation from the Cypress Street and West Second Street intersection. Each of the building units would be positioned some eight to ten feet from the subject site's east and west borders, providing ample room for landscaping and buffering from adjacent development. It is the applicant's belief that the type of units, and their relative size and massing, make for a reasonable transition between the single-family housing to the immediate west of the site, and multi-family housing complex to the east. Adequate off-street parking is provided in front of each group of units (parking for the manager's unit is provided by a garage), and pedestrian walkways traverse the length of the site, connecting to public streets at either end. Community trash enclosures are conveniently located for the residents and servicing by Recology. Small play areas would also be provided within the complex for its future residents, as the need is warranted. Open space/landscaping areas are most prominently located along public street rights-of-way and near each of the parking bays and end building units to provide visual softening of the site. Architecturally, the applicant is considering exterior designs that mimic his most recent multi-family complex constructed on property on West Second Street, immediately west of Newby Elementary School (two-story in height; approximately 1,100 square feet in size).

As noted, a planned development overlay is being requested as part of this zone change to provide for the proposed "clustering" (grouping) of the housing units. In so doing, this oddly shaped infill property can be most effectively and efficiently developed, as is further described in the following pages. The planned development overlay would also serve to tie this parcel to the parcel to the immediate south, which is also owned by this applicant and is integral to the overall development concept.

2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. II).

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

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

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

Applicant Response: Goal V 1 and Policy 58.00 are met by this proposal in that approval of the zone change request (and companion planned development

amendment request) will allow this land to be developed with a housing type that is relatively affordable to a broader segment of the McMinnville population than is single-family detached, for which this property is currently zoned. Residential density at the level proposed by this project is commensurate with surrounding development in that it would provide a transition between multiple-family development to the east, and single-family housing to the west.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND-INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

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.

71.09 Medium and High-Density Residential (R-3 and R-4) – The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes and triplexes, and townhouses. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments. The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

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

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

- 1. Areas which are not committed to low or medium density development;*

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

Applicant Response: Goal V 2 and Policies 68.00, 71.09, and 71.13 are met by this proposal in that the increase of allowed units within this site encourages more efficient residential development in an area where urban services are already available before committing alternate areas to residential development. The surrounding residential neighborhoods currently exhibit a range of residential densities and housing types including single-family detached, duplex, and multiple-family dwellings. An analysis of vehicular impacts to the surrounding street network resulting from development of a multiple-family development on this site has been provided as part of the applicant's submittal. That analysis concludes that the surrounding network has the capacity to accommodate the anticipated traffic. Additionally, there are no known topographic or drainage characteristics of this site that would complicate or impinge on future residential development of the property.

As noted through the applicant's discussion with other agencies and utility providers, there are no concerns regarding service provision to this site, and that anticipated impacts would be mitigated by required improvements commensurate with future development and as required by City ordinances. Public transit is available to the site and is currently provided by the Yamhill County Transit Route 3 that runs along West Second Street. Buffering of any development that may occur on the site from the adjacent single-family neighborhood to the west would be provided by sight obscuring fencing and/or landscaping as may be required by the McMinnville Landscape Review Committee as part of their review of the landscape plan for this site. Additionally, this site is located within short walking distance of the Westvale Linear Park, and future Quarry Park. It is also approximately one-quarter mile from Newby Elementary School and Duniway Middle School.

Westside Density Policy:

71.01 The City shall plan for development of the property located on the west side of the city that is outside of planned or existing transit corridors (1/4 mile either side of the route) 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 higher density housing on the west side, sewer density allowances or trade-offs shall be allowed and encouraged. (Ord. 4961, January 8, 2013; Ord.4796, October 14, 2003)

- 1. 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.*
- 2. 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, providing 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.*
- 3. The City will monitor development on the west side of McMinnville to determine which property is available for development at increased densities.*
- 4. 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.*
- 5. 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 for in Section 17.74.020 (Comprehensive Plan Map Amendment and Zone Change – Review Criteria) of the zoning ordinance (Ord. 4796, October 14, 2003; Ord. 4218, November 23, 1985).*

Applicant Response:

Plan Policy 71.01 is satisfied by this proposal for the following reasons:

- Considerable public investment has been directed toward addressing the City's sanitary sewer conveyance and treatment systems. Those improvements have, to a large degree, addressed the capacity issues that drove the need for the westside density policy, which was adopted in 1985. The applicant believes that, with these improvements, there exists adequate capacity within the current sanitary sewer conveyance system to accommodate this 15-dwelling unit increase, as proposed. The applicant would also submit that such capacity exists because, overall, residential development within west McMinnville has occurred at densities less than six dwelling units per acre (as documented in the *McMinnville Residential Land Needs Analysis, 2001*, and *McMinnville Urban Growth Management Plan, 2003*).
- In addition, the policy grants authority to the Planning Director and City Engineer to allow development to exceed the six-dwelling unit per acre cap, should certain

performance standards be met. In this case, the applicant argues that the factors necessary to grant such an exception exist for this property (as described in this section and elsewhere in this narrative) and could therefore be approved by City staff, but for the presence of the planned development limit placed on this property in 1980.

- The City acted in 2003 to amend the westside density policy to exclude lands that are within ¼ mile of a transit corridor (such as the subject property) from the six dwelling units per acre cap. That policy was later revised in 2013 to remove reference to Neighborhood Activity Centers, but it still retains to this day the exemption of lands within transit corridors from this density limit. The action taken to amend this policy in 2003 was driven by requirements of the State's urban growth boundary amendment process to increase housing density and opportunities within the existing urban growth boundary, where possible, and transportation system planning efforts, which sought to increase housing density opportunities along existing and proposed transit corridors. Amendment of this planned development ordinance density limit supports and advances both of those objectives.

Planned Development Policies:

72.00 Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.

Applicant Response:

Plan Policy 72.00 is satisfied as social, economic, and environmental savings will accrue because of this project's approval and construction. Specifically, the project will increase the availability of needed housing (the City has demonstrated that two-family housing is in short supply), provide short term employment for workers involved in the construction of this project, and the allowed increase in density will make efficient use of the City's land supply and therefore reduce the need to expand the City's urban growth boundary to meet identified residential land needs.

73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.

Applicant Response:

The two-family housing proposed by this project would offer a housing type that is in short supply within the city, therefore satisfying Plan Policy 73.00.

74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.

Applicant Response:

There are no distinctive natural, topographic, or aesthetic features within the subject site.

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 homeowner's association, assessment district, or escrow fund will be required to maintain the common area.

Applicant Response:

This policy is not applicable as there are no common open spaces proposed as part of this development.

76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.

Applicant Response:

Plan Policy 76.00 is satisfied by this proposal in that private play areas will be provided by the applicant for the future residents of this development, as need is warranted.

77.00 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.

78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.

Applicant Response:

The above two policies are addressed in the traffic analysis conducted by David Evans and Associates and provided to the City as part of this application. In addition, as part of this development, the applicant will dedicate additional right-of-way for the future full improvement of West Second Street, consistent with the City's TSP. Plan Policies 77.00 and 78.00 are therefore satisfied by this proposal.

Residential Design Policies:

79.00 The density allowed for residential developments shall be contingent on the zoning classification, the topographical features of the property, and the capacities and availability of public services including but not limited to sewer and water. Where densities are determined to be less than that allowed under the zoning classification,

the allowed density shall be set through adopted clear and objective code standards enumerating the reason for the limitations, or shall be applied to the specific area through a planned development overlay. Densities greater than those allowed by the zoning classification may be allowed through the planned development process or where specifically provided in the zoning ordinance or by plan policy.

Applicant Response: Plan Policy 79.00 is met by this proposal in that there are no topographical or public service capacity issues that would limit this density as requested. The increase in density is being requested consistent with the provisions of the planned development process and by Plan Policy 71.01.

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

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

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

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

Applicant Response: Policies 90.00, 92.00, 92.01 and 92.02 are satisfied by this proposal in that this site would be served by West Second Street and Apperson Street, identified in the McMinnville Transportation System Plan (TSP) as a minor arterial street, and local residential street, respectively. As part of this development, the applicant will dedicate an 18-foot wide strip of land adjacent to the West Second Street right-of-way to provide for its future improvement, consistent with the TSP's requirements for such streets. Professional and commercial uses are located within one-quarter mile of the site (Hillsdale commercial center to the west, and a vacant commercial zoned property some 150 feet to the east). Newby Elementary School, Columbus Elementary School, and Duniway Middle School are all located within one-half mile of this site. Also, as noted in the previous finding above, public transit is available to the site and is currently provided by the Yamhill County Transit Route 3 that runs along West Second Street, approximately 150 feet to the north. Additionally, this site is located within walking distance of the Westvale Linear Park and future Quarry Park site.

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

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

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

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

117.00 The City of McMinnville shall endeavor to ensure that the roadway network provides safe and easy access to every parcel.

118.00 The City of McMinnville shall encourage development of roads that include the following design factors:

- 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.*
- 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.*
- 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.*
- 4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)*

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

119.00 *The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.*

120.00 *The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.*

Applicant Response: Goal VI 1 and Policies 117.00, 118.00, 119.00 and 120.00 are satisfied by this proposal in that the subject site (when combined with the parcel to the south) is currently adjacent to public streets along two sides: West Second Street to the north; and Apperson Street to the south. These streets are already improved to public street standards and no further improvements are anticipated at this time. Additional land adjacent to the West Second Street right-of-way will be dedicated, allowing for its future improvement to the width required by the McMinnville TSP. Given the narrow width of the subject site, no public street within the site is planned (or is feasible).

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

127.00 *The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and right-of-ways as transportation routes.*

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

132.15 *The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.*

Applicant Response: Policy 132.15 is satisfied by this proposal in that, when a specific development is proposed for this site, public sidewalks commensurate with that proposal will be required as part of the street improvements and will add to the pedestrian connections within and beyond the subject site.

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.

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.

139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines with the framework outlined below:

- 1. Sufficient municipal treatment capacities exist to handle maximum flows of effluents.*
- 2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*
- 3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized*
- 4. Extensions will implement applicable goals and policies of the comprehensive plan.*

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.

144.00 The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

- 1. Facilities are placed in locations and in such manner as to insure compatibility with surrounding land uses.*
- 2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
- 3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized;*
- 4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 1. Sufficient municipal water system supply, storage, and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
- 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 4. Federal, state, and local water and waste water quality standards can be adhered to.*
- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Applicant Response: Goal VII 1 and Policies 136.00, 139.00, 142.00, 144.00, 145.00, and 151.00 are satisfied by the request as, based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

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.

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

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

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

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

Applicant Response: Policies 173.00 and 177.00 are satisfied in that no concerns regarding this proposal have been voiced to the applicant in his discussions with McMinnville Water and Light and Northwest Natural Gas.

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

Applicant Response: Policy 178.00 is satisfied in that the applicant is proposing to amend the zoning of the subject site to allow (when coupled with the R-4 PD zoned parcel to the south) an increase of up to 15 additional housing units, thereby achieving a more compact form of urban development and energy conservation than would have otherwise been achieved.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

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

Applicant Response: Goal X | 3 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the holding of public hearing(s). All members of the public have access to provide testimony and ask questions during the public review and hearing process.

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

This property is not subject to an existing planned development overlay.

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

The applicant is requesting a planned development overlay for this property to allow for the “clustering” of two-family residential units, a development concept not currently permitted by the City’s R-4 zone. A unique approach to the development of this property is required to respond to its unique shape, and to satisfy and advance some of the City’s plan policies, especially those related to transit supportive development, affordable housing, and compact urban development. The project, if approved, would meet all other requirements for a multiple family housing project (e.g., property setbacks, building height, off-street parking, landscaping).

Responses to the policies applicable to planned development overlays have been addressed in a prior response (see responses to Question #2, above). In addition, the applicant offers responses to the following criteria found in Section 17.51.030(C).

- 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.*

Applicant Response: The subject site’s unique shape, the type and density of surrounding development (single-family residential to the west; multi-family residential to the east), and site’s location along a transit corridor demands an innovative solution to developing this infill parcel. The solution put forward in this proposal addresses each of these issues by providing a reasonable transition between adjacent development patterns while also offering a relatively high residential density (19 dwelling units per acre), thereby supporting the transit objectives for this area and making for a compact urban development. This housing type is also in short supply, thereby addressing the community’s housing need.

- 2. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area.*

Applicant Response: This proposal is consistent with McMinnville’s Comprehensive Plan as noted in prior responses (see Question #2, above). In particular, this project would advance the area’s objectives relative to supporting

transit and compact urban form, as well as providing a housing type that is in short supply.

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

Applicant Response: See responses provided in Question #2, above.

- 4. The plan can be completed within a reasonable period of time*

Applicant Response: It is estimated that the project, once approved, would be completed within two years. This is a reasonable period to complete a project of this scale and complexity.

- 5. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area.*

Applicant Response: See responses provided in Question #2, above.

- 6. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.*

Applicant Response: See responses provided in Question #2, above.

- 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.*

Applicant Response: There is no evidence to suggest that this project would have any adverse effect upon noise, air, and water, or public utilities or city, as noted in the responses provided in Question #2, above.

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

The subject property is bordered to the south by a vacant, R-4 PD zoned property; to the west by a duplex and single-family detached home; and to the east by a vacant, R-1 zoned property, and single-family home. The Villa West apartment complex is located a relatively short distance to the southeast, and another apartment complex

can be found to the northwest (across West Second Street). The property fronts West Second Street, a designated minor arterial street.

This site's proximity to other higher density development, Newby Elementary School (1/4 mile to the east), public parks (Westvale Linear Park is two blocks south; the future Quarry Park is a short distance to the northwest), commercial services (Hillsdale commercial center is less than ¼ mile to the west; a vacant commercial site is a few hundred feet to the east at Agee and West Second Street); and its location on a transit route makes development of this property at a higher density than currently permitted orderly and timely.

Further, the City's Residential Land Needs Analysis documents the need for additional higher density and two-family zoned housing to meet its long (and short) term needs. Also, the City's locational policies for R-1 zoned land suggest that such zoning should be "**limited**" to areas within the urban growth boundary that: are located on collector or local residential streets (West Second is a minor arterial); areas with mapped development limitations (no such limitations exist for this property); areas committed to low density residential development (arguably, this particular block in which the subject site is located is of a predominately higher density); and areas with limited development capacity, as noted in an adopted utility master plan. See Plan Policies 71.06 and 71.07.

By contrast, the City's R-4 zone locational policies (Plan Policies 71.09 and 71.13) better describe and support this property's rezoning to R-4.

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

There have been several changes in the neighborhood or surrounding area that support this request. For example:

- A relatively large apartment complex has been constructed (Villa West apartments) some 150 feet southeast of the subject site;
- Commercial zoned land has been added to the block within which the subject site is located (southwest corner of Agee and West Second Street);
- Transit service now fronts the applicant's property to the north, on West Second Street. Such service benefits by higher density residential development within the corridors it serves;
- Considerable public investment has been directed toward addressing the City's sanitary sewer conveyance and treatment systems. Those improvements have, to a large degree, addressed the capacity issues that drove the need for the westside density policy. The applicant believes that, with these improvements, there exists adequate capacity within the current sanitary sewer conveyance system to accommodate this property's rezoning to R-4 and commensurate

dwelling unit increase, as proposed. The applicant would also submit that such capacity exists because, overall, residential development within west McMinnville has occurred at densities less than six dwelling units per acre (as documented in the *McMinnville Residential Land Needs Analysis, 2001*, and *McMinnville Urban Growth Management Plan, 2003*).

- In 2003, the City adopted locational policies for residential lands. Specific to those policies, and as described in the preceding question, this property is more appropriately suited for R-4 zone designation, especially when coupled with the R-4 zoned parcel to the south.

Although not a physical change in the neighborhood or surrounding area, it is important to note that the City acted in 2003 to amend the westside density policy (Plan Policy 71.01) to exclude lands that are within ¼ mile of a transit corridor (such as the subject property) from the six dwelling units per acre cap. That policy was later revised in 2013 to remove reference to Neighborhood Activity Centers, but it still retains to this day the exemption of lands within transit corridors from this density limit. The action taken to amend this policy in 2003 was driven by requirements of the State's urban growth boundary amendment process to increase housing density and opportunities within the existing urban growth boundary, where possible, and transportation system planning efforts, which sought to increase housing density opportunities along existing and proposed transit corridors. Amendment of this planned development ordinance density limit supports and advances both of those objectives.

7. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use.

The applicant has discussed his concept plans with representatives of McMinnville Water and Light, Northwest Natural Gas, and City of McMinnville. Based upon those conversations, the applicant believes that sufficient capacity exists to serve the proposed development. Specific to the subject site, sanitary sewer service extends to the site's southern edge (8-inch line in Apperson Street), natural gas service is available from both West Second Street and Apperson Street, water service consists of a 12-inch ductile iron line on the south side of West Second Street and a six-inch ductile iron line within the Apperson Street right-of-way, and electricity services exists at the site's southwest corner (underground) and from West Second Street (overhead). In addition, storm sewer service is available in West Second Street. The onsite storm sewer system will be designed to comply with the City's adopted *Storm Sewer Master Plan*.

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

The applicant has engaged the services of David Evans and Associates to conduct a traffic analysis to determine the proposed development's impact on the surrounding street network. That analysis, a copy of which is attached to this submittal, finds that the 15 additional permitted dwelling units proposed for the total project site would not affect the street network and its safe operation.²

² The project site's zoning currently permits six dwelling units; five within the larger southern parcel, and one on the R-1 zoned northern parcel.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

NW 1/4 SW 1/4 SEC 20 T4S R4W W.M.
YAMHILL COUNTY
T = 100'

4 4 20CB
MCMINNVILLE

SEE MAP 4 4 19

SEE MAP 4 4 209C

CANCELLED

200

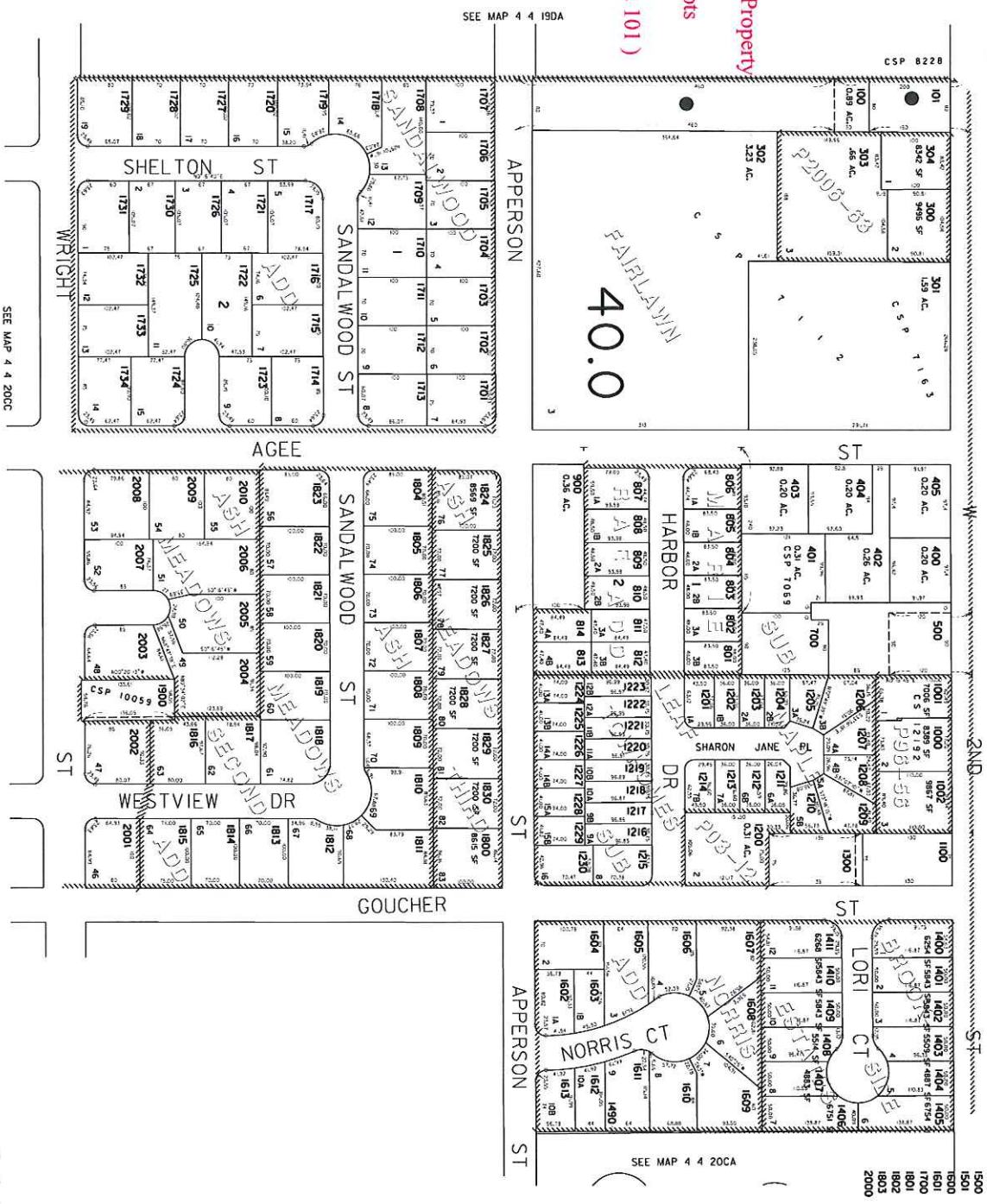
500

800

1500

2000

● Subject Property
Tax Lots
(100 & 101)



REVISED 2-4-06 SB

SEE MAP 4 4 200C

4 4 20CB

1730 Sw Second St.

LEGAL DESCRIPTION

Tax Lot R4420CB-00101:

BEGINNING at the Northwest corner of Lot 3 of FAIRLAWN SUBDIVISION in the County of Yamhill, State of Oregon; thence East 80 feet along the North boundary line of said Lot 3; thence South 150 feet; thence West and parallel to the North boundary line 80 feet; thence North 150 feet along the West boundary line of said Lot 3 to the place of beginning.

Tax Lot R4420CB-00100:

A portion of Lot 3 of FAIRLAWN SUBDIVISION in the County of Yamhill, State of Oregon, said portion being more particularly described as follows:

BEGINNING at a point on the West line of said Lot 3 at a point 150 feet South of the Northwest corner of said lot; thence running South along the West line of said lot a distance of 510 feet, more or less, to the Southwest corner thereof; thence running East along the South line of said Lot 3 a distance of 80 feet; thence running North parallel with the West boundary of Lot 3 a distance of 510 feet, more or less, to the Southeast corner of that tract conveyed to Lester J. Pagh, et ux. by deed recorded April 10, 1972 in Deed and Mortgage Records, Film Volume 88, at 2057; thence running West along the south Pagh tract a distance of 80 feet to the place of beginning.

MEMORANDUM

DATE: June 5, 2017

TO: RB&R Contractors Inc.

FROM: Angela Rogge, PE, David Evans and Associates, Inc.
Jacob Nigro, David Evans and Associates, Inc.

SUBJECT: SW Second Street Development (McMinnville) – Traffic Analysis Findings

This memorandum summarizes traffic analysis and potential impacts of a proposed 21-unit multi-family residential development proposed by RB&R Contractors Inc. This memorandum provides preliminary findings of existing (2017) conditions and opening year (2019).

Study Area

The two parcels considered as part of this analysis are located at approximately 1730 SW Second Street in McMinnville, Oregon. The larger of the parcels (approximately 0.9 acres) is zoned as multi-family residential (R-4) and the traffic analysis reviews a zone change of the smaller parcel (approximately 0.2 acres) from R-1 to R-4.

Site generated trips were analyzed at the study area intersections shown below in Figure 1. A one-way entrance to the site is proposed on SW 2nd Street with a one-way exit on to SW Apperson Street.

FIGURE 1. STUDY AREA



Existing (2017) Conditions

Traffic Volumes

PM peak (4:00 PM to 6:00 PM) traffic counts were collected on Tuesday, May 16, 2017 for the following intersections:

- SW 2nd Street at SW Cypress Street
- SW 2nd Street at SW Agee Street
- SW Agee Street at SW Apperson Street

The PM Peak Hour occurred on SW 2nd Street from 5:00 PM to 6:00 PM. This common peak hour was used for all study area intersections. Traffic volumes for three additional intersections were deduced from adjacent intersections:

- SW 2nd St at Proposed Ingress
- SW Apperson St at S Cypress St
- SW Apperson St at Proposed Egress

Current Operations

Existing traffic operations were analyzed using the Highway Capacity Manual (HCM) 2010 standards for the four existing unsignalized intersections; the proposed ingress and egress are not present during existing conditions. See Table 1 for a summary of current operations. All intersections meet the City's mobility target of a v/c of 0.90.

TABLE 1. SUMMARY OF EXISTING (2017) OPERATIONS

Intersection		Operations	
1	SW 2nd St at SW Cypress St Unsignalized	V/C	0.27
		LOS	C
2	SW 2nd St at Proposed Ingress ¹ Unsignalized	V/C	N/A
		LOS	N/A
3	SW 2nd St at SW Agee St Unsignalized	V/C	0.11
		LOS	B
4	SW Apperson St at S Cypress St ² Unsignalized	V/C	0.01
		LOS	A
5	SW Apperson St at Proposed Egress ¹ Unsignalized	V/C	N/A
		LOS	N/A
6	SW Apperson St at SW Agee St Unsignalized	V/C	0.01
		LOS	A

Notes

¹ Proposed site ingress and egress are not present under existing conditions

² Intersection 4 traffic analysis based on volume estimates from adjacent intersections

Opening Year Conditions

Assumptions and Methodology

Intersection operations were analyzed using Synchro, a microscopic traffic analysis program. The trip generation for the opening year analysis (2019) follows the 9th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The generated trips were distributed based on local understanding of travel patterns and background trips were increased annually based on observed trends. The analysis assumes the opening of 21 new townhouse units is expected to be completed by 2019.

The City's TSP states that the operational standard of McMinnville streets is a maximum v/c ratio of 0.90.

Trip Generation and Assignment

The study area includes two parcels. The northern parcel is currently zoned R-1 (Single-Family Residential), which would allow a single dwelling unit. The southern parcel, although zoned R-4 (Multi-Family Residential), is currently limited to a maximum of five dwelling units. The zone change would increase the number of dwelling units allowed to be built from six to 21.

The opening year analysis assumes that all 21 residential units are to be built; this was done to ensure that the maximum amount of potential trips are analyzed in this report. The analysis assumes the trip generation rates associated with Luxury Condominium/Townhouse (Code 233) for the weekday PM peak hour; this was a more conservative estimate than other townhouse rates. See Table 2 for a summary of generated trips.

TABLE 2. TRIP GENERATION AND OPENING YEAR (2019) GENERATED TRIPS

Description	Land Use Code	Size	ITE Average Trip Rate	Trips	Entering Percent	Entering Trips	Exiting Percent	Exiting Trips
Luxury Condominium/Townhouse	233	21 units	0.65 / unit	14	60%	8	40%	6

The proposed development is expected to generate 14 trips during the peak hour. Of the total new trips, eight would enter from SW 2nd Street and six would exit on to SW Apperson Street. Trip assignment assumed 75% of the trips enter the study area from the east on SW 2nd Street while the other 25% is split coming from the west and south along SW 2nd Street and SW Cypress Street, respectively. The exiting trips follow the same distribution but in the opposite directions.

Opening Year (2019) Operations

The opening of 21 residential units is expected to be completed by 2019. At that time, there would be the 14 new trips calculated from the development, as well as the 1.13% per year increase in background volumes.¹

Opening year (2019) traffic operations were analyzed using the Highway Capacity Manual (HCM) 2010 standards for the six unsignalized intersections. See Table 3 for a summary of current operations. All intersections currently meet the City's mobility target of a v/c of 0.90.

¹ Calculated from ODOT's Regional Travel Demand Model (RTDM) as part of a March 2017 TIA for the City of McMinnville, prepared by David Evans and Associates, Inc.

TABLE 3. SUMMARY OF OPENING YEAR (2019) OPERATIONS

Intersection		Operations	
1	SW 2nd St at SW Cypress St Unsignalized	V/C	0.29
		LOS	C
2	SW 2nd St at Proposed Ingress Unsignalized	V/C	0.20
		LOS	N/A ¹
3	SW 2nd St at SW Agee St Unsignalized	V/C	0.12
		LOS	B
4	SW Apperson St at S Cypress St ² Unsignalized	V/C	0.01
		LOS	A
5	SW Apperson St at Proposed Egress Unsignalized	V/C	0.01
		LOS	A
6	SW Apperson St at SW Agee St Unsignalized	V/C	0.02
		LOS	B

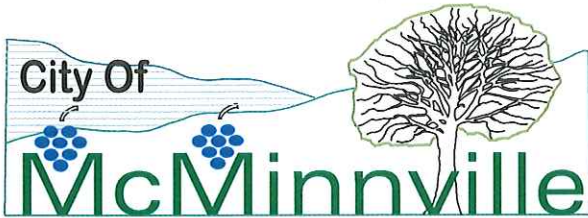
Notes

¹ HCM methodology does not calculate LOS for free-flowing movements² Intersection 4 traffic analysis based on volume estimates from adjacent intersections**Conclusions**

The preliminary traffic analysis determined the additional trips generated by the 21-unit development during the PM peak hour are not expected to exceed the City of McMinnville operational standard of a v/c of 0.90. The proposed development is expected to generate 14 total trips in the PM peak hour. The majority of these trips would travel to the development via SW 2nd Street and exit the development onto SW Apperson Street.

It is important to note that the analysis included a conservative assessment for trip generation. As currently zoned, the development site has the potential to serve six dwelling units (equivalent to four total PM peak hour trips). The zone change requests an increase in dwelling units by 15, to build 21 dwelling units. This is approximately a 10-trip net difference from what would be allowed under current zoning.

The operational results suggest the existing transportation network is sufficient to support the proposed development.



Planning Department
 231 NE Fifth Street ◦ McMinnville, OR 97128
 (503) 434-7311 Office ◦ (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:	
File No.	<u>ZC 10-17</u>
Date Received	<u>6-12-17</u>
Fee	<u>435.⁰⁰</u>
Receipt No.	<u>17MD114</u>
Received by	<u>SP</u>

Planned Development Amendment Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name Ray Kulback / RB&R Contractors Inc. Phone (503) 434-0483

Contact Name _____ Phone _____
(If different than above)

Address 737 NW Adams Street

City, State, Zip McMinnville, OR 97128

Contact Email r.kulback@frontier.com

Property Owner Information

Property Owner Name Same as above Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

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

Property Address 1730 SW Second Street

Assessor Map No. R4420CB – 00100 Total Site Area 38,800 sq. ft.

Subdivision Fairlawn Block _____ Lot _____

Comprehensive Plan Designation Residential Zoning Designation R-4 PD

5. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use: _____

See attached narrative

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

See attached narrative

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

- A site plan (drawn to scale, legible, and of a reproducible size). The site plan should show existing and proposed features such as: access; lot and street lines with dimensions in feet; distances from property lines; improvements; north direction arrow, and significant features (slope, vegetation, adjacent development, drainage, etc.).
- A copy of the current planned development overlay ordinance.
- A legal description of the subject site, preferably taken from the deed.
- Payment of the applicable review fee, which can be found on the Planning Department web page.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

Raymond Kullback
Applicant's Signature

6-5-2017
Date

Raymond Kullback
Property Owner's Signature

6-5-2017
Date

Supporting Narrative for Planned Development Amendment Application

Supplant Existing Planned Development Ordinance (No. 4097) In Its Entirety With New Planned Development

1730 SW Second Street
Assessor's Map No. R4420CB – 00100
July 17, 2017

1. Show in detail how your request seeks to amend the existing planned development overlay. State the reason(s) for the request and the intended use(s) of the property.

The applicant wishes to construct 20, two-family residential housing units (duplexes) and one, single-family, three-bedroom "manager's unit" within approximately 1.1 acres (48,400 square feet) of land located south of West Second Street, north of Apperson Street, and some 100 feet east of Cypress Street. This project site, which measures a relatively narrow 80 feet in width by 605.1 feet in length, is comprised of two parcels, the northern of which is zoned R-1 and measures 9,600 square feet in area (identified as Assessor Map No. R4420CB-00101). The northern R-4 PD zoned parcel is 38,800 square feet in area (R4420CB-00100) and is the subject of this proposed planned development amendment request.

For this project to move forward, two separate – but complementary – land use application approvals are required: 1) Rezoning of the northern parcel from its current R-1 (Single-Family Residential) zone to R-4 PD (Multi-Family Residential Planned Development) zone; and 2) amending (supplanting) provisions of an existing planned development ordinance that encumbers most of the larger, southern parcel (Ordinance No. 4097).¹ The materials contained in this supporting narrative are intended to address the relevant criteria for the planned development amendment request; a separate zone change request for the northern parcel has been prepared and filed with the City to run concurrently with this planned development request.

Detailed plans for the proposed development are offered as part of this submittal to demonstrate to the review bodies how this project would develop, should approval of these land use requests be granted (see attached site plan). This plan is also offered to satisfy one of the requirements for approval of a planned development overlay (see

¹ The applicant recognizes that, in addition to these two land use requests, a separate application for a boundary line adjustment will be necessary to ensure that the property line common to these two parcels does not conflict with the proposed building's location. This is an administrative review and not subject to Planning Commission action.

Section 17.51.010(A) of the McMinnville Zoning Ordinance), and would be binding upon the applicant and City, as may be approved through this land use process. In general, the units, each measuring approximately 42 feet by 28 feet and two-stories in height, would be arranged in three "clusters" and in a non-linear fashion, to the extent permitted in such a narrow width of land. Vehicular access to each of the units would be provided by a one-way private drive extending south from West Second Street to Apperson Street. This drive's entrance from West Second Street is positioned as far to the east as possible to provide maximum separation from the Cypress Street and West Second Street intersection. Each of the building units would be positioned some eight to ten feet from the subject site's east and west borders, providing ample room for landscaping and buffering from adjacent development. It is the applicant's belief that the type of units, and their relative size and massing, make for a reasonable transition between the single-family housing to the immediate west of the site, and multi-family housing complex to the east. Adequate off-street parking is provided in front of each group of units (parking for the manager's unit is provided by a garage), and pedestrian walkways traverse the length of the site, connecting to public streets at either end. Community trash enclosures are conveniently located for the residents and servicing by Recology. Small play areas would also be provided within the complex for its future residents, as the need is warranted. Open space/landscaping areas are most prominently located along public street rights-of-way and near each of the parking bays and end building units to provide visual softening of the site. Architecturally, the applicant is considering exterior designs that mimic his most recent multi-family complex constructed on property on West Second Street, immediately west of Newby Elementary School (two-story in height; approximately 1,100 square feet in size).

By way of background, McMinnville Planned Development ordinance no. 4097 was adopted by the City in September 1980 as part of the subject site's rezoning from AF-10 (Agricultural Forestry – 10-acre minimum) to R-4 PD (Multi-Family Residential Planned Development). This ordinance requires that development within the subject site satisfy the following four conditions: That the total number of housing units be limited to five; that sewer and water facilities be extended to the property prior to issuance of a building permit; that Apperson ("A") Street be improved to City standards; and that a ten-foot wide utility easement be granted along Apperson Street. In this instance, the applicant seeks approval to supplant this nearly 37-year old ordinance with a new planned development ordinance that is more reflective of current plan policies for the area, and to the development plan currently being proposed. Further, it is important to note that of the four conditions contained in Ordinance No. 4097, all but the first condition (dealing with a density limit) have either already been satisfied (condition nos. 3 and 4) or will be as a requirement of other existing City ordinances (condition no. 2).

As to the first condition contained in this ordinance, based upon the applicant's review of the land use history for this property, the density limit appears to have been applied to address the findings of a 1979 sanitary sewer system analysis conducted by the City. That analysis found that downstream capacity issues existed within the system that served McMinnville's growing west side, and that, to mitigate this issue, residential development should be limited to six dwelling units per acre. The applicant's property,

which was rezoned to R-4 in 1980, was therefore limited to five dwelling units based upon its .89-acre size. In 1985, the City memorialized its prior westside density limit practice with the adoption of Plan Policy 71.01. That policy remains in place today, but was modified in 2003, and again in 2013, to exclude from its application those lands that are within transit corridors. That action was taken for several reasons: to increase densities within the existing urban growth boundary, where appropriate, to minimize further urban expansion; to encourage land use patterns more supportive to transit operation; and in recognition of public investments in the sanitary sewer system directed at improving the conveyance system that serves McMinnville's west side. The site that is the subject of this requested planned development amendment is located within such a transit corridor. Based upon these factors, the applicant believes it timely and appropriate to revise this density limit for the subject site and memorialize that in a new planned development.

A new planned development overlay is also requested to provide for the proposed "clustering" (grouping) of housing units and their siting to the standards for multi-family housing (e.g., setbacks, off-street parking), as detailed in the submitted site plan. In so doing, this oddly shaped infill property can be most effectively and efficiently developed, as is further described in the following pages. The planned development overlay would also serve to tie this parcel to the parcel to the immediate south, which is also owned by this applicant and is integral to the overall development concept. Finally, the applicant respectfully requests that the new planned development ordinance include provisions for the adoption of the submitted site plan as binding upon the City and applicant, and allow within that condition provisions for minor amendments to the details of the plan to be made by the Planning Director. This is a condition commonly applied by the City to such requests.

2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Volume II).

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

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

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

Applicant Response: Goal V 1 and Policy 58.00 are met by this proposal in that approval of the planned development amendment request (and companion zone change) will allow for this land to be developed with a housing type that is relatively affordable to a broader segment of the McMinnville population than is single-family detached housing. Residential development at the density proposed by this project is commensurate with surrounding

development in that it would provide a transition between multiple family development to the immediate east, and single-family housing to the west.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND-INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

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.

71.09 Medium and High-Density Residential (R-3 and R-4) – The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes and triplexes, and townhouses. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments. The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

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

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

- 1. Areas which are not committed to low or medium density development;*
- 2. Areas which can be buffered by topography, landscaping, collector or arterial streets, or intervening land uses from low density residential areas in order to maximize the privacy of established low density residential areas;*
- 3. Areas which have direct access from a major collector or arterial street;*
- 4. Areas which are not subject to development limitations;*

5. *Areas where the existing facilities have the capacity for additional development;*
6. *Areas within a one-half mile wide corridor centered on existing or planned public transit routes;*
7. *Areas within one-quarter mile from neighborhood and general commercial shopping centers; and*
8. *Areas adjacent to either private or public permanent open space.*

Applicant Response: Goal V 2 and Policies 68.00, 71.09, and 71.13 are met by this proposal in that the site has been previously rezoned to R-4 (in 1980), but capped at five units per acre due to sanitary sewer service deficiencies. These have largely been resolved in recent years, allowing for this site to realize a density more commensurate with its current zoning. The increase of allowed units within this site encourages more efficient residential development in an area where urban services are already available before committing alternate areas to residential development. The surrounding residential neighborhoods currently exhibit a range of residential densities and housing types including single-family detached, duplex, and multiple-family dwellings. An analysis of vehicular impacts that may result from this proposed development has been provided as part of the applicant's submittal. That analysis concludes that the surrounding street system has the capacity to accommodate the anticipated traffic. Additionally, there are no known topographic or drainage characteristics of this site that would complicate or impinge on future residential development of the property.

As noted through the applicant's discussion with other agencies and utility providers, there are no concerns regarding service provision to this site, and that anticipated impacts would be mitigated by required improvements commensurate with future development and as required by City ordinances. Public transit is available to the site and is currently provided by the Yamhill County Transit Route 3 that runs along West Second Street. Buffering of any development that may occur on the site from the adjacent single-family neighborhood to the west would be provided by sight obscuring fencing and/or landscaping as may be required by the McMinnville Landscape Review Committee as part of their review of the landscape plan for this site. Additionally, this site is located within short walking distance of the Westvale Linear Park, and future Quarry Park. It is also approximately one-quarter mile from Newby Elementary School and Duniway Middle School.

Westside Density Policy:

71.01 The City shall plan for development of the property located on the west side of the city that is outside of planned or existing transit corridors (1/4 mile either side of the route) 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 higher density housing on the west side, sewer density allowances or trade-offs shall be allowed and encouraged. (Ord. 4961, January 8, 2013; Ord.4796, October 14, 2003)

1. *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.*
2. *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, providing 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.*
3. *The City will monitor development on the west side of McMinnville to determine which property is available for development at increased densities.*
4. *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.*
5. *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 for in Section 17.74.020 (Comprehensive Plan Map Amendment and Zone Change – Review Criteria) of the zoning ordinance (Ord. 4796, October 14, 2003; Ord. 4218, November 23, 1985).*

Applicant Response:

Plan Policy 71.01 is satisfied by this proposal for the following reasons:

- Considerable public investment has been directed toward addressing the City's sanitary sewer conveyance and treatment systems. Those improvements have, to a large degree, addressed the capacity issues that drove the need for the westside density policy, which was adopted in 1985. The applicant believes that, with these improvements, there exists adequate capacity within the current sanitary sewer conveyance system to accommodate this 15-dwelling unit increase, as proposed. The applicant would also submit that such capacity exists because, overall, residential development within west McMinnville has occurred at densities less than six dwelling units per acre (as documented in the *McMinnville Residential Land Needs Analysis, 2001*, and *McMinnville Urban Growth Management Plan, 2003*).
- In addition, the policy grants authority to the Planning Director and City Engineer to allow development to exceed the six-dwelling unit per acre cap, should certain performance standards be met. In this case, the applicant argues that the factors necessary to grant such an exception exist for this property (as described in this section and elsewhere in this narrative) and could therefore be approved by City staff, but for the presence of the planned development limit placed on this property in 1980.
- The City acted in 2003 to amend the westside density policy to exclude lands that are within ¼ mile of a transit corridor (such as the subject property) from the six dwelling

units per acre cap. That policy was later revised in 2013 to remove reference to Neighborhood Activity Centers, but it still retains to this day the exemption of lands within transit corridors from this density limit. The action taken to amend this policy in 2003 was driven by requirements of the State's urban growth boundary amendment process to increase housing density and opportunities within the existing urban growth boundary, where possible, and transportation system planning efforts, which sought to increase housing density opportunities along existing and proposed transit corridors. Amendment of this planned development ordinance density limit supports and advances both of those objectives.

Planned Development Policies:

72.00 Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.

Applicant Response:

Plan Policy 72.00 is satisfied as social, economic, and environmental savings will accrue because of this project's approval and construction. Specifically, the project will increase the availability of needed housing (the City has demonstrated that two-family housing is in short supply), provide short term employment for workers involved in the construction of this project, and the allowed increase in density will make efficient use of the City's land supply and therefore reduce the need to expand the City's urban growth boundary to meet identified residential land needs.

73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.

Applicant Response:

The two-family housing proposed by this project would offer a housing type that is in short supply within the city, therefore satisfying Plan Policy 73.00.

74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.

Applicant Response:

There are no distinctive natural, topographic, or aesthetic features within the subject site.

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 homeowner's association, assessment district, or escrow fund will be required to maintain the common area.

Applicant Response:

This policy is not applicable as there are no common open spaces proposed as part of this development.

76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.

Applicant Response:

Plan Policy 76.00 is satisfied by this proposal in that private play areas will be provided by the applicant for the future residents of this development, as need is warranted.

77.00 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.

78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.

Applicant Response:

The above two policies are addressed in the traffic analysis conducted by David Evans and Associates and provided to the City as part of this application. In addition, as part of this development, the applicant will dedicate additional right-of-way for the future full improvement of West Second Street, consistent with the City's TSP. Plan Policies 77.00 and 78.00 are therefore satisfied by this proposal.

Residential Design Policies:

79.00 The density allowed for residential developments shall be contingent on the zoning classification, the topographical features of the property, and the capacities and availability of public services including but not limited to sewer and water. Where densities are determined to be less than that allowed under the zoning classification, the allowed density shall be set through adopted clear and objective code standards enumerating the reason for the limitations, or shall be applied to the specific area through a planned development overlay. Densities greater than those allowed by the zoning classification may be allowed through the planned development process or where specifically provided in the zoning ordinance or by plan policy.

Applicant Response: Plan Policy 79.00 is met by this proposal in that amendment of the current planned development to allow an increase in residential density is consistent with the property's current R-4 (Multi-Family Residential) zoning. This zone, if not so limited by the current planned development, would allow up to 27 dwelling units (40,500 sq. ft. / 1,500 sq. ft. per two-bed unit = 27 dwelling units). The applicant is requesting fewer units

than permitted by the underlying zone. There are no topographical or public service capacity issues that would limit this density as requested. The increase in density is being requested consistent with the provisions of the planned development process and by Plan Policy 71.01.

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

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 arterials or collectors or streets determined by the City to have sufficient traffic carrying capacities to accommodate the proposed development. (Ord. 4573, November 8, 1994)

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

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

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

Applicant Response: Policies 90.00, 92.00, 92.01 and 92.02 are satisfied by this proposal in that this site would be served by West Second Street and Apperson Street, identified in the McMinnville Transportation System Plan (TSP) as minor arterial street, and local residential street, respectively. As part of this development, the applicant will dedicate an 18-foot wide strip of land adjacent to the West Second Street right-of-way to provide for its future improvement, consistent with the TSP's requirements for such streets. Professional and commercial uses are located within one-quarter mile of the site (Hillsdale commercial center to the west, and a vacant commercial zoned property some 150 feet to the east). Newby Elementary School, Columbus Elementary School, and Duniway Middle School are all located within one-half mile of this site. Also, as noted in the previous finding above, public transit is available to the site and is currently provided by the Yamhill County Transit Route 3 that runs along West Second Street, approximately 150 feet to the north. Additionally, this site is located within walking distance of the Westvale Linear Park and future Quarry Park site.

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

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

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

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

117.00 *The City of McMinnville shall endeavor to ensure that the roadway network provides safe and easy access to every parcel.*

118.00 *The City of McMinnville shall encourage development of roads that include the following design factors:*

1. *Minimal adverse effects on, and advantageous utilization of, natural features of the land.*
2. *Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.*
3. *Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.*
4. *Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)*
5. *Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist*

119.00 *The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.*

120.00 *The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.*

Applicant Response: Goal VI 1 and Policies 117.00, 118.00, 119.00 and 120.00 are satisfied by this proposal in that the subject site (when combined with the parcel to the north) is currently adjacent to public streets along two sides: West Second Street to the north; and Apperson Street to the south. These streets are already improved to public street standards and no further improvements are anticipated at this time. Additional land adjacent to the West Second Street right-of-way will be dedicated by the applicant as part of this approval, allowing for the street's future improvement to the width required by the McMinnville TSP. Given the narrow width of the subject site, no public street within the site is planned (or is feasible).

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

127.00 *The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and right-of-ways as transportation routes.*

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

132.15 *The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.*

Applicant Response: Policy 132.15 is satisfied by this proposal in that, when a specific development is proposed for this site, public sidewalks commensurate with that proposal will be required as part of the street improvements and will add to the pedestrian connections within and beyond site.

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.

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.*

139.00 *The City of McMinnville shall extend or allow extension of sanitary sewage collection lines with the framework outlined below:*

1. *Sufficient municipal treatment capacities exist to handle maximum flows of effluents.*
2. *Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*
3. *Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized*
4. *Extensions will implement applicable goals and policies of the comprehensive plan.*

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.*

143.00 *The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.*

144.00 *The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.*

145.00 *The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:*

1. *Facilities are placed in locations and in such manner as to insure compatibility with surrounding land uses.*
2. *Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
3. *For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized;*
4. *Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

147.00 *The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.*

151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 1. Sufficient municipal water system supply, storage, and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
- 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 4. Federal, state, and local water and waste water quality standards can be adhered to.*
- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Applicant Response: Goal VII 1 and Policies 136.00, 139.00, 142.00, 143.00.20, 144.00, 145.00, 147.00 and 151.00 are satisfied by the request as, based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

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

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.

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

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

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

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

Applicant Response: Policies 173.00 and 177.00 are satisfied in that no concerns regarding this proposal have been voiced to the applicant in his discussions with McMinnville Water and Light and Northwest Natural Gas.

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

Applicant Response: Policy 178.00 is satisfied in that the applicant is proposing to amend the current planned development that encumbers this R-4 zoned property to permit an increase of up to 15 additional housing units (within the total project site), thereby achieving a more compact form of urban development and energy conservation than would have otherwise been achieved.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

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

Applicant Response: Goal X I 3 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the holding of public hearing(s). All members of the public have access to provide testimony and ask questions during the public review and hearing process.

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

The subject property is bordered to the east by the Villa West apartment complex, and a single-family home; to the south by Apperson Street, across from which are two-family and single-family homes; to the north by a vacant lot that borders West Second Street

(owned by the applicant and part of his proposed development); and to the west by six single-family homes within the Jandina subdivision, all of which back onto the subject property and are visually obscured by six-foot-tall fencing.

This proposed development provides a reasonable transition between single-family residential housing to the west and mostly higher density housing to the east. In addition, the site's proximity to other multi-family homes (immediately adjacent to the east, northwest on West Second Street), Newby Elementary School (1/4 mile to the east), public parks (Westvale Linear Park is two blocks south; the future Quarry Park is a short distance to the northwest), commercial services (Hillsdale commercial center is less than ¼ mile to the west; a vacant commercial site is a few hundred feet to the east at Agee and West Second Street); and its location on a transit route makes development of this property at a higher density than currently permitted orderly and timely.

4. Describe any changes in the neighborhood or surrounding area which might support or warrant the request.

Since 1980, when multi-family zoning of the property was found appropriate, and a sanitary sewer capacity related density limit was placed on this property, there have been several changes that support this request. For example:

- A relatively large apartment complex has been constructed (Villa West apartments) along the subject site's eastern perimeter.
- Commercial zoned land has been added to the block within which the subject site is located (southwest corner of Agee and West Second Street).
- Transit service fronts the applicant's property to the north, on West Second Street. Such service benefits by higher density residential development within the corridors it serves.
- Considerable public investment has been directed toward addressing the City's sanitary sewer conveyance and treatment systems. Those improvements have, to a large degree, addressed the capacity issues that drove the need for the westside density policy. The applicant believes that, with these improvements, there exists adequate capacity within the current sanitary sewer conveyance system to accommodate this 15-dwelling unit increase, as proposed. The applicant would also submit that such capacity exists because, overall, residential development within west McMinnville has occurred at densities less than six dwelling units per acre (as documented in the *McMinnville Residential Land Needs Analysis, 2001*, and *McMinnville Urban Growth Management Plan, 2003*).
- In 1985, the City adopted a "westside density" policy (Plan Policy 71.01) that limits residential density to six dwelling units per acre. That policy, however, grants authority to the Planning Director and City Engineer to allow development to exceed that cap, should certain performance standards be met. In this case, the applicant argues that the factors necessary to grant such an exception exist for this property (as described in this section and elsewhere in this narrative) and could therefore be

approved by City staff, but for the presence of the planned development limit placed on this property in 1980.

Although not a physical change in the neighborhood or surrounding area, it is important to note that the City acted in 2003 to amend the westside density policy (Plan Policy 71.01) to exclude lands that are within ¼ mile of a transit corridor (such as the subject property) from the six dwelling units per acre cap. That policy was later revised in 2013 to remove reference to Neighborhood Activity Centers, but it still retains to this day the exemption of lands within transit corridors from this density limit. The action taken to amend this policy in 2003 was driven by requirements of the State's urban growth boundary amendment process to increase housing density and opportunities within the existing urban growth boundary, where possible, and transportation system planning efforts, which sought to increase housing density opportunities along existing and proposed transit corridors. Amendment of this planned development ordinance density limit supports and advances both of those objectives.

Related to this, the City has previously determined that multi-family zoning for this property is appropriate, as evidenced by the approval of Docket ZC 12-80 and McMinnville Planned Development Ordinance No. 4097. Amendment of the existing density limit would allow this property to realize a housing type and density commensurate and typical of that designation.

5. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use.

The applicant has discussed his concept plans with representatives of McMinnville Water and Light, Northwest Natural Gas, and City of McMinnville. Based upon those conversations, the applicant believes that sufficient capacity exists to serve the proposed development. Specific to the subject site, sanitary sewer service extends to the site's southern edge (8-inch line in Apperson Street), natural gas service is available from both West Second Street and Apperson Street, water service consists of a 12-inch ductile iron line on the south side of West Second Street and a six-inch ductile iron line within the Apperson Street right-of-way, and electricity services exists at the site's southwest corner (underground) and from West Second Street (overhead). In addition, storm sewer service is available in West Second Street. The onsite storm sewer system will be designed to comply with the City's adopted *Storm Sewer Master Plan*.

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

The applicant has engaged the services of David Evans and Associates to conduct a traffic analysis to determine the proposed multi-family project's impact on the surrounding street network. That analysis, a copy of which is attached to this submittal,

finds that the 15 additional permitted dwelling units would not affect the street network and its safe operation.²

² The total project site's zoning currently permits six dwelling units (five within the larger southern parcel, and one on the R-1 zoned northern parcel).

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

NW 1/4 SW 1/4 SEC 20 T4S R4W W.M.
YAMHILL COUNTY
1" = 100'

4 4 20CB
MCMINNVILLE

SEE MAP 4 4 19

SEE MAP 4 4 209C

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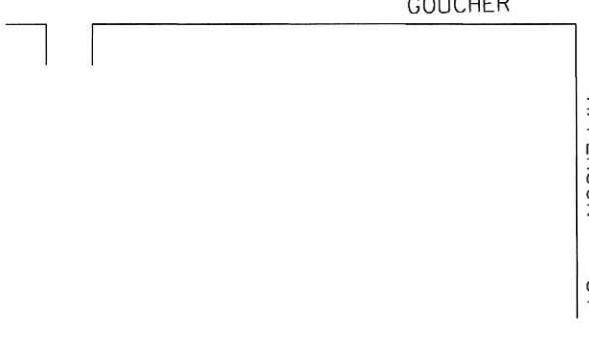
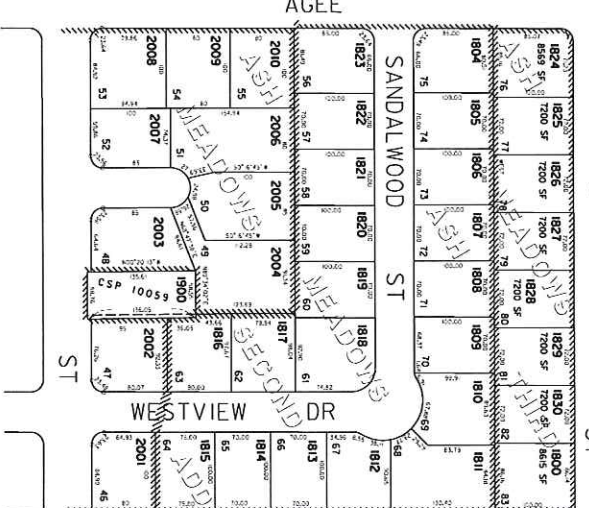
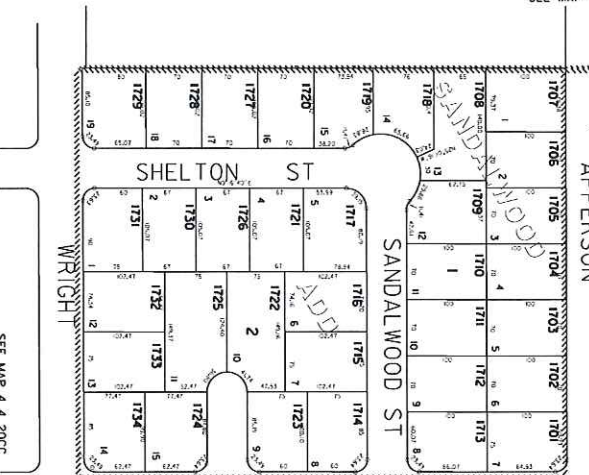
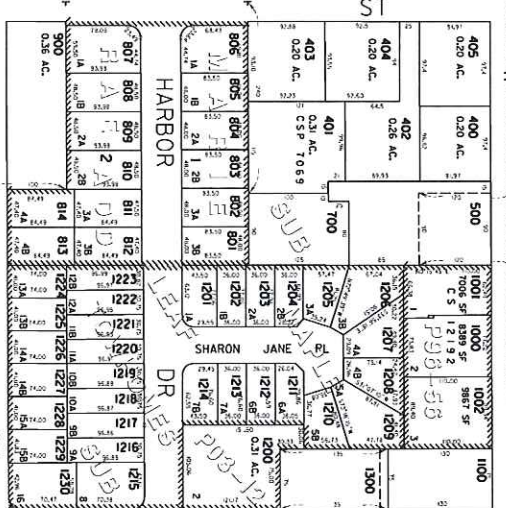
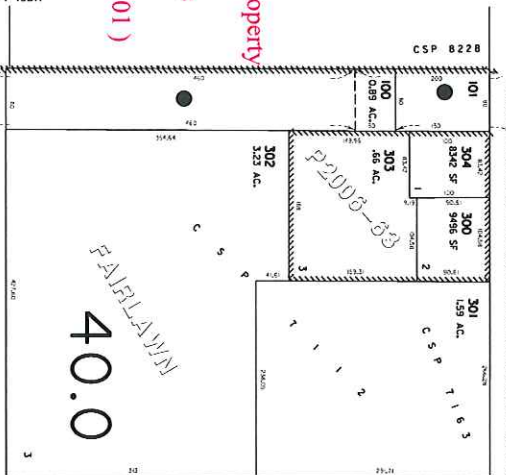
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1730 Sw Second St.

4 4 20CB

LEGAL DESCRIPTION

Tax Lot R4420CB-00101:

BEGINNING at the Northwest corner of Lot 3 of FAIRLAWN SUBDIVISION in the County of Yamhill, State of Oregon; thence East 80 feet along the North boundary line of said Lot 3; thence South 150 feet; thence West and parallel to the North boundary line 80 feet; thence North 150 feet along the West boundary line of said Lot 3 to the place of beginning.

Tax Lot R4420CB-00100:

A portion of Lot 3 of FAIRLAWN SUBDIVISION in the County of Yamhill, State of Oregon, said portion being more particularly described as follows:

BEGINNING at a point on the West line of said Lot 3 at a point 150 feet South of the Northwest corner of said lot; thence running South along the West line of said lot a distance of 510 feet, more or less, to the Southwest corner thereof; thence running East along the South line of said Lot 3 a distance of 80 feet; thence running North parallel with the West boundary of Lot 3 a distance of 510 feet, more or less, to the Southeast corner of that tract conveyed to Lester J. Pagh, et ux. by deed recorded April 10, 1972 in Deed and Mortgage Records, Film Volume 88, at 2057; thence running West along the south Pagh tract a distance of 80 feet to the place of beginning.

MEMORANDUM

DATE: June 5, 2017
TO: RB&R Contractors Inc.
FROM: Angela Rogge, PE, David Evans and Associates, Inc.
Jacob Nigro, David Evans and Associates, Inc.
SUBJECT: SW Second Street Development (McMinnville) – Traffic Analysis Findings

This memorandum summarizes traffic analysis and potential impacts of a proposed 21-unit multi-family residential development proposed by RB&R Contractors Inc. This memorandum provides preliminary findings of existing (2017) conditions and opening year (2019).

Study Area

The two parcels considered as part of this analysis are located at approximately 1730 SW Second Street in McMinnville, Oregon. The larger of the parcels (approximately 0.9 acres) is zoned as multi-family residential (R-4) and the traffic analysis reviews a zone change of the smaller parcel (approximately 0.2 acres) from R-1 to R-4.

Site generated trips were analyzed at the study area intersections shown below in Figure 1. A one-way entrance to the site is proposed on SW 2nd Street with a one-way exit on to SW Apperson Street.

FIGURE 1. STUDY AREA



Existing (2017) Conditions

Traffic Volumes

PM peak (4:00 PM to 6:00 PM) traffic counts were collected on Tuesday, May 16, 2017 for the following intersections:

- SW 2nd Street at SW Cypress Street
- SW 2nd Street at SW Agee Street
- SW Agee Street at SW Apperson Street

The PM Peak Hour occurred on SW 2nd Street from 5:00 PM to 6:00 PM. This common peak hour was used for all study area intersections. Traffic volumes for three additional intersections were deduced from adjacent intersections:

- SW 2nd St at Proposed Ingress
- SW Apperson St at S Cypress St
- SW Apperson St at Proposed Egress

Current Operations

Existing traffic operations were analyzed using the Highway Capacity Manual (HCM) 2010 standards for the four existing unsignalized intersections; the proposed ingress and egress are not present during existing conditions. See Table 1 for a summary of current operations. All intersections meet the City's mobility target of a v/c of 0.90.

TABLE 1. SUMMARY OF EXISTING (2017) OPERATIONS

Intersection		Operations	
1	SW 2nd St at SW Cypress St Unsignalized	V/C	0.27
		LOS	C
2	SW 2nd St at Proposed Ingress ¹ Unsignalized	V/C	N/A
		LOS	N/A
3	SW 2nd St at SW Agee St Unsignalized	V/C	0.11
		LOS	B
4	SW Apperson St at S Cypress St ² Unsignalized	V/C	0.01
		LOS	A
5	SW Apperson St at Proposed Egress ¹ Unsignalized	V/C	N/A
		LOS	N/A
6	SW Apperson St at SW Agee St Unsignalized	V/C	0.01
		LOS	A

Notes

¹ Proposed site ingress and egress are not present under existing conditions

² Intersection 4 traffic analysis based on volume estimates from adjacent intersections

Opening Year Conditions

Assumptions and Methodology

Intersection operations were analyzed using Synchro, a microscopic traffic analysis program. The trip generation for the opening year analysis (2019) follows the 9th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The generated trips were distributed based on local understanding of travel patterns and background trips were increased annually based on observed trends. The analysis assumes the opening of 21 new townhouse units is expected to be completed by 2019.

The City's TSP states that the operational standard of McMinnville streets is a maximum v/c ratio of 0.90.

Trip Generation and Assignment

The study area includes two parcels. The northern parcel is currently zoned R-1 (Single-Family Residential), which would allow a single dwelling unit. The southern parcel, although zoned R-4 (Multi-Family Residential), is currently limited to a maximum of five dwelling units. The zone change would increase the number of dwelling units allowed to be built from six to 21.

The opening year analysis assumes that all 21 residential units are to be built; this was done to ensure that the maximum amount of potential trips are analyzed in this report. The analysis assumes the trip generation rates associated with Luxury Condominium/Townhouse (Code 233) for the weekday PM peak hour; this was a more conservative estimate than other townhouse rates. See Table 2 for a summary of generated trips.

TABLE 2. TRIP GENERATION AND OPENING YEAR (2019) GENERATED TRIPS

Description	Land Use Code	Size	ITE Average Trip Rate	Trips	Entering Percent	Entering Trips	Exiting Percent	Exiting Trips
Luxury Condominium/Townhouse	233	21 units	0.65 / unit	14	60%	8	40%	6

The proposed development is expected to generate 14 trips during the peak hour. Of the total new trips, eight would enter from SW 2nd Street and six would exit on to SW Apperson Street. Trip assignment assumed 75% of the trips enter the study area from the east on SW 2nd Street while the other 25% is split coming from the west and south along SW 2nd Street and SW Cypress Street, respectively. The exiting trips follow the same distribution but in the opposite directions.

Opening Year (2019) Operations

The opening of 21 residential units is expected to be completed by 2019. At that time, there would be the 14 new trips calculated from the development, as well as the 1.13% per year increase in background volumes.¹

Opening year (2019) traffic operations were analyzed using the Highway Capacity Manual (HCM) 2010 standards for the six unsignalized intersections. See Table 3 for a summary of current operations. All intersections currently meet the City's mobility target of a v/c of 0.90.

¹ Calculated from ODOT's Regional Travel Demand Model (RTDM) as part of a March 2017 TIA for the City of McMinnville, prepared by David Evans and Associates, Inc.

TABLE 3. SUMMARY OF OPENING YEAR (2019) OPERATIONS

Intersection		Operations	
1	SW 2nd St at SW Cypress St Unsignalized	V/C	0.29
		LOS	C
2	SW 2nd St at Proposed Ingress Unsignalized	V/C	0.20
		LOS	N/A ¹
3	SW 2nd St at SW Agee St Unsignalized	V/C	0.12
		LOS	B
4	SW Apperson St at S Cypress St ² Unsignalized	V/C	0.01
		LOS	A
5	SW Apperson St at Proposed Egress Unsignalized	V/C	0.01
		LOS	A
6	SW Apperson St at SW Agee St Unsignalized	V/C	0.02
		LOS	B

Notes

¹ HCM methodology does not calculate LOS for free-flowing movements

² Intersection 4 traffic analysis based on volume estimates from adjacent intersections

Conclusions

The preliminary traffic analysis determined the additional trips generated by the 21-unit development during the PM peak hour are not expected to exceed the City of McMinnville operational standard of a v/c of 0.90. The proposed development is expected to generate 14 total trips in the PM peak hour. The majority of these trips would travel to the development via SW 2nd Street and exit the development onto SW Apperson Street.

It is important to note that the analysis included a conservative assessment for trip generation. As currently zoned, the development site has the potential to serve six dwelling units (equivalent to four total PM peak hour trips). The zone change requests an increase in dwelling units by 15, to build 21 dwelling units. This is approximately a 10-trip net difference from what would be allowed under current zoning.

The operational results suggest the existing transportation network is sufficient to support the proposed development.

file ZC 12-80

ORDINANCE NO. 4097

An Ordinance rezoning certain property from existing County zone of AF-10 (Agricultural Forestry - 10-acre minimum) to a City zone of R-4 PD (Multiple-family Residential) planned development on a parcel of land approximately 36,400 square feet in size located south of West Second Street on "A" Street near its intersection with Cypress Street.

RECITALS:

The Planning Commission received an application for a zone change (ZC 12-80) dated July 7, 1980, on the property described hereinbelow; and

A public hearing was held on August 14, 1980, at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on August 4, 1980, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing the testimony of the applicant and surrounding property owners was received and a staff report was presented; and

The Planning Commission being fully informed about said zone change, and based on the observations and the findings of fact has approved said zone change and has recommended said change to the Council; now, therefore,

THE CITY OF McMinnville ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Michael A. Payne.

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from existing County zone of AF-10 (Agricultural Forestry - 10-acre minimum) to a City zone of R-4 PD (Multiple-family Residential) planned development, subject to the following conditions:

- (a) That the density allowed for development of this property be limited to five units.
- (b) That sewer and water facilities be extended to the property prior to the issuance of building permits.
- (c) That "A" Street be improved to City standards prior to issuance of building permits.
- (d) That a ten-foot easement for utilities be granted to the City along the subject site's "A" Street frontage.

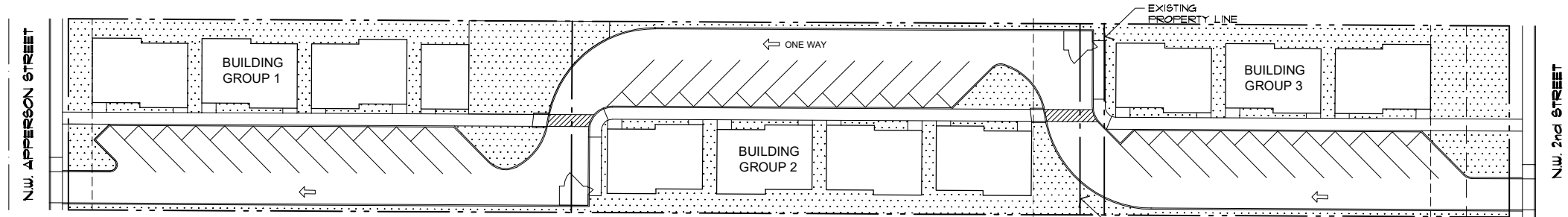
Passed by the Council this 2 day of September, 1980, by the following votes:

Ayes: Gale, Allen, Springer, Wilson and Hamby
Nays: _____

EXHIBIT A

Being a part of Lot 3 Fairlawn Subdivision, S.F. Stagg D.L.C., No. 55, Section 19, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon and being more particularly described as follows:

Beginning at a point on the West line of said D.L.C., 180 feet southerly of the Northwest corner of said D.L.C.; thence southerly along the West line of S.F. Stagg D.L.C., 455 feet, more or less, to the North line of 'A' Street, a dedicated 50 foot street in Fairlawn Subdivision; thence easterly, along the North line of 'A' Street 80 feet; thence northerly parallel with and 80 feet from the Stagg West line 435 feet, to a point 180 feet from the North line of Stagg D.L.C.; thence westerly 80 feet to the place of beginning and containing 36,400 square feet.

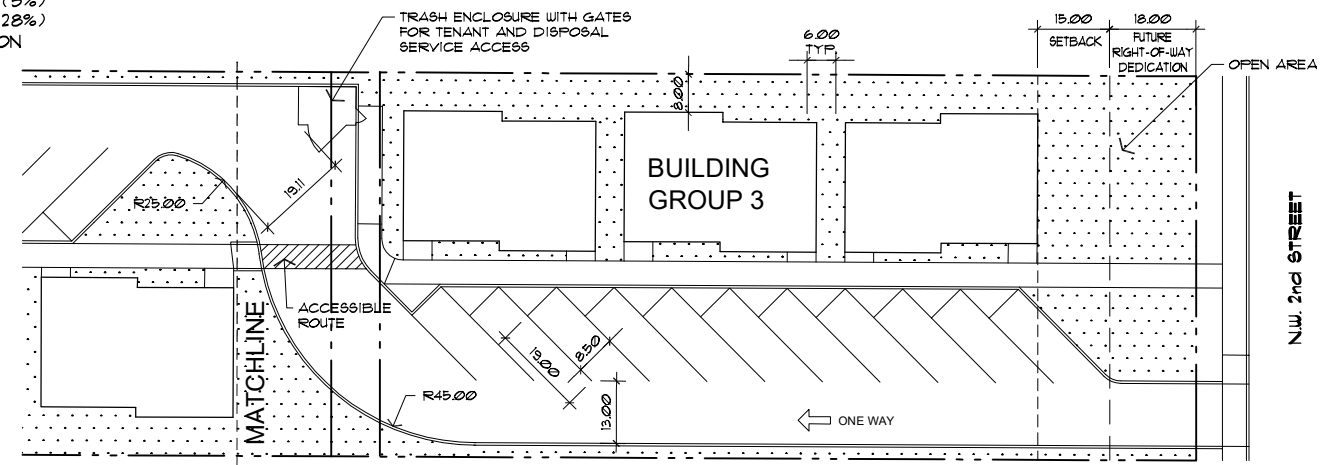


OVERALL SITE PLAN
 1"=30'-0"

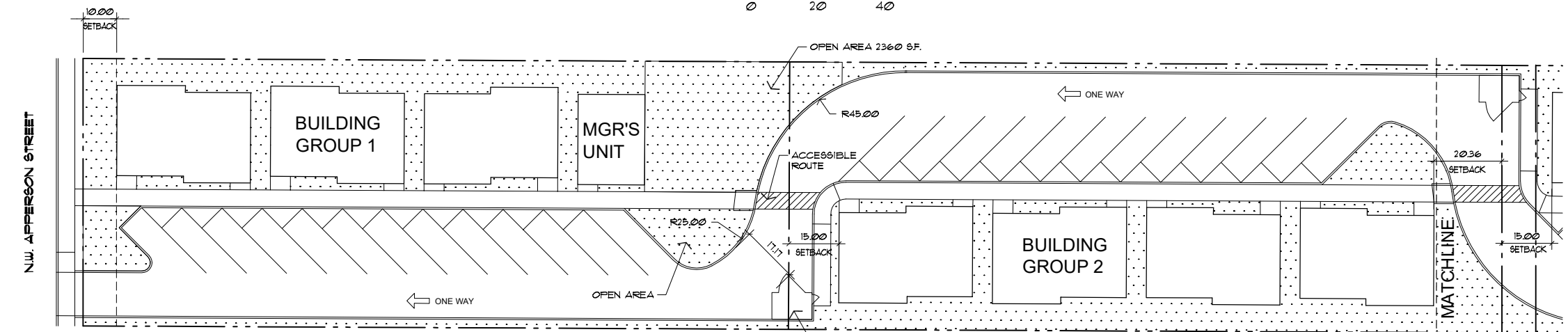
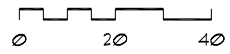
PARKING PROVIDED: 36 STANDARD SPACES

LOT INFORMATION
 TAX LOT: 100 # 10,
 SECTION 20, T. 4 S., R. 4 W.,
 WILLAMETTE MERIDIAN,
 CITY OF McMinnville,
 YAMHILL COUNTY, OREGON

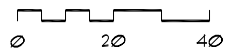
SITE SUMMARY
 SITE AREA: 46,940 SF.
 OPEN AREA: 2,360 SF. (5%)
 LANDSCAPED AREA: 13,121 SF. (28%)
 (NOT INCLUDING FUTURE DEDICATION
 # 21 - 6'x10' PATIOS)



PARTIAL SITE PLAN - NORTH END
 1"=20'-0"



PARTIAL SITE PLAN - SOUTH END
 1"=20'-0"



50% SCALE IF 11 x 17
 CONCEPTUAL SITE PLAN

NOT FOR CONSTRUCTION

BRUCE W. KENNY, ARCHITECT, S.F.
 9316 NORTH MOHAWK AVENUE
 PORTLAND, OREGON 97203
 architect@yahoo.com
 CELL: 503-455-9133

APARTMENTS FOR RB&R CONTRACTORS, INC.
 1730 NW 2nd STREET, McMinnville, OR 97128

CONCEPTUAL SITE PLAN

9 AUGUST 2011

AI PROJECT NO. 1115

PUBLIC HEARING NOTICE



NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 17th day of August, 2017, at the hour of 6:30 p.m. at the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

ZONE CHANGE FROM R-1 (Single-Family Residential) to R-4 PD (Multiple-Family Residential Planned Development)
and
PLANNED DEVELOPMENT AMENDMENT, at 1730 SW 2nd Street

DOCKET NUMBER: ZC 9-17/ZC 10-17

Ray Kulback is requesting approval of a zone change from R-1 (Single-Family Residential) to R-4 PD (Multiple-Family Residential Planned Development) on an approximately 0.22 acre parcel of land. Concurrently, the applicant is requesting a Planned Development amendment to amend an existing R-4 PD (Multiple-Family Residential Planned Development) zone on an approximately 0.89 acre parcel of land. The two parcels are located immediately adjacent to each other, with the smaller parcel adjacent to 2nd Street and the larger parcel to the south extending down to SW Apperson Street. The rezoning and planned development amendment would result in the ability to develop 21 (twenty-one) multiple-family residential dwelling units on the two parcels. The subject sites are located at 1730 SW 2nd Street, and more specifically described as Tax Lots 101 and 100, Section 20CB, T. 4 S., R. 4 W., W.M., respectively.

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

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

1. The goals and policies of the McMinnville Comprehensive Plan.
2. The requirements of McMinnville Ordinance No. 3380 (the Zoning Ordinance) with particular emphasis on Section 17.03.020 (Purpose), Chapter 17.21 (R-4 Multiple-Family Residential Zone), Chapter 17.51 (Planned Development Overlay), Chapter 17.72 (Applications and Review Process), and Chapter 17.74 (Review Criteria).

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

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

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

17.74.070: Planned Development Amendment - Review Criteria. [...]

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;
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
- D. The plan can be completed within a reasonable period of time;
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- 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.

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

Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity precludes appeal to the Land Use Board of Appeals (LUBA) on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

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

For additional information contact Chuck Darnell, Associate Planner, at the above address, or phone (503) 434-7311.

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

Heather Richards
Planning Director

(Map of area on back)

Map No.	Tax Lot	Site Address	Owner	Attn:	Mailing Address	City State	Zip
1	R4420CB00304	1720 SW 2ND ST	HENRICKSON LUELLA	HENRICKSON RICHARD B	1710 SW 2ND ST	MCMINNVILLE OR	97128
2	R4420CB01702	1610 SW APPERSON ST	BASSETT ALLEN	BASSETT JENNIFER L	1610 SW APPERSON ST	MCMINNVILLE OR	97128
3	R4420CB01703	1620 SW APPERSON ST	JENKS ROBERT	JENKS REGINA R	1620 SW APPERSON ST	MCMINNVILLE OR	97128
4	R4420CB01704	1632 SW APPERSON ST	NALL MICHAEL	NALL CAROL A	1632 SW APPERSON ST	MCMINNVILLE OR	97128
5	R4420CB01705	1646 SW APPERSON ST	WILLIAMS GLADYS	WILLIAMS GLADYS	1646 SW APPERSON ST	MCMINNVILLE OR	97128
6	R4420CB01706	1660 SW APPERSON ST	LONG HOWARD	LONG VIOLET	1660 SW APPERSON ST	MCMINNVILLE OR	97128
7	R4420CB01707	1672 SW APPERSON ST	PRIDEMORE SHIRLEY	PRIDEMORE SHIRLEY	1672 SW APPERSON ST	MCMINNVILLE OR	97128
8	R4420CB01708	1669 SW SANDALWOOD ST	KNOWLTON ELI	KNOWLTON FALLON L	1669 SW SANDALWOOD ST	MCMINNVILLE OR	97128
9	R4420CB01709	1653 SW SANDALWOOD ST	PHILLIPS ANDREA	PHILLIPS ANDREA L	1653 SW SANDALWOOD ST	MCMINNVILLE OR	97128
10	R4420CB01710	1635 SW SANDALWOOD ST	BLUM STEVEN	BLUM SONDRAN	1635 SW SANDALWOOD ST	MCMINNVILLE OR	97128
11	R4420CB01711	1621 SW SANDALWOOD ST	FEDERAL NATIONAL MORTGAGE ASSOC	REVERSE MORTGAGE SOLUTIONS INC	14405 WALTERS RD STE 200	HOUSTON TX	77014
12	R4420CB01718	405 SW SHELTON ST	LUNDEEN JERRY	LUNDEEN JOYCE E	405 SW SHELTON ST	MCMINNVILLE OR	97128
13	R4420CB01719	421 SW SHELTON ST	WEBB CARL	WEBB EDNA L	185 S QUINCE ST	CARLTON OR	97148
14	R4419AD00108	1680 NW JENNIFER CT	DONAHOO RICHARD	DONAHOO LINDA S	1680 NW JENNIFER CT	MCMINNVILLE OR	97128
15	R4419AD00109	1662 NW JENNIFER CT	DONAHOO RICHARD	DONAHOO LINDA S	1680 NW JENNIFER CT	MCMINNVILLE OR	97128
16	R4419AD00110	245 NW DONAHOO ST	WICKS JENNIFER	WICKS BRIAN	245 NW DONAHOO ST	MCMINNVILLE OR	97128
17	R4419AD00111	235 NW DONAHOO ST	ELLIS CARRIE	ELLIS CARRIE	235 NW DONAHOO ST	MCMINNVILLE OR	97128
18	R4419AD00112	1685 NW JENNIFER CT	DONAHOO RICHARD	DONAHOO LINDA S	1680 NW JENNIFER CT	MCMINNVILLE OR	97128
19	R4419AD00400	1724 NW 3RD CT	BORDEAUX WILLIAM	BORDEAUX WILLIAM R	1724 NW 3RD CT	MCMINNVILLE OR	97128
20	R4419AD00500	1746 NW 3RD ST	DAVID VIRGINIA	DAVID VIRGINIA	1746 NW 3RD CT	MCMINNVILLE OR	97128
21	R4419AD00629	1761 NW 3RD CT	CARL TIMOTHY	CARL COLLEEN M	1761 NW 3RD CT	MCMINNVILLE OR	97128
22	R4419AD00630	1745 NW 3RD CT	SVEC ADOLPH	ORR AMY J	1745 NW 3RD ST	MCMINNVILLE OR	97128
23	R4419AD00631	1737 NW 3RD CT	HARGIS JASON	HARGIS JASON	1737 NW 3RD CT	MCMINNVILLE OR	97128
24	R4419AD00632	1731 NW 3RD CT	KLAHN MIRANDA	KLAHN JASON D	1731 NW 3RD CT	MCMINNVILLE OR	97128
25	R4419AD00633	268 NW CYPRESS ST	ALLEN JARED	BELLWOOD ASHLEY WROS	268 NW CYPRESS ST	MCMINNVILLE OR	97128
26	R4419AD00634	240 NW CYPRESS ST	NELSON THERESE	NELSON THERESE	240 NW CYPRESS ST	MCMINNVILLE OR	97128
27	R4419AD00635	325 NW CYPRESS ST	ODOM TYLER	ODOM TYLER W	6325 NE ABBEY RD	CARLTON OR	97111
28	R4419AD01000	1795 NW 2ND ST	PINEWOOD LLC	% COLEMAN ROSS B & MARVINA C	PO BOX 33	AMITY OR	97101
29	R4419AD01100	n/a	PINEWOOD LLC	% COLEMAN ROSS B & MARVINA C	PO BOX 33	AMITY OR	97101
30	R4419DA00100	106 SW CYPRESS ST	HARMON JERRY	HARMON NORA L 1/2	4117 227TH ST EAST	SPANAWAY WA	98387
31	R4419DA00101	102 SW CYPRESS ST	GONZALEZ AMELIA	GONZALEZ AMELIA	102 SW CYPRESS ST	MCMINNVILLE OR	97128
32	R4419DA00200	110 SW CYPRESS ST	ELIAS SANTIAGO	ELIAS ELIZABETH F	110 SW CYPRESS ST	MCMINNVILLE OR	97128
33	R4419DA00300	112 SW CYPRESS ST	MEDINA YOLANDA	ESPINOZA ANTONIO	112 SW CYPRESS ST	MCMINNVILLE OR	97128
34	R4419DA00400	132 SW CYPRESS ST	MAYNARD FRANK	MAYNARD B MABEL	132 SW CYPRESS ST	MCMINNVILLE OR	97128
35	R4419DA00500	152 SW CYPRESS ST	MCNEAL KENNETH	MCNEAL KENNETH	PO BOX 652	YAMHILL OR	97148

Date Sent 7/28/17

Sent By SA

Map No.	Tax Lot	Site Address	Owner	Attn:	Mailing Address	City State	Zip
36	R4419DA00600	212 SW CYPRESS ST	WHITE REBECCA	WHITE REBECCA S N	212 SW CYPRESS ST	MCMINNVILLE OR	97128
37	R4419DA00700	222 SW CYPRESS ST	ELTRICH KACEE	ELTRICH KACEE A	222 SW CYPRESS ST	MCMINNVILLE OR	97128
38	R4419DA00800	103 SW CYPRESS ST	LEE LINDA	LEE LINDA D	103 SW CYPRESS ST	MCMINNVILLE OR	97128
39	R4419DA00900	109 SW CYPRESS ST	PORTER LINDA	PORTER LINDA K	109 SW CYPRESS ST	MCMINNVILLE OR	97128
40	R4419DA01000	113 SW CYPRESS ST	SCHULZ MICHAEL	SCHULZ MICHAEL L	113 SW CYPRESS ST	MCMINNVILLE OR	97128
41	R4419DA01100	117 SW CYPRESS ST	PEREZ CARLOS	FLORES SARA	117 SW CYPRESS ST	MCMINNVILLE OR	97128
42	R4419DA01200	137 SW CYPRESS ST	SMITH DANIEL	SMITH DANIEL D	137 SW CYPRESS ST	MCMINNVILLE OR	97128
43	R4419DA01300	1675 SW PINE ST	DEMOE TODD	DEMOE TODD C	1675 SW PINE ST	MCMINNVILLE OR	97128
44	R4419DA01301	142 SW POPLAR CT	MARTINEZ RAUL	MARTINEZ RAUL	142 SW POPLAR CT	MCMINNVILLE OR	97128
45	R4419DA01400	132 SW POPLAR CT	SILVA ALFREDO	SILVA ALFREDO VALERIANO	132 SW POPLAR CT	MCMINNVILLE OR	97128
46	R4419DA01500	128 SW POPLAR CT	MEJIA ARMANDO	MEJIA MONICA	128 SW POPLAR CT	MCMINNVILLE OR	97128
47	R4419DA01600	122 SW POPLAR CT	TAN EUGENE	WINDERMERE PACIFIC CREST REALTY	835 NW ADAMS ST ATTN: SHAWN DUNN	MCMINNVILLE OR	97128
48	R4419DA05300	412 SW POPLAR CT	RASMUSSEN CHARISSA	RASMUSSEN CHARISSA L	412 SW POPLAR CT	MCMINNVILLE OR	97128
49	R4419DA05400	322 SW POPLAR CT	BROWN KATHLEEN	BROWN KATHLEEN A	19244 CANTATA DR	OREGON CITY OR	97045
50	R4419DA05500	310 SW POPLAR CT	SMITH LORENA	SMITH LORENA L	310 SW POPLAR CT	MCMINNVILLE OR	97128
51	R4419DA05600	230 SW POPLAR CT	GRIMM SUSAN	GRIMM SUSAN H	PO BOX 869	NORTH TRURO MA	2652
52	R4419DA05601	232 SW POPLAR CT	AMUNDSON KIRT	AMUNDSON CHRISTINA M	9551 SE EOLA HILLS RD	AMITY OR	97101
53	R4419DA05700	227 SW CYPRESS ST	WART JANICE	WART JANICE A	PO BOX 571	MCMINNVILLE OR	97128
54	R4419DA05800	317 SW CYPRESS ST	SPENCER RANDY	SPENCER ELIZABETH A	317 SW CYPRESS ST	MCMINNVILLE OR	97128
55	R4419DA05900	337 SW CYPRESS ST	HENKLE THOMAS	HENKLE FAMILY TRUST	4900 NW HILL RD	MCMINNVILLE OR	97128
56	R4419DA06000	405 SW CYPRESS ST	ROBERTS SEAN	ROBERTS KRISTYANA M	405 SW CYPRESS ST	MCMINNVILLE OR	97128
57	R4419DA06100	427 SW CYPRESS ST	DEL RAYO	DEL RAYO HERIBERTO	PO BOX 445	MCMINNVILLE OR	97128
58	R4419DA09800	432 SW CYPRESS ST	SPRINGER RANDAL	SPRINGER RANDAL D	432 SW CYPRESS ST	MCMINNVILLE OR	97128
59	R4419DA09900	412 SW CYPRESS ST	ORTEGA FRANCISCO	DEL RAYO SALDANA IRMA	412 SW CYPRESS ST	MCMINNVILLE OR	97128
60	R4419DA10000	1678 SW APPERSON ST	CONNORS KARLA	CONNORS KARLA J	1678 SW APPERSON ST	MCMINNVILLE OR	97128
61	R4420CB00100	n/a	KULBACK RAYMOND	KULBACK RAYMOND J	PO BOX 568	MCMINNVILLE OR	97128
62	R4420CB00101	1730 SW 2ND ST	KULBACK RAYMOND	KULBACK RAYMOND J	PO BOX 568	MCMINNVILLE OR	97128
63	R4420CB00300	1710 SW 2ND ST	HENRICKSON LUELLA	HENRICKSON RICHARD B	1710 SW 2ND ST	MCMINNVILLE OR	97128
64	R4420CB00301	n/a	THAYER ELTON	THAYER ELTON S II & JANET S	4628 E OCOTILLO RD	PARADISE VALLEY AZ	85253
65	R4420CB00302	201 SW AGEE ST	VILLA WEST APARTMENTS LLC	ATTN: RAQUEL GUGLIEMETTI	210 W MALLARD DR SUITE A	BOISE ID	83706
66	R4420CB00303	1700 SW 2ND ST	GIBBONS LINDA	GIBBONS GARY	1700 SW 2ND ST	MCMINNVILLE OR	97128

Date Sent 7/28/17
 Sent By SA