



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 9-17</u>
Date Received	<u>6-12-17</u>
Fee	<u>1595.00</u>
Receipt No.	<u>17MD114</u>
Received by	<u>SJS</u>

Comprehensive Plan Map Amendment/ Zone Change 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-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

1730 SW Second Street
Assessor's Map No. R4420CB – 00101

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 21 multi-family residential housing units 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 605.01 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.

Plans for the proposed development are in concept form at this stage, but are offered as part of this submittal to demonstrate to the review bodies how this project would likely develop, should approval of these land use requests be granted. In general, the units would be accessed by a one-way drive extending south from West Second Street to Apperson Street. The units would be arranged in a non-linear fashion – to the extent permitted in such a narrow width of land – and their massing would be minimized through relatively smaller clustering of buildings (three groups of seven dwelling units each). 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 (particularly from single-family housing to the west). Small play areas would also be provided within the complex for its future residents. Architecturally, the applicant is considering 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). It is important to note that this project is not before the City for public review of these site elements. All aspects of the project, however, will be constructed to applicable City requirements for multi-family housing (e.g., setbacks, height limit, landscaping, and off-street parking).

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 (Multi-Family Residential) zone; and 2) amendment of a density limit provision found within an existing planned development ordinance that encumbers most of the larger, southern parcel. 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 the planned development request.

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.

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.

Applicant Response: Goal V 1 and Policies 58.00 and 59.00 are met by this proposal in that approval of the zone change request (and companion planned development amendment request) will allow for this land to be developed with a variety of housing types including multiple-family housing, which the applicant has indicated is their intent. Higher density residential development is commensurate with surrounding development in that other multiple-family development (planned) is located to the immediate south; additional existing such housing is found a short distance to the northwest and southwest.

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 currently provided by the Yamhill County Transit Route 3 that runs along West Second Street. Buffering of any multiple-family 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.

84.00 Multiple-family, low-cost housing (subsidized) shall be dispersed throughout the community by appropriate zoning to avoid inundating any one area with a concentration of this type of housing.

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.

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

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 84.00, 86.00, 89.00, 90.00, 92.00, 92.01 and 92.02 are satisfied by this proposal in that with approval of this request, the opportunity for lower cost, higher density residential development will continue to be supported by the City in a manner that disperses this type of development throughout the community. Landscaping of a minimum of 25 percent of the site is a requirement of multiple-family development as noted in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance. Additionally, 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. 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 currently provide 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. Given the narrow width of the subject site, no public street within the site is planned (or 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 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 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 zoning of the subject site to allow, when coupled with the R-4 PD zoned parcel to the south, an increase of up to 16 additional housing units, thereby achieving a more compact form of urban development and energy conservation than would have otherwise been achieved.

- 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 a 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 not requesting a planned development overlay for this property.

- 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 multi-family 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 1/4 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 multi-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 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 proposed for the total project site would not affect the street network and its safe operation.¹

¹ 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
1" = 100'

4 4 20CB
MCMINNIVILLE

SEE MAP 4 4 19

SEE MAP 4 4 20BC

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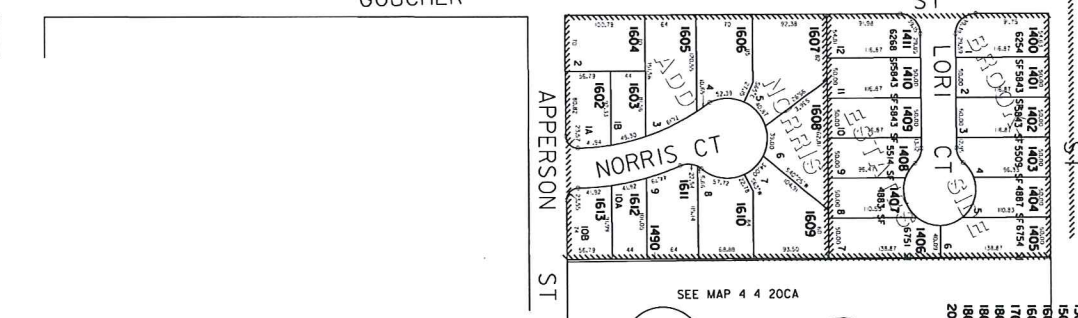
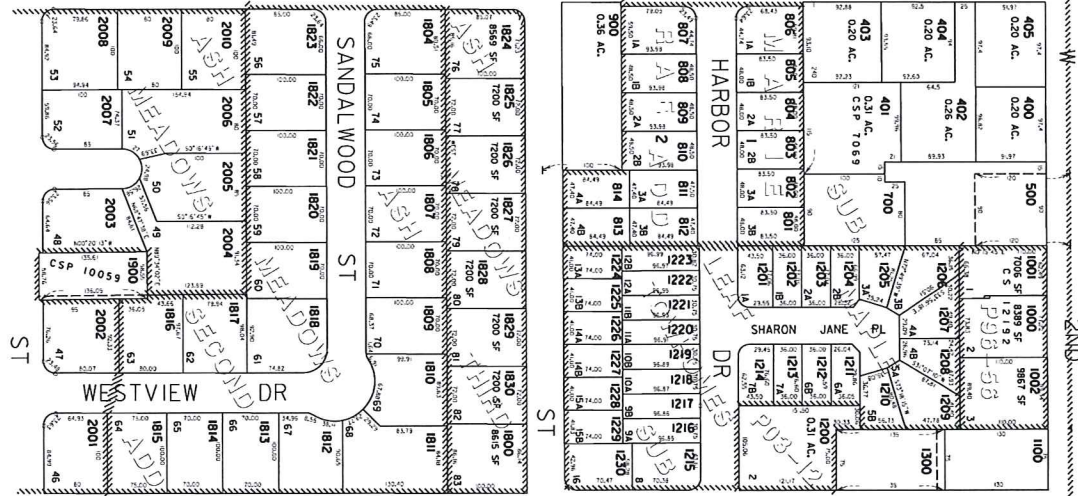
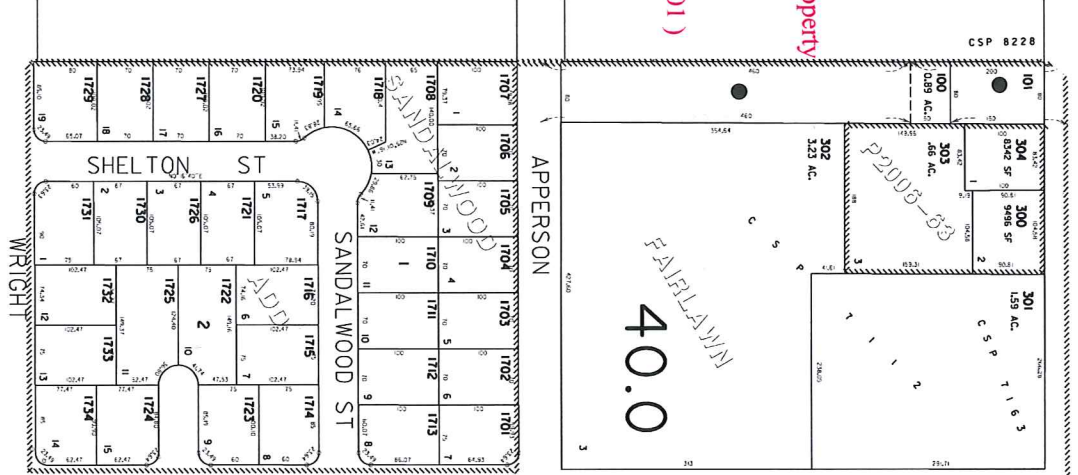
● Subject Property
Tax Lots
(100 & 101)

SEE MAP 4 4 19DA

REVISED 2-4-06, 5B

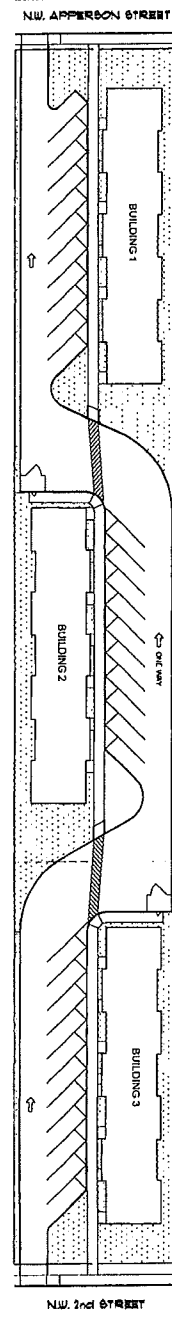
SEE MAP 4 4 20CC

SEE MAP 4 4 20CA



1730 Sw Second St.

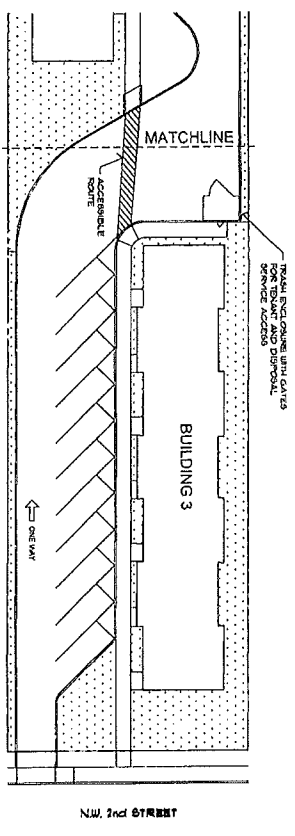
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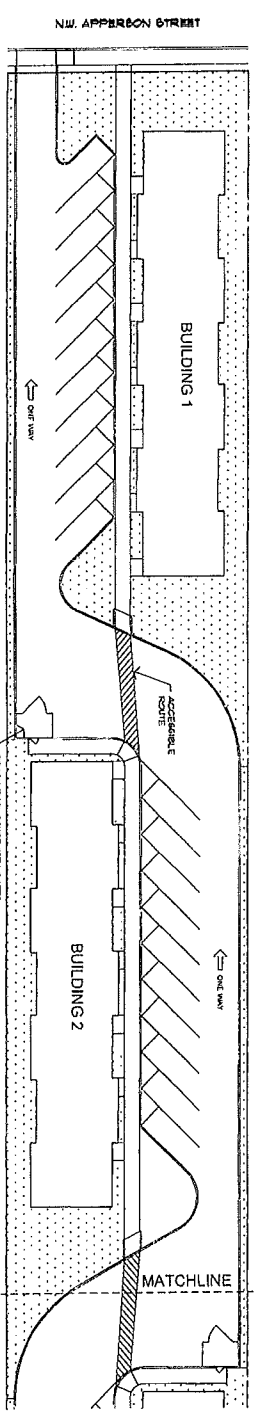
OVERALL SITE PLAN

PARKING PROVIDED: 32 STANDARD SPACES

LOT INFORMATION
 TAX LOT 700 1 201
 SECTION 4 S 4 W
 WILLAMETTE WATERSHED
 CITY OF McMINNVILLE
 TARRANT COUNTY, OREGON



PARTIAL SITE PLAN - NORTH END



PARTIAL SITE PLAN - SOUTH END

50% SCALE IF 11 x 17
 PRELIMINARY

	9 JUNE 2011 PROJECT NO. 6/8	APARTMENTS FOR RB&R CONTRACTORS, INC. 1730 NW 2nd STREET, McMINNVILLE, OR 97128	BRUCE W. KENNY, ARCHITECT, S.E. 9318 NORTH MOHAWK AVENUE PORTLAND, OREGON 97203 CELL: 503-435-9133 architecte@yahoo.com
	CONCEPTUAL SITE PLAN (SUBJECT TO CHANGE)		

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.

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.



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>17100114</u>
Received by	<u>SJS</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

1730 SW Second Street
Assessor's Map No. R4420CB - 00100

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 21 multi-family residential housing units 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 site, which measures a relatively narrow 80 feet in width by 605.01 feet in length, is comprised of two parcels, the northern most being 9,600 square feet in area and identified as Assessor Map No. R4420CB-00101. The southern parcel (R4420CB-00100) measures 38,800 square feet in area and is the subject of this proposed planned development amendment request.

Plans for the proposed development are in concept form at this stage, but are offered as part of this submittal to demonstrate to the review bodies how this project would likely develop, should approval of these land use requests be granted. In general, the units would be accessed by a one-way drive extending south from West Second Street to Apperson Street. The units would be arranged in a non-linear fashion – to the extent permitted in such a narrow width of land – and their massing would be minimized through relatively smaller clustering of buildings (three groups of seven dwelling units each). 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 (particularly from single-family housing to the west). Small play areas would also be provided within the complex for its future residents. Architecturally, the applicant is considering 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). It is important to note that this project is not before the City for public review of these site elements. All aspects of the project, however, will be constructed to applicable City requirements for multi-family housing (e.g., setbacks, height limit, landscaping, and off-street parking).

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 (Multi-Family Residential) zone; and 2) amendment of a density limit provision found within an existing planned development ordinance that encumbers the larger southern parcel. The materials contained in this supporting narrative are intended to address the relevant criteria for the planned development amendment request; a separate zone change application has been

prepared and filed with the City to run concurrently with the planned development request.

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 amend this planned development ordinance to increase the number of allowed dwelling units allowed within the subject site, from five to 17.¹ It is important to note that all other conditions within this ordinance have either already been satisfied (condition nos. 3 and 4), or will be as a requirement of other existing City ordinances (condition no. 2).

Based upon the applicant's review of the land use history for this property, the 1980 planned development 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.

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:

¹ The total multi-family project site is proposed to accommodate 21 dwelling units, of which 17 would be positioned within this southern parcel. The remaining four units would be located within the boundaries of the parcel to the north.

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.

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.

Applicant Response: Goal V 1 and Policies 58.00 and 59.00 are met by this proposal in that approval of the planned development amendment request will allow for this land to be developed with a variety of housing types including multiple-family housing, which the applicant has indicated is their intent. Higher density residential development is commensurate with surrounding development in that the subject site is immediately adjacent to other multiple-family development; additional such housing is found a short distance to the northwest and southwest.

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 currently provided by the Yamhill County Transit Route 3 that runs along West Second Street. Buffering of any multiple-family 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.

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.

84.00 Multiple-family, low-cost housing (subsidized) shall be dispersed throughout the community by appropriate zoning to avoid inundating any one area with a concentration of this type of housing.

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.

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

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 84.00, 86.00, 89.00, 90.00, 92.00, 92.01 and 92.02 are satisfied by this proposal in that, while the applicant has indicated intent to construct multiple-family housing on this site, no such development plan has been provided as part of this planned development amendment request. With approval of this request, the opportunity for lower cost, higher density residential development will continue to be supported by the City in a manner that disperses this type of development throughout the community. Landscaping of a minimum of 25 percent of the site is a requirement of multiple-family development as noted in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance. Additionally, 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. 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. Given the narrow width of the subject site, no public street within the site is planned (or 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.

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.

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: Policies 130.00 and 132.15 are 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. Provision of safe, accessible bicycle routes continue to be provide throughout the city as directed by the McMinnville TSP.

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 16 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 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 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 1/4 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 $\frac{1}{4}$ 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 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

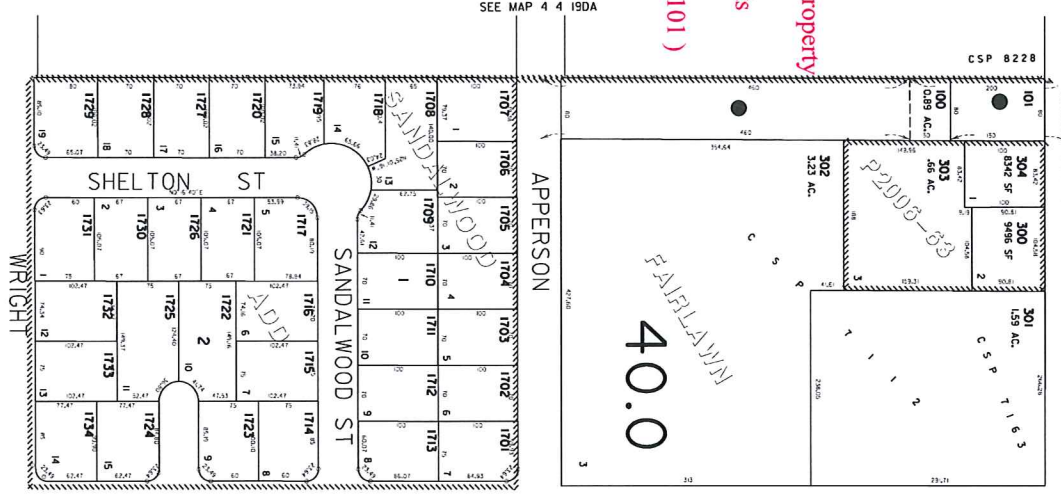
SEE MAP 4 4 19

SEE MAP 4 4 20BC

CANCELLED
200
500
800
1500

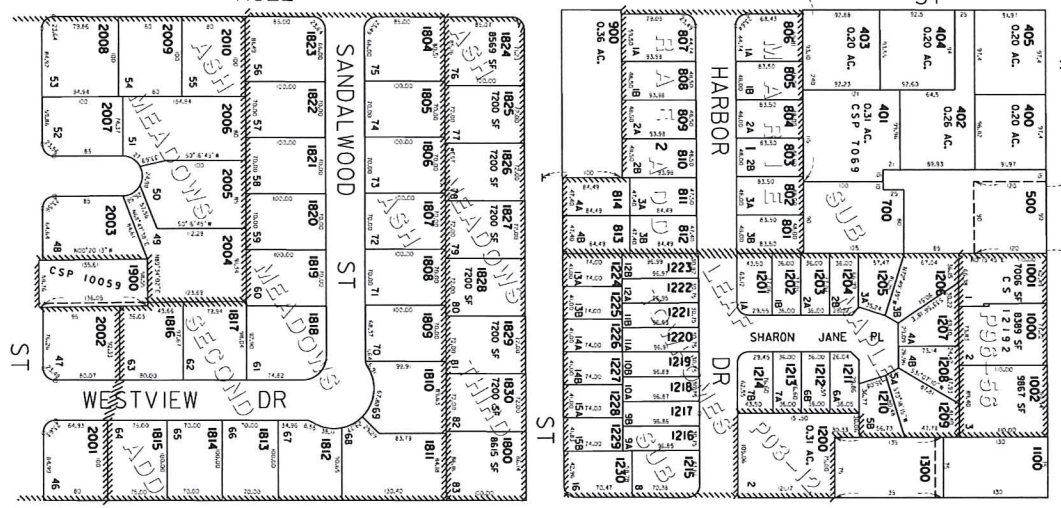
● Subject Property
Tax Lots
(100 & 101)

SEE MAP 4 4 19DA



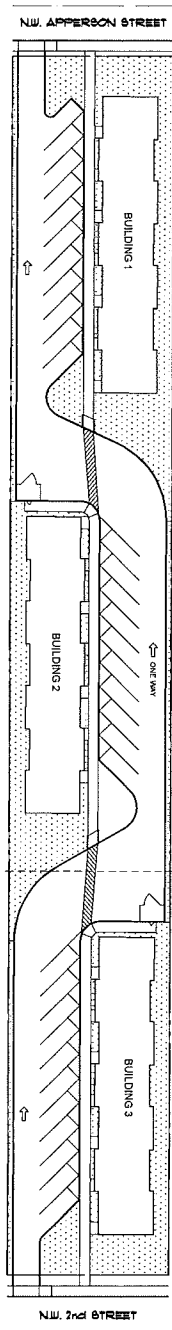
REVISED 07-4-06, S8

SEE MAP 4 4 20CC



4 4 20CB

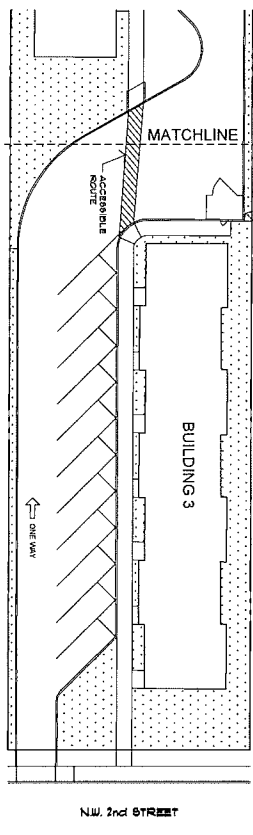
1730 Sw Second St.



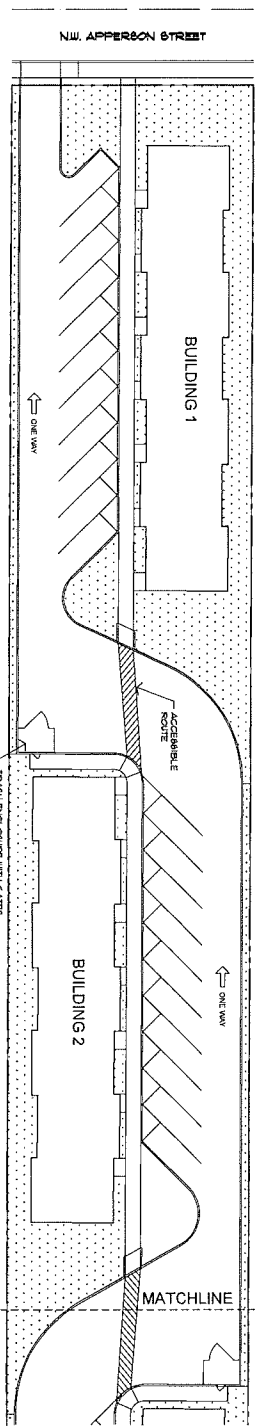
OVERALL SITE PLAN

PARKING PROVIDED: 32 STANDARD SPACES

LOT INFORMATION:
 TAX LOT: 100 1 101
 BEING THE HERMAN
 CITY OF MINNAPOLIS
 YAMHILL COUNTY, OREGON



PARTIAL SITE PLAN - NORTH END



PARTIAL SITE PLAN - SOUTH END

50% SCALE IF 11 X 17
 PRELIMINARY

 PROJECT NO. 168	APARTMENTS FOR RB&R CONTRACTORS, INC. 1730 NW 2nd STREET, McMINNVILLE, OR 97128 CONCEPTUAL SITE PLAN (SUBJECT TO CHANGE)	BRUCE W. KENNY, ARCHITECT, S.E. 9318 NORTH MOHAWK AVENUE PORTLAND, OREGON 97203 CELL: 503-455-9135 architect@yahoo.com
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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

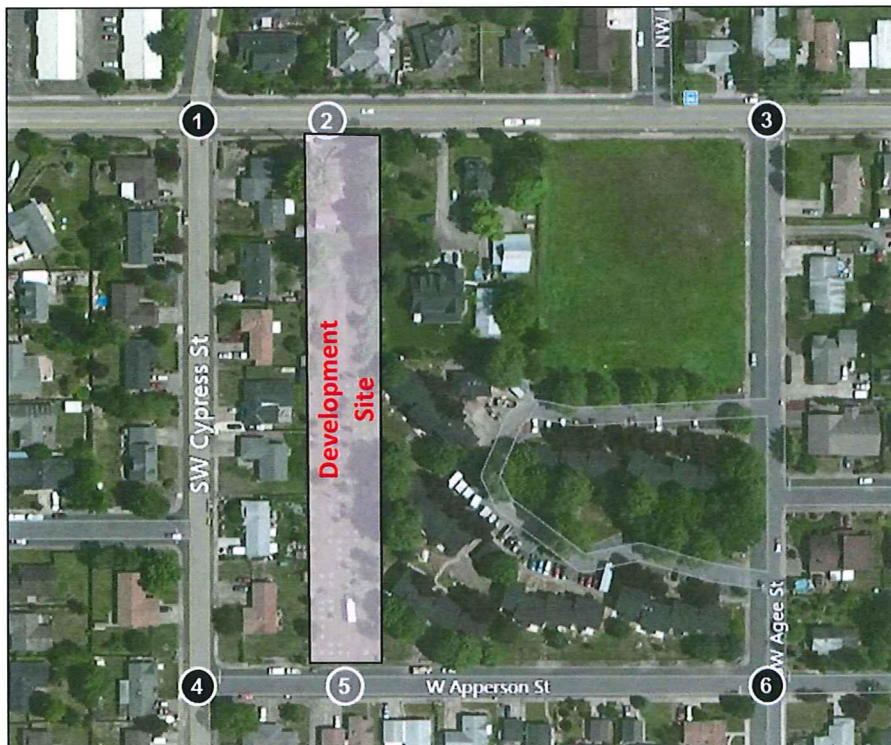
This memorandum summarizes traffic analysis and potential impacts of a proposed 21-unit multi-family residential development proposed by RB&R Contractors Inc. This memorandum provides preliminary findings of existing (2017) conditions and opening year (2019).

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.

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.