

**Planning Department**  
 231 NE Fifth Street • McMinnville, OR 97128  
 (503) 434-7311 Office • (503) 474-4955 Fax  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

<b>Office Use Only:</b>	
File No.	<u>2011-17</u>
Date Received	<u>6-30-17</u>
Fee	<u>1595.00</u>
Receipt No.	<u>17M0135</u>
Received by	<u>[Signature]</u>

## Comprehensive Plan Map Amendment/ Zone Change Application

### Applicant Information

Applicant is:  Property Owner  Contract Buyer  Option Holder  Agent  Other \_\_\_\_\_

Applicant Name Land Use Resources LLC Phone \_\_\_\_\_

Contact Name Denny Elmer Phone 971 237 6752  
*(If different than above)*

Address PO Box 237

City, State, Zip McMinnville OR 97128

Contact Email dennyelmer@gmail.com raepolivka@gmail.com

### Property Owner Information

Property Owner Name Fredricks Motor Company Phone \_\_\_\_\_  
*(If different than above)*

Contact Name Christina Turner Phone 503 925 9955

Address 14237 SW McKinley drive

City, State, Zip Sherwood, OR 97140

Contact Email HawaiiWW@msn.com

### Site Location and Description

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

Property Address 5.3 acres Fircrest

Assessor Map No. R4 42300900 Total Site Area \_\_\_\_\_

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation Ag Holding Zoning Designation Ag Holding

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.

We are asking for zoning change from Ag Holding to R4. The reason for this is to conform with existing zones that border this property. We have plans to develop this property for residential use.

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).

We understand that the current zoning does not match the long term goals of the city of McMinnville, through various conversations with the Planning Department. By changing the zoning, we are hoping to help the city of McMinnville achieve these goals by using the property in a way that is similar to surrounding properties. in residential use.

**\*SEE ATTACHED FOR SPECIFIC GOALS & POLICIES.**

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.

N/A

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. \_\_\_\_\_

N/A

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 property to our west is currently zoned R-1. We believe the best and most valuable use for our property is to have it zoned R4 as well. With the lack of available lots to build upon, as well as the need for housing during this time, we feel the addition of another residential property ~~is~~ would be beneficial and valuable to the city of McMinnville, especially affordable housing.

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

Our bordering neighbor is R4 at this time. The proposed R-1 residential use is consistent with the city's desire to achieve higher density.

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 maps from city engineering shows all utilities in the street that borders this property.


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

Traffic will be impacted minimally seeing that streets and traffic lights are already in use. \*see Traffic analysis\*

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

3-8-17  
Date

Christina M. Nusace  
Property Owner's Signature  
President

3-9-17  
Date

The requested zone change is consistent with the following applicable goals and policies:

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

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

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

Goal VI and Policies 58.00 and 59.00 are satisfied. Our adjacent neighbors are R-4, a senior living facility. Making this zone change to R-4 will give access to high-density housing to the community which will help lower the cost of housing for McMinnville renters.

**Goal V2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.**

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

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

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – The majority of residential lands in McMinnville are planned to develop at medium density range (4-8 units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes, and triplexes, and townhouses. High density residential development (8-30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments. The City of McMinnville shall encourage a compact form of urban development by direct residential growth close to the city center and 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 miles of existing or planned public transportation; and,*
6. *Areas that can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas.*

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

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

Goal V 2 and Policies 68.00, 71.00, 71.09, and 71.13 are satisfied: The proposed zone change from Ag Holding to R-4 is allowed and encouraged within the Residential designation in the Comprehensive Plan. Rezoning this site will allow higher residential density which encourages a more efficient residential development in an area where urban services are already available. An analysis of vehicular impacts to the surrounding street network from development of a multiple-family development on this site has been provided as part of this submittal with a conclusion that this development is not designated as high traffic and will be able to accommodate the anticipated traffic. Public transit is available near the site, running near Cumulus Ave, adjacent to the southern edge of the site.

*Policy 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.*

*Policy 86.00 Dispersal of new multiple-family housing development will be encouraged throughout the residentially designated areas in the City to avoid a concentration*

*of people, traffic congestion, and noise. The dispersal policy will not apply to areas on the fringes of the downtown “core,” and surrounding Linfield College where multiple-family developments shall still be allowed in properly designated areas.*

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

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

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

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

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

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

Policies 84.00, 86.00, 89.00, 90.00, 92.00, 92.01, and 92.02 are satisfied: The opportunity for lower cost, higher density residential development is something the City supports, especially in areas that disperse this type of residence throughout the community. Landscaping standards will be complied with upon requirements of an R-4 zone. As stated previously, public transit is available near the development site. The site is not near railroad lines or any industrial facilities. This property will also have a large portion of open, green area and is steps from Evergreen.

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

- 1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*
- 2. Storm sewer and drainage facilities (as required).*

3. *Streets within the development and providing access to the development, improved to city standards (as required).*
4. *Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*
5. *Deleted as per Ord. 4796, October 14, 2003.*

Policy 99.00 is satisfied: Urban services can be provided concurrently with the proposed urban development. Water and power are available to serve the subject property. Storm Drainage and Sewer can be accessed.

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

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

*Policy 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.*

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

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

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

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



Goal VI 1 and Policies 117.00, 118.00, 119.00, 120.00 and 122.00 are satisfied by this proposal in that the site abuts a public minor collector street developed to City standards and adequate capacity to safely accommodate the expected trip generation from this site. *See Traffic Analysis.* Access to the site for parcel delivery to be permitted off Fircrest St. No known adverse effects on the natural features of the land.

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

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

Policies 126.00 and 127.00 are satisfied: Off-Street parking for the multi-family dwelling shall be accommodated for on site, as required and specified by Chapter 17.60 (Off-Street Parking and Loading) of the McMinnville Zoning Ordinance.

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

Policy 130.00 is satisfied: For the proposed development for this site, there will be public sidewalks, as required as part of the street improvements and will add to the pedestrian connections with and beyond the site. Provision of safe, accessible bicycle routes will be provided as well.

Policy 132.27.00 is satisfied: The zone change proposal supports the land use designation of the site and urban development patterns within the surrounding area.

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

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

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

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

*Policy 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.*

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

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

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

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

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

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

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

Goal VII 1 and Policies 136.00, 139.00, 142.00, 143.00, 144.00, 145.00, 147.00, and 151.00 are satisfied: Adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution, 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 the development of the site.

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

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

Policies 153.00 and 155.00 are satisfied: Subject property will meet requirements for any and all Emergency Services.

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

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

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

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

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

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

Policies 173.00 and 177.00 are satisfied: Upon any future development, requirements from McMinnville Water and Light and Northwest Natural Gas will be satisfied.

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

Policy 178.00 is satisfied: Proposing to amend the current zoning designations of this site to R-4 will allow for the possibility of providing multiple-family type housing thereby achieving a more compact form of urban development and energy conservation than would have otherwise been achieved.

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

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

Goal X1 and Policy 188.00 are satisfied: 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 advertised public hearings. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

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

*17.03.020 Purpose: The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each*

*other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.*

Section 17.03.020 is satisfied: Intention to provide open spaces as well as bicycle and pedestrian connections to city streets.

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

*17.57.050 Area Determination-Planning Factors:*

*B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscaper Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:*

*1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.*

*2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens. [..]*

Sections 17.57.010 and 17.57.050 are satisfied: The proposed development meets the condition of requiring sufficient buffering and screening. This site has natural buffering on the north and east boundaries that we will utilize in design to buffer noise, light, and visual intrusion into the neighborhood. The west side is a developed elderly care facility that appears to have minimal traffic. The south side that borders Cumulus Ave. will be designed to utilize methods for the express purpose of mitigating noise, headlight glare, and visual intrusion from the site. li

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

*A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;*

*B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;*

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

Criterion “B” of this review standard does not apply when the proposed amendment concerns needed housing. Table B-11 of Appendix B of the 2001 McMinnville Buildable Land Needs Analysis and Growth Management Plan demonstrates that McMinnville had a deficit of R-4 zoned acres needed to meet future projected housing needs; the year 2020 was the identified planning horizon for this projection. Since 2001, approximately 50 acres have been rezoned to R-4 still leaving a residual deficit of R-4 zoned acres still needed to meet projected needs. Approval of this zone change request would reduce that deficit.

Section 17.74.020 is satisfied: This site is consistent with the goals and policies of the McMinnville Comprehensive Plan, is orderly and timely considering existing nearby residential development and the site’s proximity to commercial opportunities and adjacency to public streets and transit facilities in addition to having the ability to be adequately served by required utilities and services. In addition, there are no policies contained in the Comprehensive Plan that are being utilized to unnecessarily decrease densities or discourage any form of housing.

**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

Being a part of the Reuben Harris Donation Land Claim #80, Notification #1232 and the I. M. Johns Donation Land Claim #81, Notification #1238 in Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, and being more particularly described as follows, to-wit:

**PARCEL 1:**

Beginning at a point on the North right-of-way line of Oregon State Secondary Highway No. 152, as it is now located and constructed, which said beginning point is reached by running South 89°45' West 400.7 feet and North 0°15' West 30.0 feet from the Southwest corner of the said Harris Claim #80, and running thence North 0°15' West 543.1 feet; thence North 65°36' West 360.7 feet; thence North 0°15' West 231.9 feet to a point on the North line of the grantor's property; thence following said North line of grantor's property South 89°47' West 419.7 feet to a point on the line between said Harris and Johns Claims; thence South 50°30' East on division line between said Claims, 878.6 feet to an angle point in grantor's property; thence South 0°15' East 363.7 feet to a point on the North right-of-way line of said State Highway; thence North 89°45' East 72.5 feet to the place of beginning.

**PARCEL 2:**

Beginning at a point in the center of the McMinnville-Dayton Secondary State Highway #152 at a point 12.28 chains West from the most Easterly Northeast corner of said Johns Claim; thence North 5.86 chains to the Northeasterly line of said Claim; thence North 51°00' West with line of Johns and Harris Claim 7.065 chains; thence South 10.306 chains more or less to center of said Highway; thence East along center of said Highway 5.49 chains to the beginning and containing 4.44 acres more or less.

ALSO: Beginning in the center of the State Highway #152 running from McMinnville to Dayton, 17.77 chains West of the most Easterly NE corner of said Claim, which point of beginning is also the SW corner of that certain tract conveyed by deed recorded July 24, 1947, in Book 144, Page 69, Deed Records of Yamhill County, thence Westerly along the center of said Highway 103 feet and 7 inches; thence Northerly, parallel to the West line of said Fredricks tract above referred to, to the Northeasterly line of the I.M. Johns Donation Land Claim #81, thence South 51° East along the Northeasterly line of said Donation Land Claim; to the Northwest corner of said Fredricks tract above referred to; thence South along the West line of said Fredricks tract to the point of beginning.

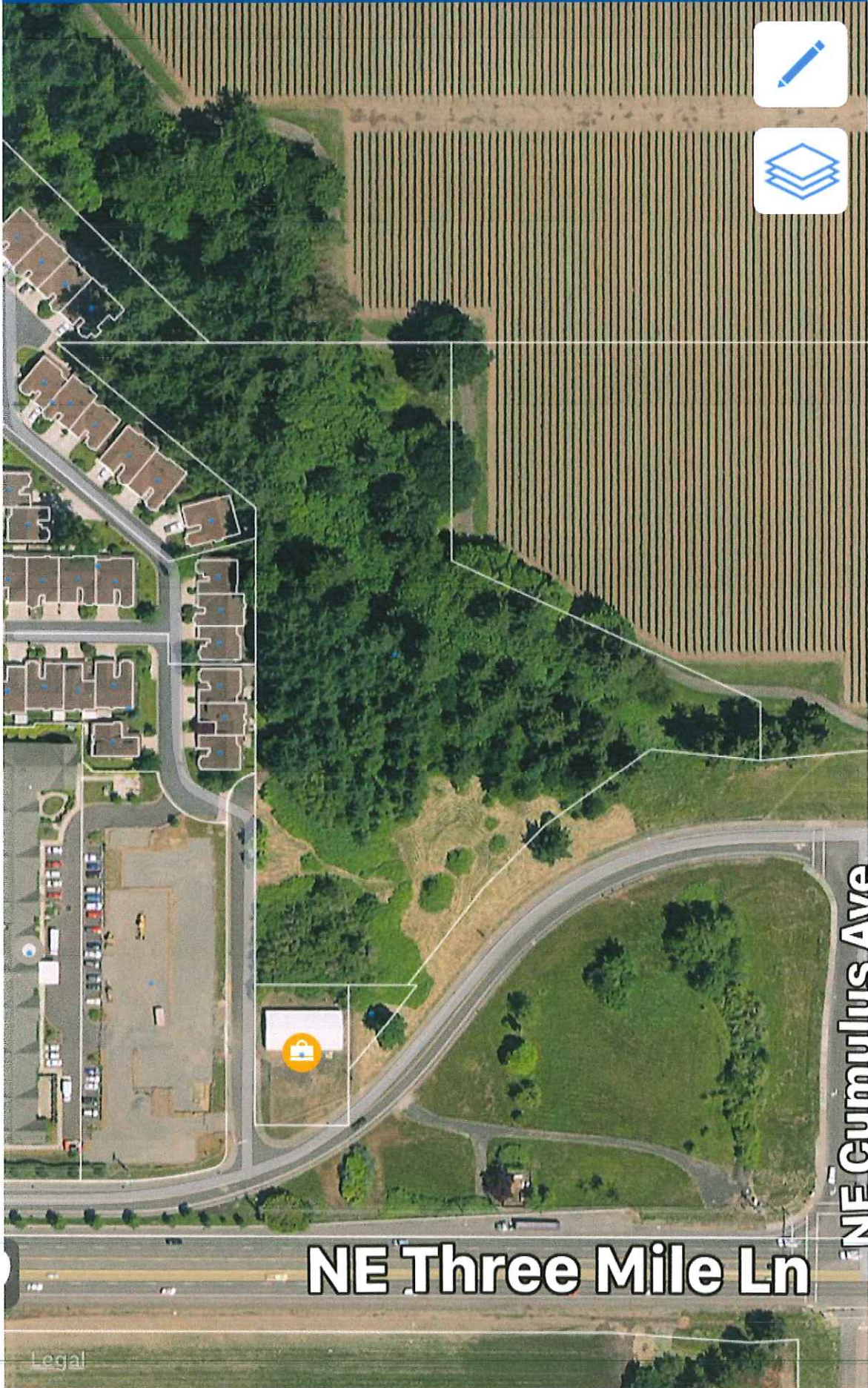
SAVE AND EXCEPT that portion of the above-described premises beginning at a point on the North side of the right-of-way line of Oregon State Secondary Highway #152, which said beginning point South 89°45' West, 648.75 feet and North 0°15', 30 feet from the Southwest corner of said Harris Donation Land Claim; thence North 00°15' West, 232.9 feet; thence South 89°45' West along the North line of that certain parcel described in Deed recorded in Volume 184, Page 473, Yamhill County Deed Records and the extension thereof, 290.4 feet more or less to the East line of that certain parcel described in Film Volume 18, Page 851, Yamhill County Deed Records; thence Southerly along the East boundary line of said parcels to the North boundary line of said State Highway #152; thence Easterly along the North boundary line of said State Highway to the point of beginning.

SAVE AND EXCEPT from Parcels 1 and 2, those portions conveyed to the State of Oregon, Department of Transportation in Deed recorded January 19, 1989 in Film Volume 229, Page 452 and in Stipulated Final Judgment entered June 12, 2003 and recorded June 30, 2003 as Instrument No. 200315555, Deed and Mortgage Records, Yamhill County, Oregon.

NOTE: This legal description was created prior to January 1, 2008



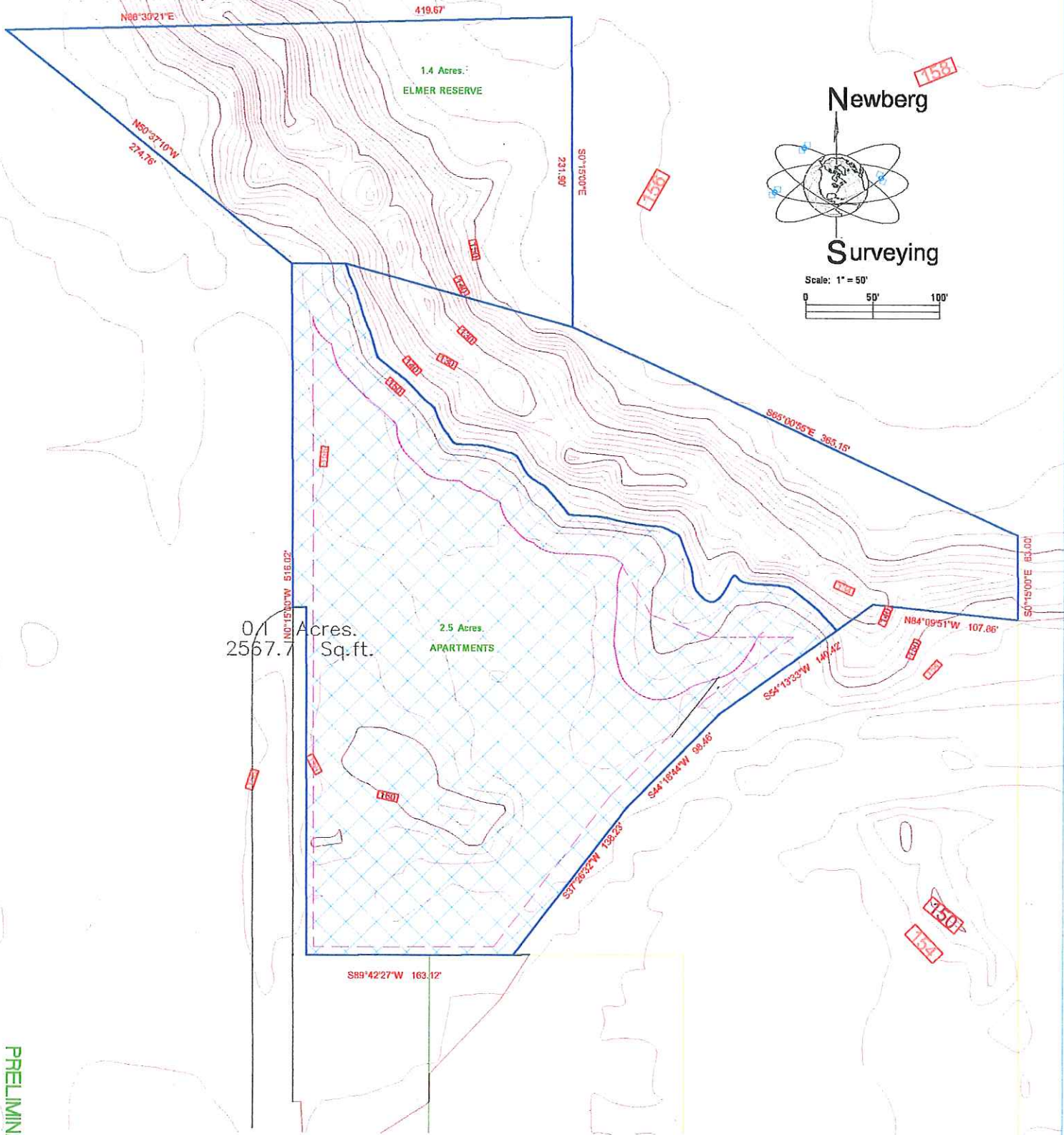
Address or Intersection



**NE Three Mile Ln**

**NE Cumulus Ave**





PRELIMINARY

PROJECT NO. 118
13 FEBRUARY 2017

**SLEEPY HOLLOW**  
 N.E. CUMULUS AVENUE & N.E. PINECREST DRIVE, McMinnville, OREGON 97120

bruce w. kenny, architect, s.e.  
 9318 north mohawk avenue  
 portland, oregon 97203  
 cell: 503-435-9416 [brucek@yahood.com](mailto:brucek@yahood.com)

PRELIMINARY

# Cumulus Avenue Zone Change & Apartments

Traffic Impact Analysis  
McMinnville, Oregon

**Date:**

June 28, 2017

**Prepared for:**

Denny Elmer

**Prepared by:**

William R. Farley, PE



**LANCASTER**  
ENGINEERING

1e

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## ***Executive Summary***

1. A zone change in conformance with the Comprehensive Plan is proposed for a 5.3-acre property located northeast of the intersection of NE Cumulus Avenue at NE Fircrest Drive in McMinnville, Oregon. Following a change in zoning designation from *Agricultural Holding* (AH) to *Multiple Family Residential* (R-4), an apartment complex with up to 95 dwelling units is planned for construction.
2. Under the proposed R-4 zoning and accounting for environmental constraints restricting development to approximately 3.8 acres, a maximum of 95 apartment units can be accommodated. The development of up to 95 apartment units will generate a total of 48 trips during the morning peak and 59 trips during the evening peak hours.
3. A detailed analysis of the crash history at the study intersections shows no trends that are indicative of safety issues that need to be addressed. No safety mitigations are recommended.
4. Traffic signal warrants were not projected to be met for the intersection of NE Cumulus Avenue at the Salmon River Highway connection road under any of the analysis scenarios.
5. The study intersections are projected to operate within the performance standards established by the Oregon Department of Transportation and the City of McMinnville, regardless of the zone change or additional trips from the development of up to 95 apartment units. No operational mitigations are recommended.
6. Full development under the proposed zoning will not significantly affect existing or planned transportation facilities as defined under Oregon's Transportation Planning Rule.

## ***Introduction***

A zone change in conformance with the Comprehensive Plan is proposed for a property located northeast of the intersection of NE Cumulus Avenue at NE Fircrest Drive in McMinnville, Oregon. Subsequent to the approval of the zone change, an apartment complex is proposed for development on the subject site.

This report analyzes and addresses the potential traffic impacts of the proposed zone change as well as traffic impacts associated with the development of up to 95 apartment units. The purpose of this report is to provide both a short-term and long-term analysis that addresses the operation of the nearby transportation system in order to ensure safe and efficient performance.

Based on the location of the property and conversations with Mike Bisset with the City, the following intersection were identified for analysis of impacts related to the proposed zone change and subsequent development:

- Oregon Highway 18 at Cumulus Avenue (Salmon River Highway connection road)
- NE Cumulus Avenue at Cumulus Avenue (Salmon River Highway connection road)

All supporting data including traffic counts and detailed traffic analysis calculations are included in the appendix to this report.

## ***Location Description***

The subject property is identified as Tax Lot R442300900 and is located northeast of the intersection of NE Cumulus Avenue at NE Fircrest Drive. The 5.3-acre property is currently zoned *Agricultural Holding (AH)* by the City of McMinnville and is designated as Residential on the City's 2014 Comprehensive Plan Map. Due to environmental constraints on the property, only 3.8 acres of the property are identified as developable.

## ***Vicinity Streets***

Oregon Highway 18, also known as the Salmon River Highway, is under the jurisdiction of the Oregon Department of Transportation (ODOT) and is classified as a Statewide Expressway. The highway is a freight route and a federally designated truck route on the National Highway System. It has a five-lane cross section that includes a center two-way left-turn lane and has a speed limit of 55 mph. Curbs and sidewalks are not installed on either side of the facility in the vicinity of the site.

NE Cumulus Avenue is classified by the City of McMinnville as a Minor Collector and serves as a frontage road for homes and businesses located on the north side of Oregon Highway 18, including the Evergreen Air and Space Museums. It has a two-lane cross-section and has a posted speed limit of 35 mph. Curbs are installed on both sides of the roadway and sidewalks are installed on the north side west of the Salmon River Highway connection road. Bike lanes are provided on both sides of the roadway west of the Salmon River Highway connection road.

The Salmon River connection road spans approximately 370 feet between NE Cumulus Avenue to Oregon Highway 18. The roadway's cross-section is between three and four lanes to serve intersections on both ends. Curbs and sidewalks are installed on the western side of the roadway.

### *Study Intersections*

The intersection of Oregon Highway 18 at Cumulus Avenue (Salmon River Highway connection road) is a four-legged intersection operating under the control of a traffic signal. The eastbound approach on Oregon Highway 18 has a dedicated left-turn lane served by protected phasing, a through lane, and a shared through/left-turn lane, while the westbound approach has a dedicated left-turn lane served by protected phasing, two through lanes, and a dedicated right-turn lane. The southbound approach at the intersection has a dedicated left-turn lane, a through lane, and a dedicated right-turn lane operating concurrently with the northbound single-lane approach. Crosswalks are provided along each leg of the intersection and are served by pedestrian pushbuttons and signals.

The intersection of NE Cumulus Avenue at the Salmon River Highway connection road is a three-legged intersection operating under all-way stop control. The eastbound and westbound approaches on NE Cumulus Avenue each have a single, shared lane serving all turning movements. The northbound approach has dedicated left- and right-turn lanes with the channelized right-turn lane operating under yield control. A crosswalk is provided along the western leg of the intersection.





Figure 1 on page four provides a vicinity map showing the existing lane configurations and traffic control devices at the study intersections.

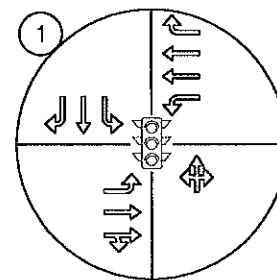
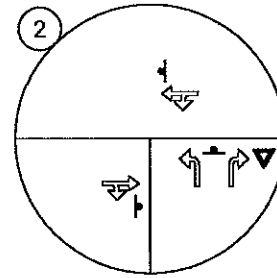
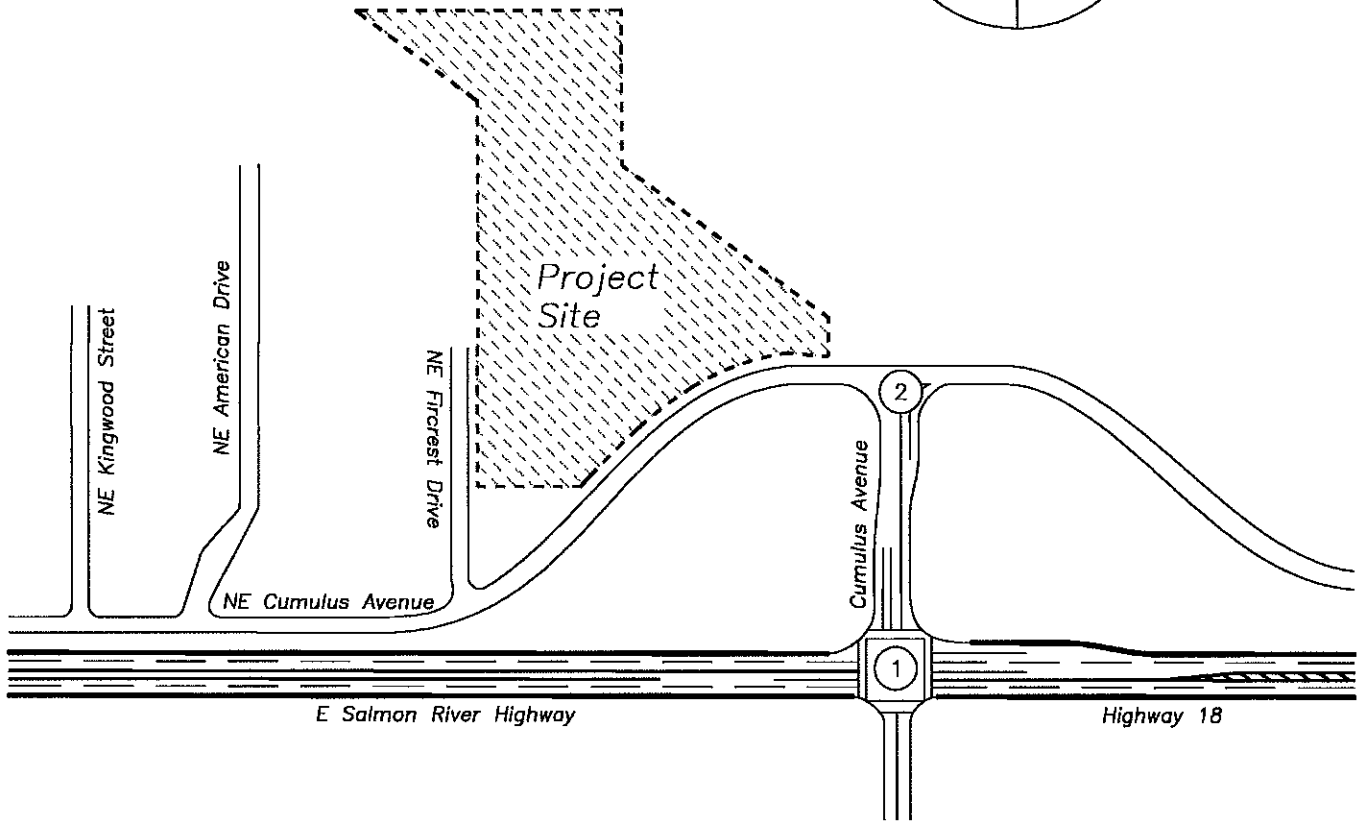
### *Traffic Counts*

Traffic movement counts were collected at each of the study intersections on Tuesday, June 6<sup>th</sup>, 2017, from 4:00 PM to 6:00 PM to capture the evening peak hour and on Wednesday, June 7<sup>th</sup>, 2017, from 7:00 AM to 9:00 AM to capture the morning peak hour. Data corresponding to a system peak hour from 7:25 AM to 8:25 AM for the morning peak and from 4:25 PM to 5:25 PM for the evening peak were used for analysis.

Figure 2 on page five shows the existing traffic volumes occurring at each of the study intersections for both the morning and evening peak hours.

LEGEND

-  STUDY INTERSECTION
-  STOP SIGN
-  TRAFFIC SIGNAL
-  PROJECT SITE



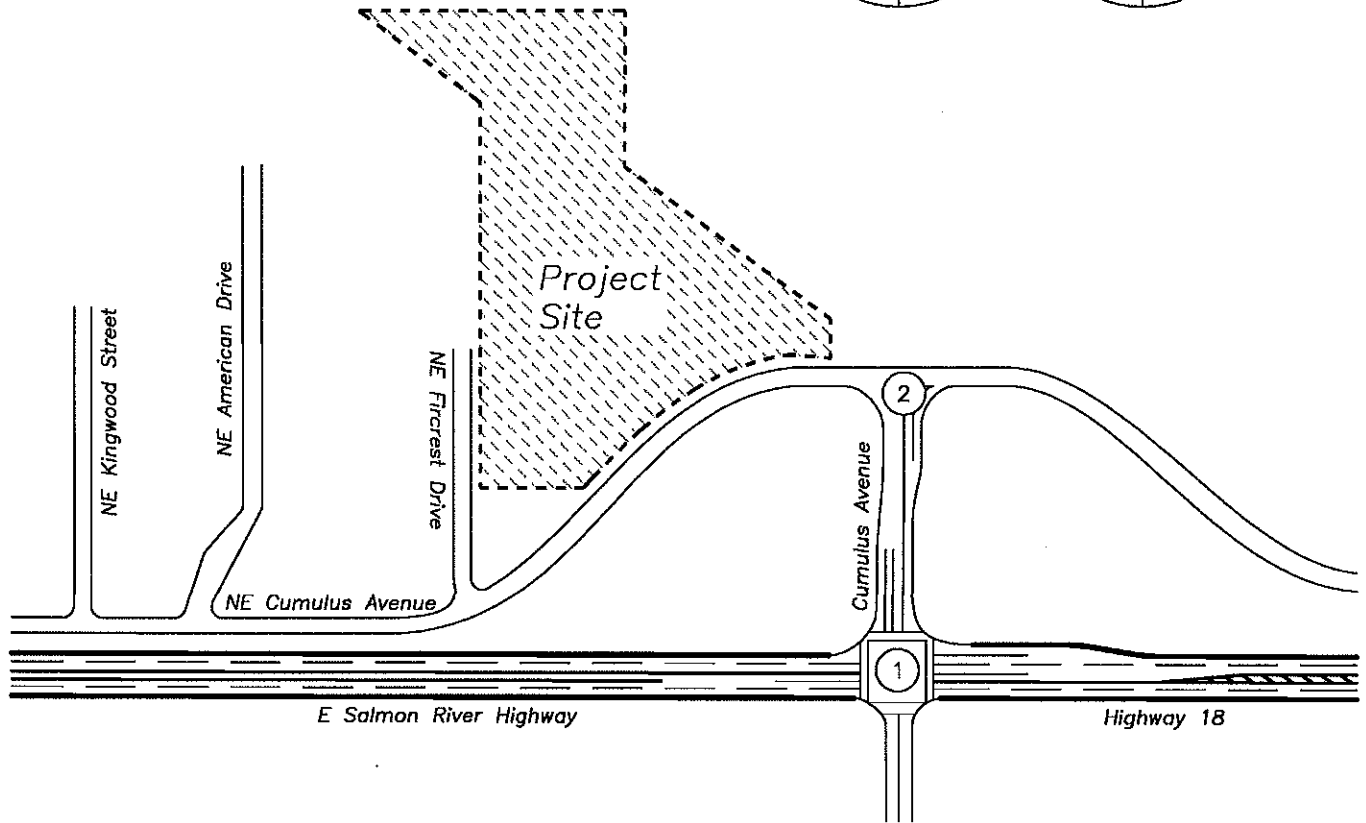
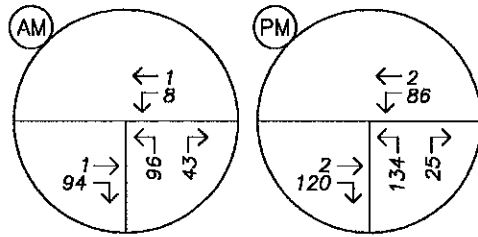
VICINITY MAP



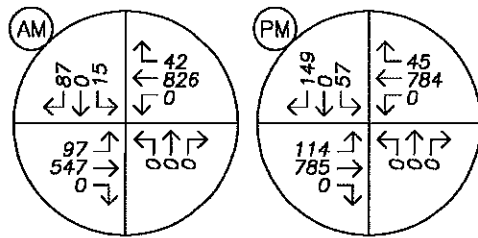
FIGURE 1

PAGE 4

INTERSECTION #2



INTERSECTION #1



TRAFFIC VOLUMES  
Existing Conditions  
AM & PM Peak Hour





## Site Trips

### Trip Generation

A change in zoning designation from *Agricultural Holding* (AH) to *Multiple Family Residential* (R-4), in conformance with the City's Comprehensive Plan, is proposed for the 5.3-acre property. To evaluate the traffic impacts resulting from the proposed zone change, the reasonable worst-case development scenario for the existing and proposed zoning was evaluated. Under the current AH zoning, only one single-family dwelling would be permitted. The proposed zone change to R-4 would permit the property to accommodate residential uses at densities no less than 1,500 square feet per family. Based on the developable area of 3.8 acres, and assuming a 20 percent reduction to developable area for transportation and circulation facilities, the property could accommodate up to 95 apartment units.

To estimate the trip generation of the property, trip rates from the *TRIP GENERATION MANUAL*<sup>1</sup> were used. To project traffic for full build-out of the property under the proposed zoning, as well as the subsequent development of an apartment complex, data corresponding to land-use code 220, *Apartment*, was referenced based on the number of dwelling units.

The trip generation calculations show that the reasonable worst-case development scenario of 95 apartment units under the proposed R-4 zoning will generate 48 trips during the morning peak hour with 10 trips entering the site and 38 exiting. During the evening peak hour, the site is projected to generate 59 trips with 38 entering and 21 exiting the site. A total of 632 daily trips are projected with half entering and half exiting the site. Detailed trip generation calculations are included in the appendix to this report.

### Trip Distribution

The subject property is located northeast of the intersection of NE Cumulus Avenue at NE Fircrest Drive. NE Cumulus Avenue does not provide any connections to areas outside the surrounding residential area and the Evergreen Air and Space Museum to the east. To reach employment and commercial destinations, people would need to use Oregon Highway 18 and travel to/from the west to the City of McMinnville or to/from the east towards Oregon Highway 99W and the cities of Newberg, Sherwood, and the Portland Metropolitan Area.

Based on the location of the property in addition to current travel trends, it is anticipated that majority of the trips associated with the property (70 percent) would arrive and depart in the direction of the City of McMinnville, with the remaining trips (30 percent) traveling to/from the east to other destinations.

Figure 3 on page seven provides the morning and evening peak hour trip assignment for both the reasonable worst-case development scenario and the subsequent development of up to 95 apartment units.

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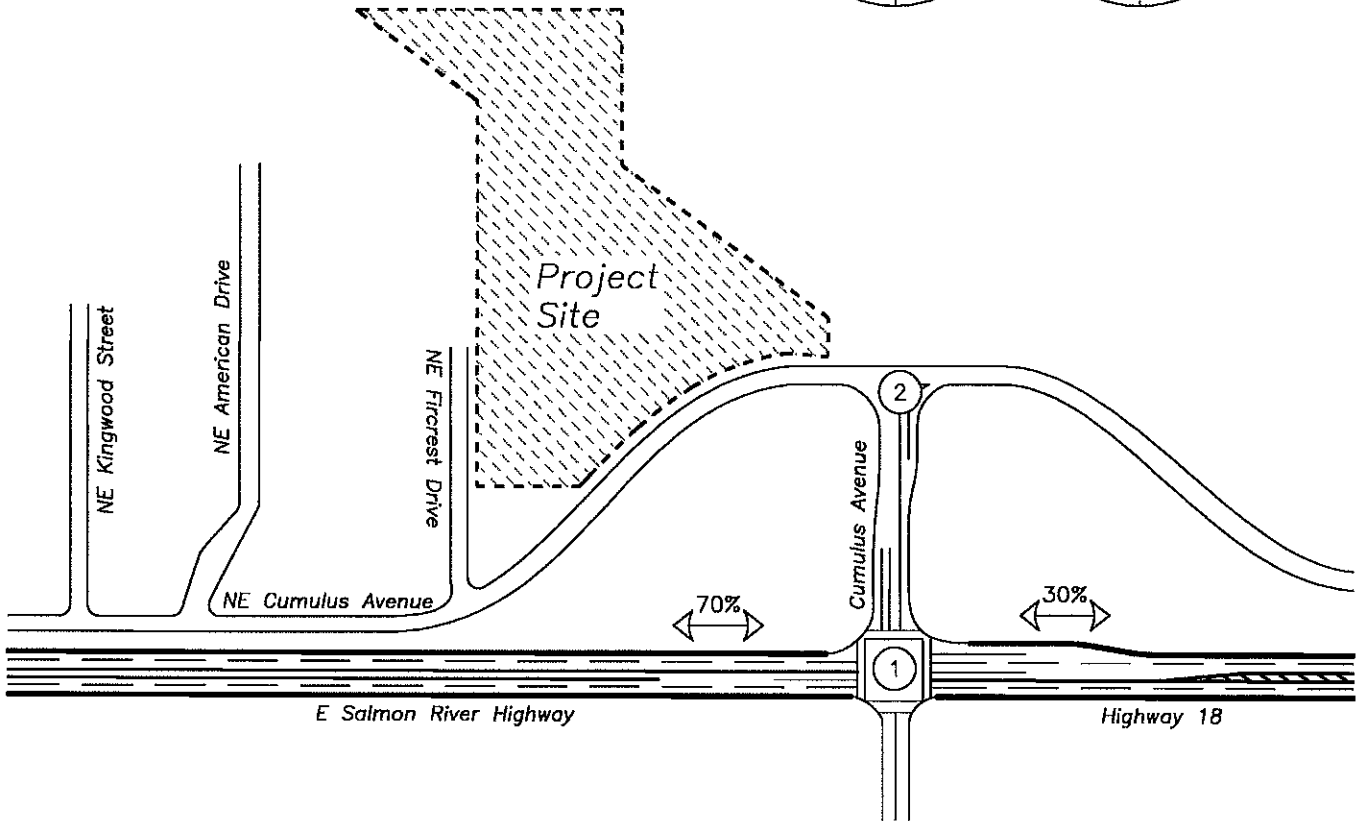
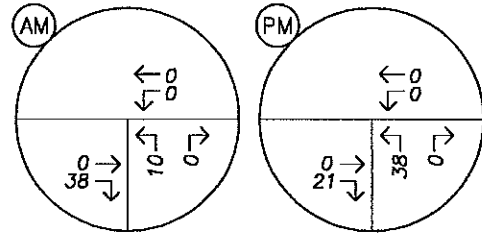
<sup>1</sup> Institute of Transportation Engineers (ITE), *TRIP GENERATION MANUAL 9<sup>th</sup> Edition*, 2012.

**LEGEND**

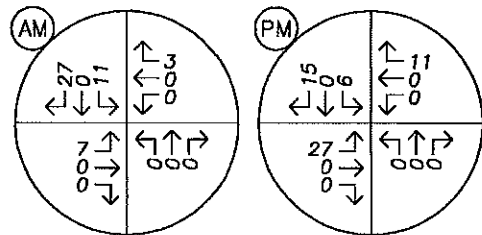
XX% PERCENT OF PROJECT TRIPS

TRIP GENERATION			
	IN	OUT	TOTAL
AM	10	38	48
PM	38	21	59

**INTERSECTION #2**



**INTERSECTION #1**



**SITE TRIP DISTRIBUTION & ASSIGNMENT**  
 Proposed Zone Change – Site Trips (R-4 Zoning)  
 AM & PM Peak Hours



**FIGURE 3**

**PAGE 7**

## **Safety Analysis**

### **Crash Data Review**

Using data obtained from the Oregon Department of Transportation's Crash Analysis and Reporting Unit, a review of crashes was performed using the most recent five years of crash data (January of 2011 to December of 2015) at available study intersections. The crash data and existing traffic counts were used to determine a crash rate for the study intersections with the common assumption that traffic counted during the evening peak hour represents ten percent of the average daily traffic (ADT) at the intersection. The crash rate was reported as the number of crashes per million entering vehicles (CMEV). Calculated intersection crash rates for each study intersection were compared against the average and 90<sup>th</sup> percentile crash rates for intersections with similar settings, approach configurations, and traffic control types in order to determine whether safety mitigation is necessary or appropriate.

The intersection of Oregon Highway 18 at Cumulus Avenue had eight reported crashes during the five-year analysis period. The crashes consisted of six rear-end collisions (including one involving a bicyclist) and two involving a turning maneuver. Of these, one crash resulted in a non-incapacitating injury (*Injury-B*), five resulted in possible injuries or complaints of pain (*Injury-C*), and two resulted in only property damage (*PDO*). The crash rate at the intersection was calculated to be 0.227 CMEV. The average crash rate for a rural four-legged intersection operating under signal control in Oregon was 0.324 CMEV with a 90<sup>th</sup> percentile crash rate of 0.579 CMEV.

No crashes were found to be reported at the intersection of NE Cumulus Avenue at the Salmon River Highway connection road during the analysis period.

Crash reports for the study intersections are included in the appendix to this report.

### **Warrant Analysis**

Traffic signal warrants were examined for the intersection of NE Cumulus Avenue at the Salmon River Highway connection road to determine whether the installation of a new traffic signal will be warranted at any point through the planning horizon.

Low volumes are projected for both the minor and major street approaches at the intersection of NE Cumulus Avenue at the Salmon River Highway connection road. By examination, traffic signal warrants are not projected to be met under any of the analysis scenarios. No new installation of a traffic signal is recommended.

## ***Operational Analysis***

### ***Background Traffic***

To provide analysis of the impact of the proposed zone change in conformance with the Comprehensive Plan as well as the development of up to 95 apartment units, an estimate of future traffic volumes is required. In order to calculate the future volumes, a compounded growth rate of two percent per year was applied to the measured existing volumes on local streets to approximate future traffic volumes at the year 2037 planning horizon as well as year 2019 when the apartments are assumed to be constructed and occupied.

Future traffic volumes for through traffic on Oregon Highway 18 were projected in conformance with the requirements established in ODOT's Analysis Procedures Manual. This included the determination of the 30<sup>th</sup>-highest hour volumes based on seasonal trend variations of highways with commuter trends.

In addition to the seasonal adjustments, annual growth factors for the through traffic on Oregon Highway 18 were determined based on data from ODOT's Future Volumes Tables.

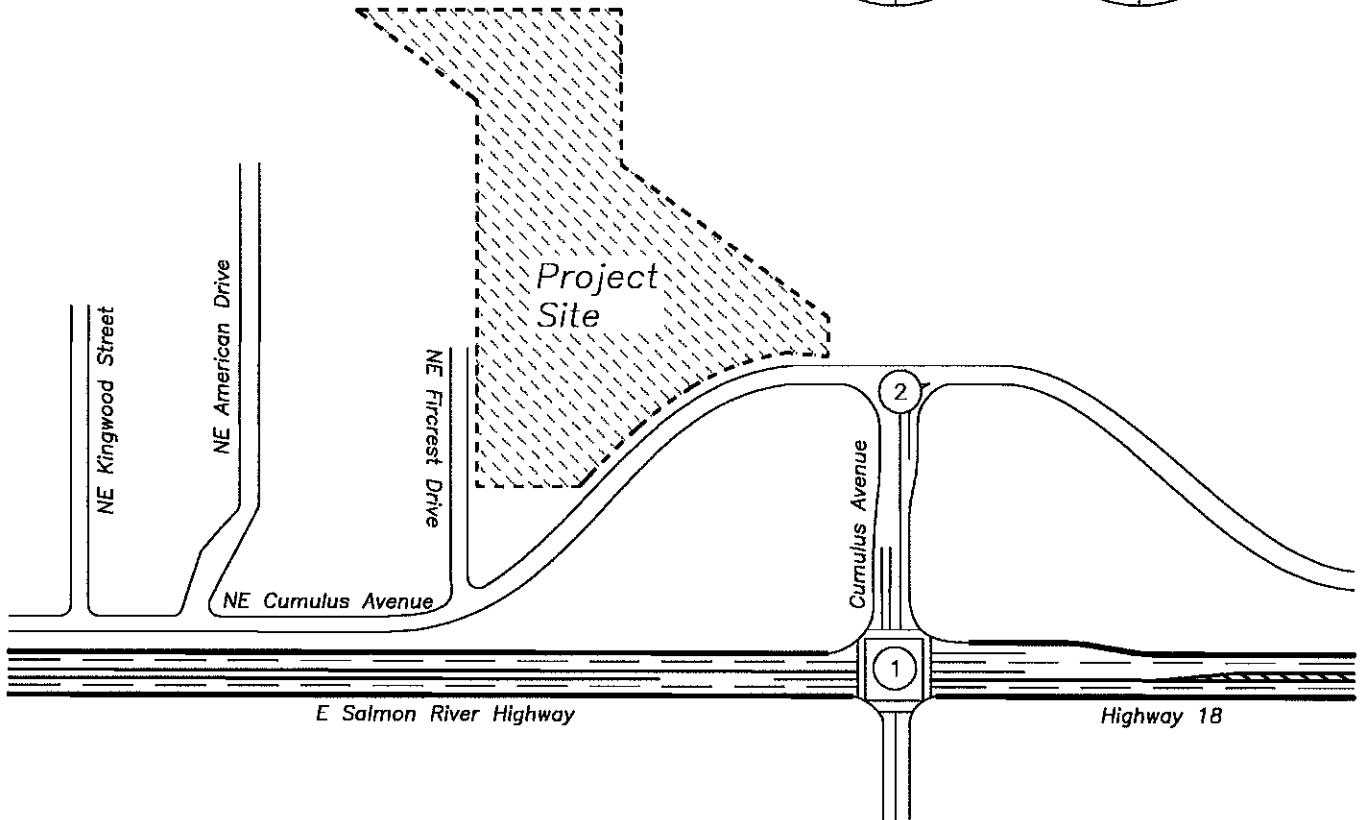
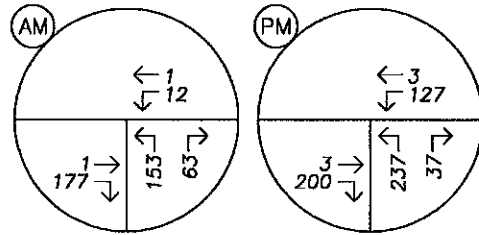
### ***Background Plus Site Trip Volumes***

Peak hour trips calculated to be generated by the assumed reasonable worst-case development scenario under the proposed R-4 zoning designation, as described earlier within the Site Trips section, were added to the calculated 2037 volumes to obtain the expected traffic conditions at the planning horizon with the proposed zone change.

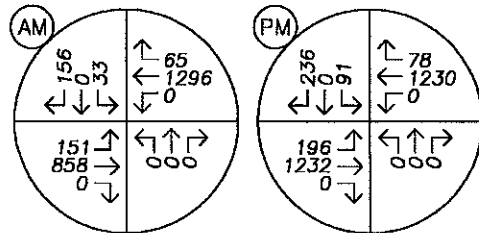
Additionally, site trips from the development of up to 95 apartments were added to year 2019 background volumes to obtain the expected traffic conditions with the completion and occupancy of the site.

Figure 4 on page 10 shows the projected year 2037 planning horizon volumes during the morning and evening peak hours with the proposed zone change on the subject property from AH to R-4. Figure 5 on page 11 shows year 2019 background volumes during both the morning and evening peak hours and Figure 6 on page 12 shows year 2019 background volumes with the addition of trips associated with the development of up to 95 apartment units.

INTERSECTION #2



INTERSECTION #1



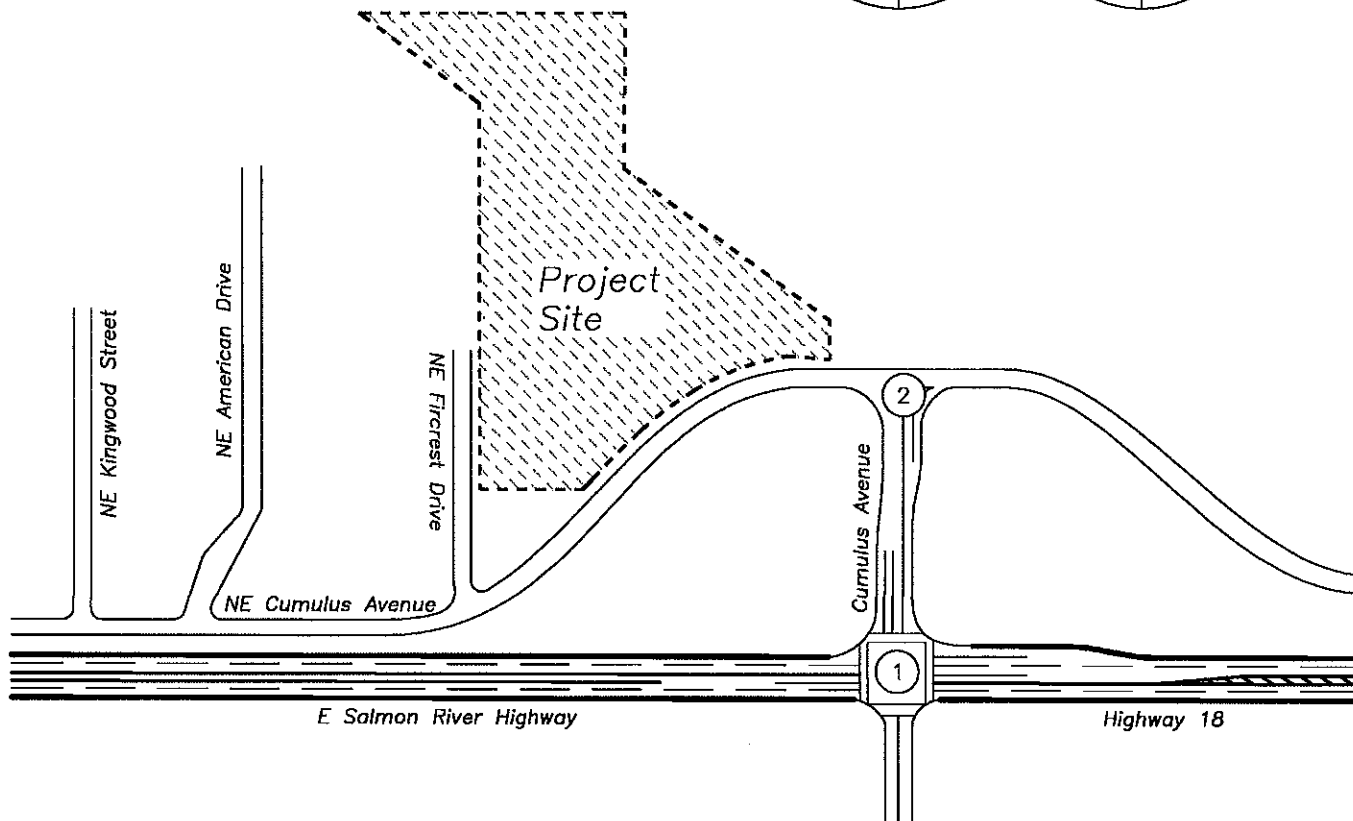
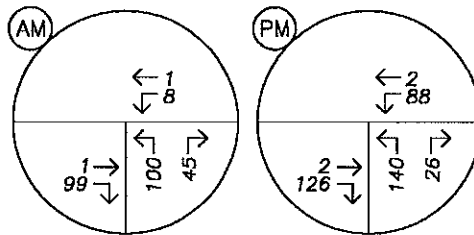
TRAFFIC VOLUMES  
 Year 2037 Planning Horizon w/ Proposed Zone Change  
 AM & PM Peak Hours



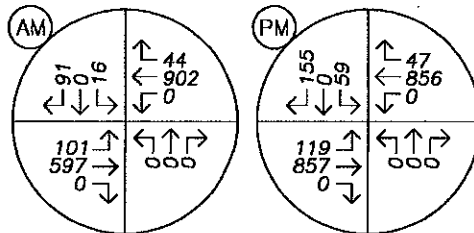
FIGURE  
4

PAGE  
10

INTERSECTION #2



INTERSECTION #1



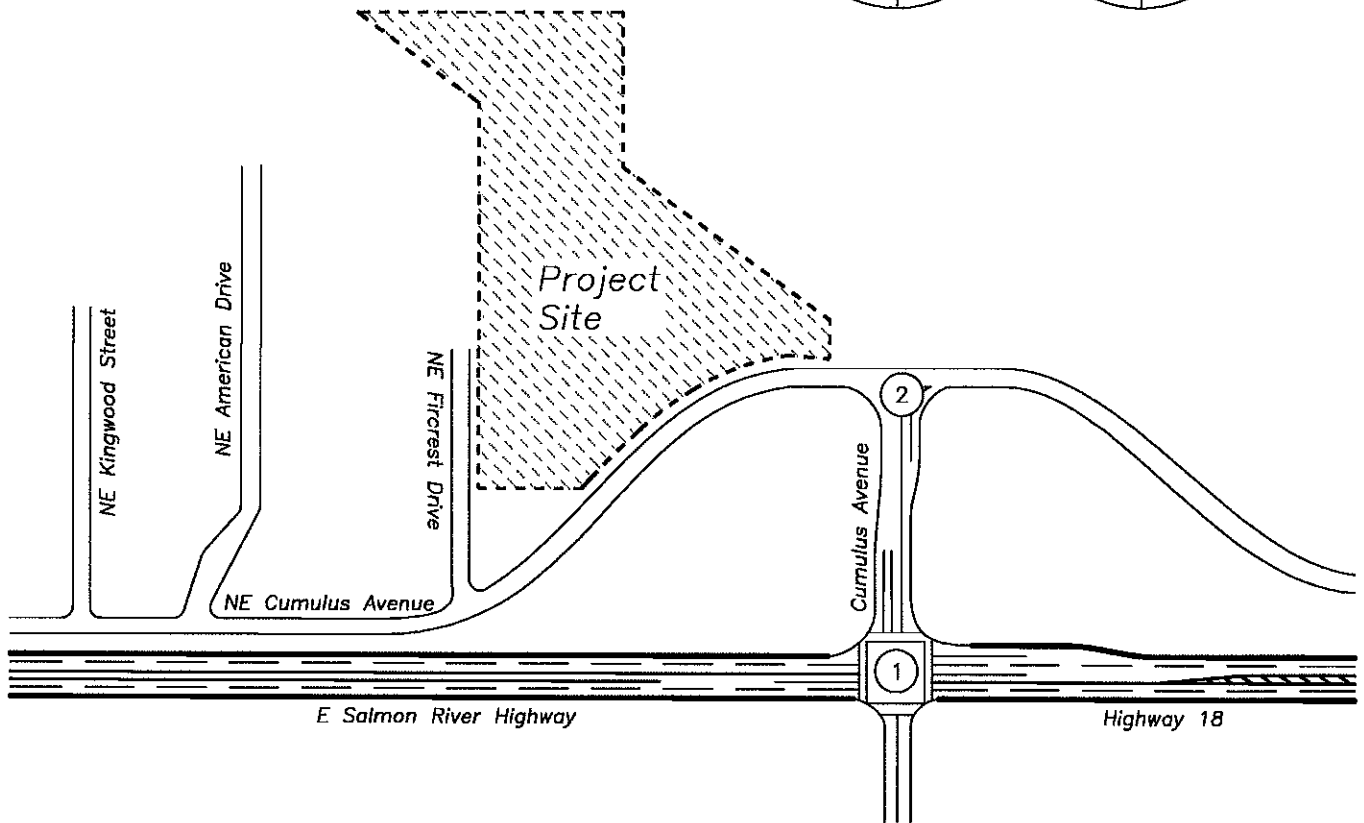
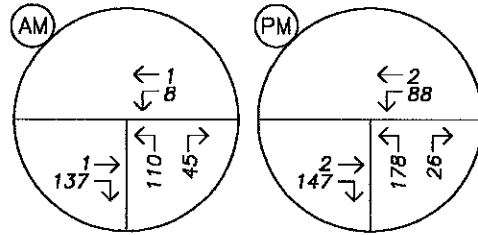
TRAFFIC VOLUMES  
 Year 2019 Background Conditions  
 AM & PM Peak Hours



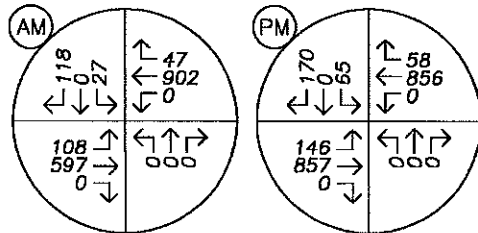
FIGURE  
5

PAGE  
11

INTERSECTION #2



INTERSECTION #1



TRAFFIC VOLUMES  
 Year 2019 Background Conditions plus Site Trips  
 AM & PM Peak Hours



FIGURE  
6

PAGE  
12



## *Intersection Capacity Analysis*

A capacity and delay analysis was conducted for each of the study intersections during the morning and evening peak hours under existing conditions and year 2037 planning horizon conditions with the reasonable worst-case development scenario for the proposed change in zoning from AH to R-4 on the subject property. Additional analysis was conducted for year 2019 to compare background volumes to projected volumes that would be expected with the development of up to 95 apartment units.

The analysis was conducted according to the signalized and unsignalized intersection analysis methodologies in the *Highway Capacity Manual* (HCM). To evaluate an intersection, it is generally graded based on the average delay experienced by vehicles and is assigned a level of service (LOS). The level of service of an intersection can range from LOS A, which indicates very little or no delay experienced by vehicles, to LOS F, which indicates a high degree of congestion and delay.

Both the City of McMinnville and the Oregon Department of Transportation evaluate intersection performance using volume-to-capacity (v/c) ratios instead of average vehicle delay and level of service. The v/c ratio compares the potential capacity to the actual (or demand) volumes to determine the portion of the intersection's capacity that is utilized. A v/c ratio of 1.0 would indicate the intersection is operating at capacity.

The intersection of Oregon Highway 18 at Cumulus Avenue (Salmon River Highway connection road) is within the City of McMinnville's urban growth boundary and is classified by ODOT as a Statewide Expressway with a posted speed limit greater than 45 mph. According to the *1999 Oregon Highway Plan*, the intersection is required to operate with a v/c ratio of 0.80 or less.

The City of McMinnville requires intersections to operate with a v/c ratio of 0.90 or less.

The intersection of Oregon Highway 18 at Cumulus Avenue is currently operating at LOS A during the morning peak hour and LOS B during the evening peak hour with a v/c ratio of 0.54. Under the reasonable worst-case development scenario for the proposed zoning, the intersection would be projected to operate at LOS B with a v/c ratio of 0.79 or less during both peak periods under 2037 planning year conditions. The intersection is also projected to meet ODOT and City standards under year 2019 traffic conditions with the development of up to 95 apartment units.

The intersection of NE Cumulus Avenue at the Salmon River Highway connection road is currently operating at LOS A during both peak periods. The intersection is projected to operate at LOS B or better under all future year analysis scenarios.

The results of the capacity analysis, along with the levels of service, delay, and v/c ratios are shown in Table 1 on the following page. Detailed calculations, as well as tables showing the relationships between delay and level of service, are included in the appendix to this report.



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**Table 1 - Intersection Capacity Analysis**

Intersection	AM Peak Hour			PM Peak Hour		
	Delay (s)	LOS	v/c	Delay (s)	LOS	v/c
<i>OR Hwy 18 at Cumulus Ave</i>						
2017 Existing	10	A	0.54	11	B	0.54
2019 Background	10	B	0.58	11	B	0.57
2019 Site	11	B	0.59	12	B	0.58
2037 R-4 Zoning	15	B	0.79	16	B	0.77
<i>NE Cumulus Ave at Cumulus Ave</i>						
2017 Existing	8	A	--	9	A	--
2019 Background	8	A	--	9	A	--
2019 Site	9	A	--	9	A	--
2037 R-4 Zoning	10	A	--	11	B	--

Based on the detailed capacity analysis, each of the study intersections will be projected to operate within the performance standards set by ODOT and the City of McMinnville through the year 2037 with the addition of trips from the reasonable worst-case development scenario under the proposed zoning as well as the proposed development of up to 95 apartment units. No mitigations are necessary or recommended.

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## Transportation Planning Rule

Oregon's Transportation Planning Rule (TPR) is contained in Section 660-012-0060 of the Oregon Administrative Rules. The TPR is in place to ensure that when an adopted plan or land use regulation is amended, provisions are made to ensure that the transportation system is capable of supporting any potential increase in trip intensity resulting from the amendment. The applicable portions of the TPR are quoted in italics below, with responses directly following.

### ***660-012-0060 Plan and Land Use Regulation Amendments***

- (1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
- (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

Response:

The proposed change in zoning will not change any standards to the functional classification of existing or planned transportation facilities. Accordingly, this section is not triggered.

- (b) *Change standards implementing a functional classification system; or*

Response:

No changes are proposed to any standards implementing the functional classification system. Accordingly, this section is also not triggered.

- (c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
- (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
- (C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

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Response:

In the case of this report, subsections (A) and (B) are not triggered, since the proposed zone change will not impact or alter the functional classification of any existing or planned facility and the proposal does not include a change to any functional classification standards. Subsection (C) is also not triggered since each of the study intersections will meet applicable performance standards identified in the City of McMinnville's Transportation System Plan through the planning horizon.

Based on the detailed analysis, the proposed zone change of the subject property from *Agricultural Holding* (AH) to *Multiple Family Residential* (R-4) will not degrade the performance of any existing or planned transportation facility. Accordingly, the Transportation Planning Rule is satisfied.

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## **Conclusions**

Full development under the proposed zoning of *Multiple Family Residential (R-4)* will not significantly affect existing or planned transportation facilities as defined under Oregon's Transportation Planning Rule.

The study intersections are projected to operate within the performance standards established by the Oregon Department of Transportation and the City of McMinnville, regardless of the zone change or additional trips from the development of up to 95 apartment units. No operational mitigations are recommended.

Traffic signal warrants were not projected to be met for the intersection of NE Cumulus Avenue at the Salmon River Highway connection road under any of the analysis scenarios.

A detailed analysis of the crash history at the study intersections shows no trends that are indicative of safety issues that need to be addressed. No safety mitigations are recommended.

Based on the detailed analysis, no mitigations are required or recommended for the proposed zone change from *Agricultural Holding (AH)* to *Multiple Family Residential (R-4)* or the subsequent development of up to 95 apartment units.

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*Appendix*

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