



**City of McMinnville**  
**Planning Department**  
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## **EXHIBIT 4 - STAFF REPORT**

**DATE:** August 17 2017  
**TO:** Planning Commissioners  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** CU 4-17 – 1045 SE Brooks Street

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### **Report in Brief:**

This is a public hearing to consider an application for a conditional use permit to allow for the expansion of the existing McMinnville Montessori School (MMS) campus. The school has purchased the property next to the existing MMS building, and intends to renovate the existing building on the property to operate as the elementary school classroom. The existing MMS building would continue to operate as school classrooms and facilities. The rear of the existing school and the new property would be combined to operate as one open play yard in the backyard areas. The property is located at 1045 SE Brooks Street, and is more specifically described as Tax Lot 1202, Section 21CA, T. 4 S., R. 4 W., W.M.

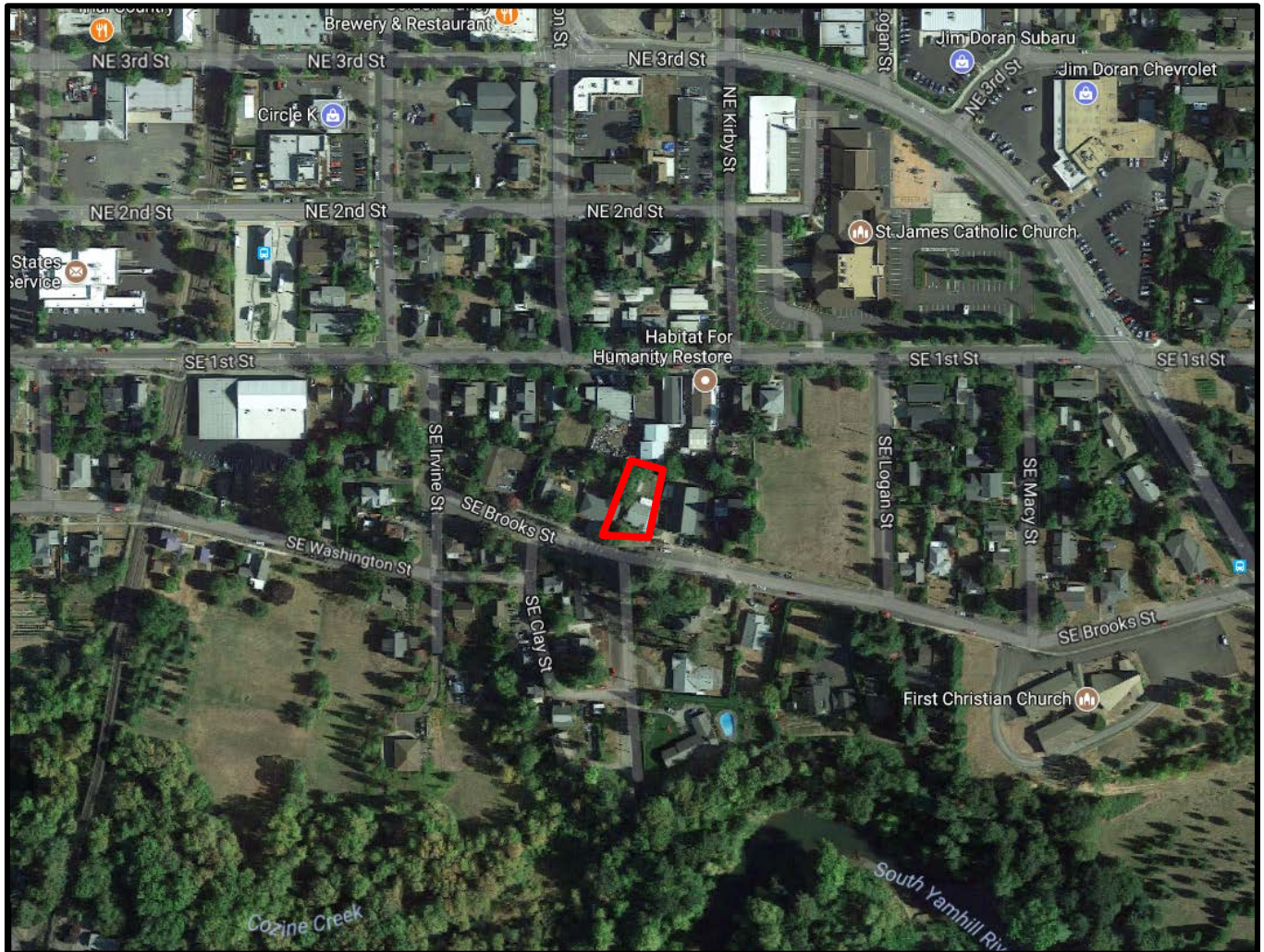
### **Background:**

The subject site is an existing residential property with a single family dwelling on the property. The site is located immediately adjacent to the existing McMinnville Montessori School (MMS) building at 1101 SE Brooks Street. The site is located on SE Brooks Street between Irving Street and Logan Street, and south of 1<sup>st</sup> Street.

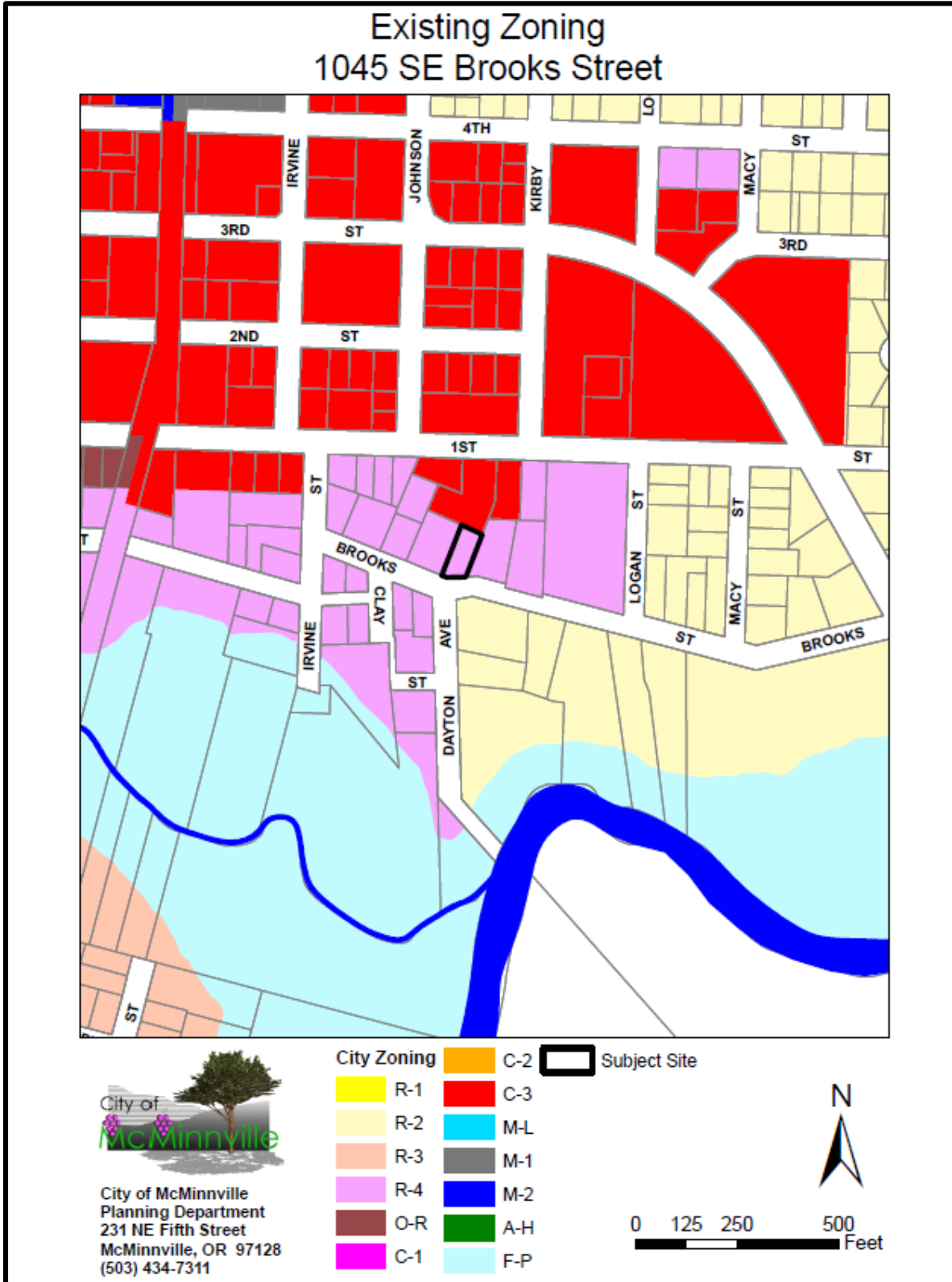
The subject site is zoned R-4 (Multiple-Family Residential) and is designated on the comprehensive plan map as Residential.

Properties immediately adjacent to the subject site to the west and east are also zoned R-4 (Multiple-Family Residential). Properties further east along Brooks Street are zoned R-2 (Single Family Residential). Immediately to the north of the subject site is a C-3 PD (General Commercial Planned Development) zoned property that is the site of the Habitat for Humanity Restore business and offices. A visual of the subject site and reference maps showing the zoning designations of the subject site and the surrounding properties are provided below:

### Site Reference Map



Existing Zoning



**Discussion:**

The McMinnville Montessori School (MMS) purchased the subject site, which is immediately adjacent to the existing MMS building at 1101 SE Brooks Street. The MMS is proposing to convert the existing structure on the subject site from a single family dwelling to an elementary school classroom and associated facilities. The MMS will continue to operate out of the existing building, with the primary school classroom in the existing building. The elementary school classroom would be relocated to the renovated building on the subject site at 1045 SE Brooks Street. Per Section 17.21.020(M) of the McMinnville Zoning Ordinance, a school (private or public) in the R4 zone is a conditional land use and needs a conditional use permit to operate.

The Planning Commission's responsibility regarding this type of land use request is to conduct a public hearing and, at its conclusion, render a decision to approve, approve with conditions, or deny the conditional use request. The Planning Commission should rely upon the criteria of Section 17.74.030, "Authorization to Grant or Deny Conditional Use" of the McMinnville Zoning Ordinance to review the proposal and render a decision.

*Evaluation of Review Criteria:*

The potential impacts of a proposed conditional use on the abutting properties and surrounding neighborhood should be minimized through the design, location, and operating characteristics of the proposed development. In order to ensure that the proposed use and development is appropriate and has minimal impacts on the surrounding neighborhood, the Planning Commission must find that the following criteria are being met:

## Section 17.74.030:

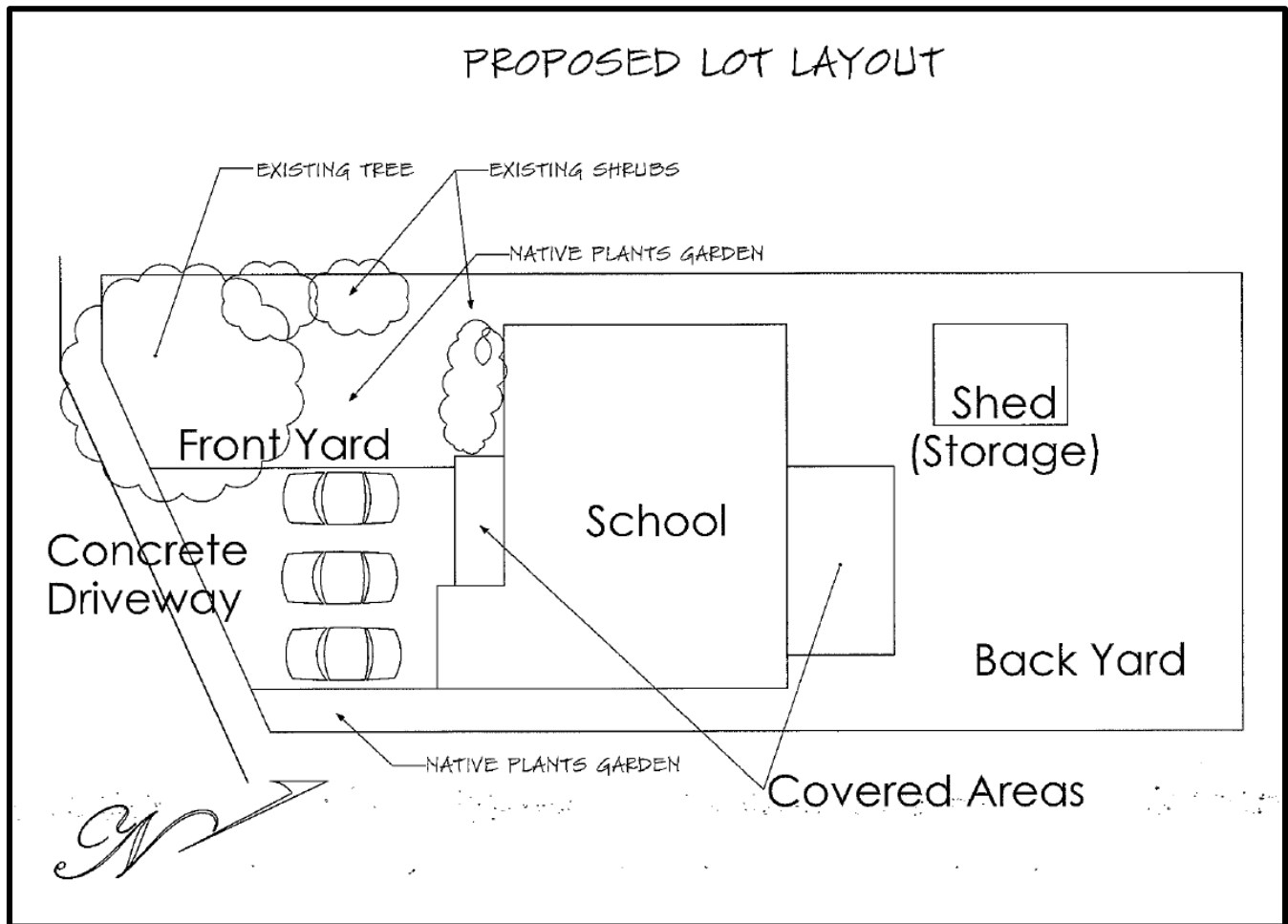
- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;

*Comprehensive Plan Policies:* A number of Comprehensive Plan goals and policies relate to the proposed development. In particular, Comprehensive Plan Chapter III (Cultural, Historical, and Educational Resources) includes goals and policies applicable to this request. One of the more applicable goals, which is also identified and explained in greater detail in the Findings of Fact in the attached Decision Document, states that the City should provide cultural and social services and facilities commensurate with the needs of the City's expanding population. A policy to support this goal is that the City shall allow future community center type facilities, both public and private, to locate in appropriate areas based on impacts on the surrounding land uses and community. The applicant has stated that the MMS has a continually long wait list for community members that wish to enroll their children in the Montessori School. The expansion will allow the school to increase overall enrollment, therefore providing educational resources and facilities that are in need to McMinnville's expanding population.

*Zoning District Requirements:* The property in question is zoned R-4 (Multiple-Family Residential). The proposed use as a private school is allowed as a conditional use in the R-4 zone

The applicant is proposing to retain the existing single family home that is located on the subject property, but will renovate the interior to allow for the structure to operate as the elementary school classroom. The exterior of the existing structure will not change structurally and no additions are proposed. The existing structure meets all required setbacks for the R-4 zone.

The proposed site plan is provided below:



*Parking and Off-Street Loading Requirements:* Parking on the site will be located south of the existing building, and the applicant is proposing to utilize the existing concrete driveway for parking space. The driveway will be expanded to provide adequate parking space for three (3) vehicles. The McMinnville Zoning Ordinance requires that elementary schools provide one (1) parking space per classroom plus one (1) parking space per administrative employee. The proposed use of the existing building will be one (1) elementary classroom, and the applicant has stated that up to two (2) employees may work in the classroom at a time. Therefore, the three (3) parking spaces provided meets the minimum number of required parking spaces.

Section 17.74.030:

- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;

*Harmony in Scale, Bulk, Coverage, and Density:* The subject site is located within an area of the city that is predominately residential uses. However, other uses exist in the immediate vicinity of the subject site, including a commercial use immediately north and two churches within a quarter mile of the site. Also, the subject site is located immediately adjacent to the McMinnville Montessori School's (MMS) existing building. This existing MMS building has been operating in its current location for approximately 20 years, and has not caused any impacts on the livability or appropriate development of abutting properties or the

surrounding neighborhood. The Planning Department has never received any complaint on the existing MMS operations in their existing building.

*Operating Characteristics:* The operating characteristics of the proposed expansion will be consistent with the existing MMS building. Students will be dropped off by parents in the morning and picked up again in the afternoon, and the regular schedule during the school year is from 8:30 AM to 3:00 PM. The applicant has described that traffic impacts are very minimal, as parents are advised to pull up to the property at scheduled times for pick-up, and a staff person then helps the student out to their parents' car. This reduces parking needs on site. The scheduled and coordinated pick-up and drop-off times also distributes the traffic that usually occurs during pick-up and drop-off over a longer period of time, which ensures that the streets in the surrounding area are not overwhelmed. Therefore, the operations of the expanded assisted living facility will not negatively impact the surrounding neighborhood.

The applicant is not proposing to make any significant exterior alteration to the existing building on the subject site. Their goal is to maintain the general exterior appearance of the structure as a single family home to better blend in and be more compatible with the surrounding neighborhood. The existing structure, which the MMS recently acquired, has been in a state of disrepair. As part of the overall renovations, the MMS intends to improve the appearance of the structure and therefore enhance the overall quality of the built environment in the neighborhood.

Photos of the existing building on the subject site and its relationship to the existing MMS building are provided below:





Based on the descriptions above, staff believes that the expansion will be compatible with the surrounding neighborhood and will not impact the livability or appropriate development of abutting properties.

*Availability of Public Facilities and Utilities:* Adequate public facilities serve the existing site, including water, sewer, and streets. The Engineering Department has reviewed the plans and has no concerns with the ability for public facilities to serve the site.

*Traffic, Circulation, and Parking:* As described above, the existing driveway will be expanded in order to provide the required number of parking spaces on site. The MMS practice of scheduled and coordinated pick-up and drop-off times will ensure that traffic and circulation around the site is not overly impactful on the surrounding street network. The Engineering Department reviewed the plans, and does not have any concerns with traffic from the expansion of the MMS properties.

Section 17.74.030:

- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;

The type of development proposed is consistent with the development pattern of the surrounding area. Other school and church uses exist within a quarter mile of the subject site. Also, the structure to be used for the elementary school classroom will retain the exterior appearance of a single family home. The applicant intends to improve the structure on the site, which will upgrade the structure from its current state of disrepair and should have a positive impact on the value and livability of the surrounding area. Also, a permitted use in the R-4 (Multiple Family Residential) zone is a day care facility for up to twelve (12) people, and the applicant is arguing that the proposed use as a school is not much more impactful than the permitted use of a day care facility.

## Section 17.74.030:

- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;

The site and the proposed building will be designed in such a way as to blend in with the surrounding area. As stated above, the applicant intends to renovate the interior of the existing building to operate as a classroom, but retain the appearance on the exterior of the building as a single family dwelling. The applicant will be removing the garage door and adding another door on the east side of the building, but the primary building elements and structure of the building will remain unchanged. The new door on the east side of the building will be the main entry into the building, with a small lobby inside. The new door and main entry will face the existing MMS building on the adjacent property, which will create a common entry area to both buildings. The existing building has a concrete pedestrian walkway from the street and sidewalk to the main entry. While it is not shown on the site plan, the applicant does intend to construct a similar walkway to the new main entry on the new MMS building. Staff is recommending a condition of approval to require that this pedestrian walkway be shown on the building permit plans for the renovation of the existing building.

The existing site does contain some landscape material, with a lawn, two (2) trees, and some shrubs that exist in the front yard. There are some taller shrubs that exist between the existing MMS building and the subject site. Also, the MMS has begun to maintain a native garden in the front and side yard of the existing MMS property. The applicant intends to expand the native garden onto the new MMS building's property. In the back yard of the subject site, a larger open green area exists that will serve as outdoor play space for students.

The McMinnville Zoning Ordinance does require that landscaping be provided on all R-4 (Multiple Family Residential) zoned properties that are not used as single family or two-family dwellings. Therefore, staff is recommending a condition of approval to require that a landscape plan be submitted for the site for review and approval by the Landscape Review Committee. The existing landscaping on the site can be identified on the landscape plan, and retained if healthy. The proposed native garden and open play space in the rear yard would all count towards overall landscaped space.

## Section 17.74.030:

- E. The proposal will preserve environmental assets of particular interest to the community;

The subject site does not contain any significant environmental assets that would be of any particular interest to the community. The site has been developed as a single family home, is flat, and does not contain any significant trees or other natural features. Therefore, the proposed conditional use satisfies this review criteria.

## Section 17.74.030:

- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

The applicant intends to renovate the existing building and site as proposed, and has the intent and capability to develop and use the land as proposed. The applicant has purchased and now has full control of the property in question. Also, the applicant has successfully operated the existing McMinnville Montessori School for approximately 20 years on the property immediately adjacent to the subject site, and has a long wait list of prospective students. The demand for this type of educational facility in the City of McMinnville is evident and the applicant believes the expansion will allow them to continue to meet this community need.



**Fiscal Impact:**

None.

**Commission Options:**

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

**Recommendation/Suggested Motion:**

The Planning Department recommends approval of CU 4-17, subject to the following conditions:

1. That the applicant shall include, in the building permit construction plan set, plans for a pedestrian walkway from the existing public sidewalk and private parking spaces to the proposed main entry on the east side of the building.
2. That prior to the release of building permits for the proposed renovations, the applicant shall submit a landscape plan for the site for review and approval by the McMinnville Landscape Review Committee. All landscaping, as approved by the Landscape Review Committee, shall be installed prior to occupancy of the building. Alternatively, a landscape bond for 120-percent of the landscaping cost of the uninstalled portion shall be placed on deposit with the City prior to occupancy.
3. That this conditional use permit approval shall be terminated if the proposed improvements do not commence within one year of the effective date of this approval, or if the use once commenced lapses for any single period of time that exceeds one year in duration.

The Planning Department recommends that the Commission make the following motion approving of CU 4-17:

**THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVES CU 4-17 SUBJECT TO THE STAFF RECOMMENDED CONDITIONS OF APPROVAL.**

CD:sjs

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PLANNING DEPARTMENT**  
231 NE FIFTH STREET  
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**DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A CONDITIONAL USE PERMIT FOR AN EXPANSION OF THE MCMINNVILLE MONTESSORI SCHOOL AT 1045 SE BROOKS STREET.**

- DOCKET:** CU 4-17 (Conditional Use)
- REQUEST:** The applicant is requesting a conditional use permit to allow for the expansion of the existing McMinnville Montessori School (MMS) campus. The school has purchased the property next to the existing MMS building, and intends to renovate the existing building on the property to operate as the elementary school classroom. The existing MMS building would continue to operate as school classrooms and facilities. The rear of the existing school and the new property would be combined to operate as one open play yard in the backyard areas.
- LOCATION:** The property is located at 1045 SE Brooks Street, and is more specifically described as Tax Lot 1202, Section 21CA, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site's current zoning is R-4 (Multiple-Family Residential).
- APPLICANT:** McMinnville Montessori School
- STAFF:** Chuck Darnell, Associate Planner
- HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME:** August 17, 2017. Meeting held at the Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; Northwest Natural Gas; and Recology. Their comments are provided in this decision document.

**DECISION**

Based on the findings and conclusions, the Planning Commission **APPROVES** the conditional use permit (CU 4-17) **subject to the conditions of approval provided in this document.**

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**DECISION: APPROVAL WITH CONDITIONS**  
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Planning Commission: \_\_\_\_\_  
Roger Hall, Chair of the McMinnville Planning Commission

Date: \_\_\_\_\_

Planning Department: \_\_\_\_\_  
Heather Richards, Planning Director

Date: \_\_\_\_\_

**Application Summary:**

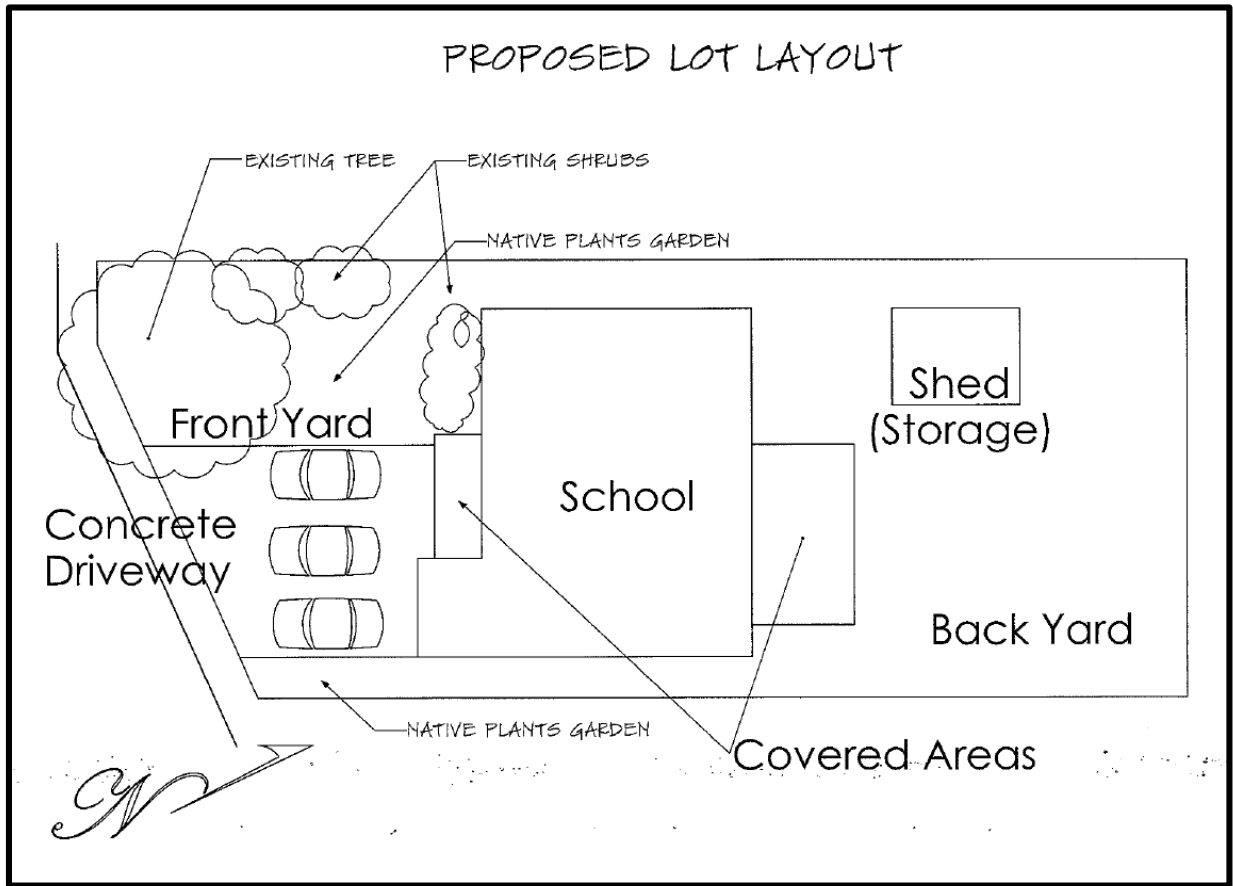
The applicant is requesting a conditional use permit to allow for the expansion of the existing McMinnville Montessori School (MMS) campus. The school has purchased the property next to the existing MMS building, and intends to renovate the existing building on the property to operate as the elementary school classroom. The existing MMS building would continue to operate as school classrooms and facilities. The rear of the existing school and the new property would be combined to operate as one open play yard in the backyard areas.

A map of the subject site, the proposed site plan, and photos of the existing structure are provided below:

**Site Reference Map**



**Proposed Site Plan**



**Existing Structure**



## **CONDITIONS OF APPROVAL**

The following conditions of approval shall be required:

**CU 4-17** is **approved** subject to the following conditions:

1. That the applicant shall include, in the building permit construction plan set, plans for a pedestrian walkway from the existing public sidewalk and private parking spaces to the proposed main entry on the east side of the building.
2. That prior to the release of building permits for the proposed renovations, the applicant shall submit a landscape plan for the site for review and approval by the McMinnville Landscape Review Committee. All landscaping, as approved by the Landscape Review Committee, shall be installed prior to occupancy of the building. Alternatively, a landscape bond for 120-percent of the landscaping cost of the uninstalled portion shall be placed on deposit with the City prior to occupancy.
3. That this conditional use permit approval shall be terminated if the proposed improvements do not commence within one year of the effective date of this approval, or if the use once commenced lapses for any single period of time that exceeds one year in duration.

## **ATTACHMENTS**

1. CU 4-17 Application and Attachments
2. Planning Commission Staff Report, August 17, 2017

## **COMMENTS**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas, and Recology. The following comments have been received:

### **McMinnville Engineering Department:**

We have reviewed proposed CU 4-17, and do not have any concerns or suggested conditions of approval.

Note that at the time of building permits for the project, the applicant will need to upgrade the site driveway and sidewalk to meet current public right-of-way accessibility guidelines (PROWAG) standards.

### **McMinnville Water and Light:**

MW&L has no comments on this application.

### **McMinnville Building Department:**

Went through this with Applicants as pre-app – NO issues other than discussed at the meeting.

Note – The Building Official provided comments at the building permit pre-application meeting referenced above, and informed the applicant that a seismic analysis will be required for the existing building, and that any items identified as non-compliant in the seismic analysis will be

required to be updated. The applicant was also informed that both proposed bathrooms would need to be ADA accessible.

McMinnville Fire Department:

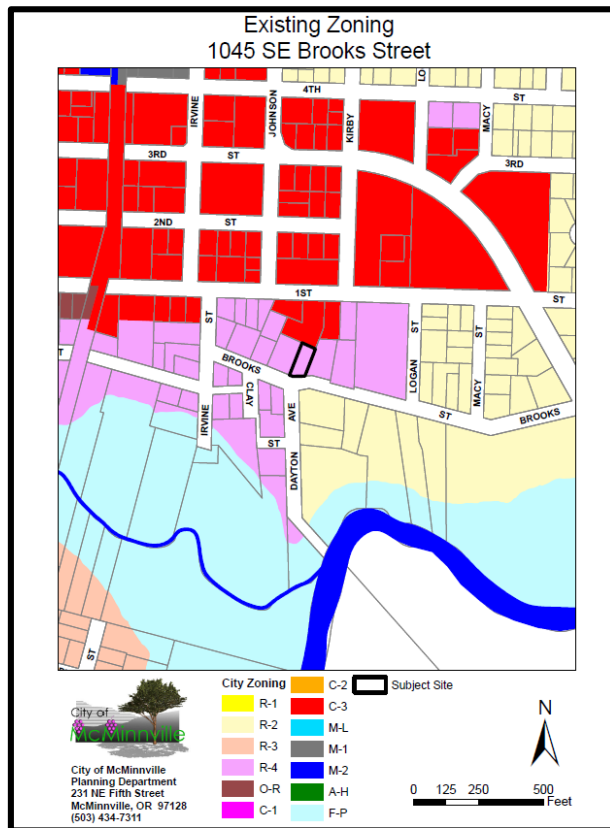
We don't have any issues with this request. They would need to provide fire extinguishers as required by the 2014 Oregon Fire Code.

**FINDINGS OF FACT**

1. McMinnville Montessori School is requesting a conditional use permit to allow for the expansion of the existing McMinnville Montessori School (MMS) campus. The school has purchased the property next to the existing MMS building, and intends to renovate the existing building on the property to operate as the elementary school classroom. The existing MMS building would continue to operate as school classrooms and facilities. The property is located at 1045 SE Brooks Street, and is more specifically described as Tax Lot 1202, Section 21CA, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned R-4 (Multiple-Family Residential), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.

Properties immediately adjacent to the subject site to the west and east are also zoned R-4 (Multiple-Family Residential). Properties further east along Brooks Street are zoned R-2 (Single Family Residential). Immediately to the north of the subject site is a C-3 PD (General Commercial Planned Development) zoned property that is the site of the Habitat for Humanity Restore business and offices.

**Existing Zoning**



3. Sanitary sewer and municipal water and power can serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
4. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas, Oregon Department of Transportation, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. No comments in opposition were provided to the Planning Department.
5. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

### **CONCLUSIONARY FINDINGS**

The applicant provided findings for a wide range of Comprehensive Plan goals and policies, many of which were found to not apply to the request. However, those findings are incorporated herein as they were provided in the application. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

GOAL III 1: TO PROVIDE CULTURAL AND SOCIAL SERVICES AND FACILITIES COMMENSURATE WITH THE NEEDS OF OUR EXPANDING POPULATION, PROPERLY LOCATED TO SERVICE THE COMMUNITY AND TO PROVIDE POSITIVE IMPACTS ON SURROUNDING AREAS.

*Policy 13.00: The City of McMinnville shall allow future community center type facilities, both public and private, to locate in appropriate areas based on impacts on the surrounding land uses and the community as a whole, and the functions, land needs, and service area of the proposed facility.*

GOAL III 3: TO PROVIDE FOR THE EDUCATIONAL NEEDS OF McMINNVILLE THROUGH THE PROPER PLANNING, LOCATION, AND ACQUISITION OF SCHOOL SITES AND FACILITIES.

Finding: Goal III 1, Policy 13.00, and Goal III 3 are satisfied in that the McMinnville Montessori School provides for an educational facility in need in the community. The applicant has stated that the McMinnville Montessori School has a continually long wait list for community members that wish to enroll their children in the Montessori School. The expansion will allow the school to increase overall enrollment slightly, therefore providing educational resources and facilities that are in need to McMinnville's expanding population. The expansion will also allow for the school to operate more efficiently, with the primary school classrooms staying in the existing building and the newly acquired building being renovated solely for the elementary school classroom. The proposed facility will meet a demonstrated need in the community and will provide for variety and choice in the educational system in McMinnville. Also, the proximity to the existing McMinnville Montessori School and the minimal changes that will occur to the exterior of the subject site ensure that this facility is appropriately sited to service the community, with little impact on the surrounding area.

*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)*

Finding: 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.

*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 rights-of-way as transportation routes.*

Finding: Policies 126.00 and 127.00 are satisfied by this proposal in that three (3) parking spaces will be provided on the subject site. The McMinnville Zoning Ordinance requires that elementary schools provide one (1) parking space per classroom plus one (1) parking space per administrative employee. The proposed use of the existing building will be one (1) elementary classroom, and the applicant has stated that up to two (2) employees may work in the classroom at a time. Therefore, the three (3) parking spaces provided meets the minimum number of required parking spaces.

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

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

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

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

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

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

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

Finding: Policy 155.00 is satisfied in that emergency services departments have reviewed this request and have provided no comments in opposition.

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

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

Finding: Goal X 1 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 McMinnville Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. 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:

R-4 Multiple-Family Residential Zone:

17.21.020 Conditional uses. In an R-4 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74.030: [...]

- M. Public or private school or college

Finding: The subject site is zoned R-4 (Multiple-Family Residential) which allows the proposed use of a private school as a conditional use.

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

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

Finding: The existing building meets all required yard setbacks, and is not proposed to be altered or expanded in any way.

17.21.050 Building height. In an R-4 zone, a building shall not exceed sixty feet in height.

Finding: The height of the existing building is not proposed to be increased, and the existing building is well under sixty feet in height.

Landscaping:

17.57.050 Area Determination—Planning factors.

- A. Landscaping shall be accomplished within the following ranges: [...]
  - 3. Multiple-family, twenty-five percent of the gross area. This may be reduced to not less than fifteen percent upon approval of the review committee [...]

17.57.060 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

- A. R-4 (Multiple-Family Residential zone, except the construction of a Single-Family or Two-Family Residential unit) [...]

Finding: Landscaping will be required as a condition of approval, and the Landscape Review Committee will ensure that the landscaping meets all necessary guidelines and criteria.

Review Criteria:

17.74.030 Authorization to Grant or Deny Conditional Use. A conditional use listed in this ordinance shall be permitted, altered or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, a change in the use or in lot area, or an alteration of any structure shall conform to the requirements for conditional uses. In judging whether or not a conditional use proposal shall be approved or denied, the Planning Commission shall weigh its appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall

find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;
- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;
- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;
- E. The proposal will preserve environmental assets of particular interest to the community;
- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

Finding: The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, as is described in greater detail above.

The property in question is zoned R-4 (Multiple-Family Residential). The proposed use as a private school is allowed as a conditional use in the R-4 zone (Section 17.21.020(M)). The applicant is proposing to retain the existing single family home that is located on the subject property, but will renovate the interior to allow for the structure to operate as the elementary school classroom. The exterior of the existing structure will not change structurally and no additions are proposed. The existing structure meets all required setbacks for the R-4 zone.

Parking on the site will be located south of the existing building, and the applicant is proposing to utilize the existing concrete driveway for parking space. The driveway will be expanded to provide adequate parking space for three (3) vehicles. The McMinnville Zoning Ordinance requires that elementary schools provide one (1) parking space per classroom plus one (1) parking space per administrative employee. The proposed use of the existing building will be one (1) elementary classroom, and the applicant has stated that up to two (2) employees may work in the classroom at a time. Therefore, the three (3) parking spaces provided meets the minimum number of required parking spaces.

The subject site is located within an area of the city that is predominately residential uses. However, other uses exist in the immediate vicinity of the subject site, including a commercial use immediately north and two churches within a quarter mile of the site. Also, the subject site is located immediately adjacent to the McMinnville Montessori School's (MMS) existing building. This existing MMS building has been operating in its current location for approximately 20 years, and has not caused any impacts on the livability or appropriate development of abutting properties or the surrounding neighborhood. The Planning Department has never received any complaint on the existing MMS operations in their existing building.

The operating characteristics of the proposed expansion will be consistent with the existing MMS building. Students will be dropped off by parents in the morning and picked up again in the afternoon, and the regular schedule during the school year is from 8:30 AM to 3:00 PM. The applicant has described that traffic impacts are very minimal, as parents are advised to pull up to the property at scheduled times for pick-up, and a staff person then helps the student out to their parents' car. This reduces parking needs on site. The scheduled and coordinated pick-up and drop-off times also distributes the traffic that usually occurs during pick-up and drop-off over a longer period of time, which

ensures that the streets in the surrounding area are not overwhelmed. Therefore, the operations of the expanded assisted living facility will not negatively impact the surrounding neighborhood.

The applicant is not proposing to make any significant exterior alteration to the existing building on the subject site. Their goal is to maintain the general exterior appearance of the structure as a single family home to better blend in and be more compatible with the surrounding neighborhood. The existing structure, which the MMS recently acquired, has been in a state of disrepair. As part of the overall renovations, the MMS intends to improve the appearance of the structure and therefore enhance the overall quality of the built environment in the neighborhood.

Adequate public facilities serve the existing site, including water, sewer, and streets. The Engineering Department has reviewed the plans and has no concerns with the ability for public facilities to serve the site. As described above, the existing driveway will be expanded in order to provide the required number of parking spaces on site. The MMS practice of scheduled and coordinated pick-up and drop-off times will ensure that traffic and circulation around the site is not overly impactful on the surrounding street network. The Engineering Department reviewed the plans, and does not have any concerns with traffic from the expansion of the MMS properties.

The type of development proposed is consistent with the development pattern of the surrounding area. Other school and church uses exist within a quarter mile of the subject site. Also, the structure to be used for the elementary school classroom will retain the exterior appearance of a single family home. The applicant intends to improve the structure on the site, which will upgrade the structure from its current state of disrepair and should have a positive impact on the value and livability of the surrounding area. Also, a permitted use in the R-4 (Multiple Family Residential) zone is a day care facility for up to twelve (12) people, and the applicant is arguing that the proposed use as a school is not much more impactful than the permitted use of a day care facility.

The site and the proposed building will be designed in such a way as to blend in with the surrounding area. As stated above, the applicant intends to renovate the interior of the existing building to operate as a classroom, but retain the appearance on the exterior of the building as a single family dwelling. The applicant will be removing the garage door and adding another door on the east side of the building, but the primary building elements and structure of the building will remain unchanged. The new door on the east side of the building will be the main entry into the building, with a small lobby inside. The new door and main entry will face the existing MMS building on the adjacent property, which will create a common entry area to both buildings. The existing building has a concrete pedestrian walkway from the street and sidewalk to the main entry. While it is not shown on the site plan, the applicant does intend to construct a similar walkway to the new main entry on the new MMS building. A condition of approval is included to require that this pedestrian walkway be shown on the building permit plans for the renovation of the existing building.

The existing site does contain some landscape material, with a lawn, two (2) trees, and some shrubs that exist in the front yard. There are some taller shrubs that exist between the existing MMS building and the subject site. Also, the MMS has begun to maintain a native garden in the front and side yard of the existing MMS property. The applicant intends to expand the native garden onto the new MMS building's property. In the back yard of the subject site, a larger open green area exists that will serve as outdoor play space for students.

The McMinnville Zoning Ordinance does require that landscaping be provided on all R-4 (Multiple Family Residential) zoned properties that are not used as single family or two-family dwellings. Therefore, a condition of approval is included to require that a landscape plan be submitted for the site for review and approval by the Landscape Review Committee. The existing landscaping on the site can be identified on the landscape plan, and retained if healthy. The proposed native garden and open play space in the rear yard would all count towards overall landscaped space.

The applicant intends to renovate the existing building and site as proposed, and has the intent and capability to develop and use the land as proposed. The applicant has purchased and now has full control of the property in question. Also, the applicant has successfully operated the existing McMinnville Montessori School for approximately 20 years on the property immediately adjacent to the subject site, and has a long wait list of prospective students. The demand for this type of educational facility in the City of McMinnville is evident and the applicant believes the expansion will allow them to continue to meet this community need.

17.74.040 Placing Conditions on a Conditional Use Permit. In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which it finds necessary to avoid a detrimental environmental impact and to otherwise protect the best interest of the surrounding area or the community as a whole. These conditions may include, but need not be limited to, the following:

- A. Limiting the manner in which the use is conducted including restrictions on the time a certain activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare, and odor;
- B. Establishing a special yard or other open space, lot area, or dimension;
- C. Limiting the height, size, or location of a building or other structure;
- D. Designating the size, number, location and nature of vehicle access points;
- E. Increasing the amount of street dedication, roadway width, or improvements within the street right-of-way;
- F. Designating the size, location, screening, drainage, surfacing, or other improvement of a parking area or truck loading area;
- G. Limiting or otherwise designating the number, size, location, height and lighting of signs;
- H. Limiting the location and intensity of outdoor lighting and requiring its shielding;
- I. Requiring diking, screening, landscaping, or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance;
- J. Designating the size, height, location, and materials for a fence;
- K. Protecting and preserving existing trees, vegetation, water resource, wildlife habitat, or other significant natural resource;
- L. Such other conditions as will make possible the development of the City in an orderly and efficient manner in conformity with the intent and purposes set forth in this ordinance.

Finding: The conditions of approval included in this document are included to ensure that the development does not have a detrimental impact on the surrounding area, and to protect the best interest of the surrounding area.

CD:sjs

**Planning Department**

231 NE Fifth Street ◦ McMinnville, OR 97128  
 (503) 434-7311 Office ◦ (503) 474-4955 Fax  
 www.ci.mcminnville.or.us

**Office Use Only:**

File No. CV 4-17  
 Date Received 7-13-17  
 Fee \$ 1075.00  
 Receipt No. 17M0140  
 Received by CD

## Conditional Use Application

**Applicant Information**

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

Applicant Name McMinnville Montessori School Phone 503 434-5081

Contact Name Lisa Neal Phone 503 550-8296  
 (If different than above)

Address 1101 SE Brooks St.

City, State, Zip McMinnville OR 97128

Contact Email lisa@cdt vineyard.com

**Property Owner Information**

Property Owner Name McMinnville Montessori School Phone 503 434-5081  
 (If different than above)

Contact Name Lisa Neal Phone 503 550 8296

Address 1101 SE Brooks St.

City, State, Zip McMinnville OR 97128

Contact Email lisa@cdt vineyard.com

**Site Location and Description**

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

Property Address 1045 SE Brooks St.

Assessor Map No. R4 4 - 21 - CAØ12Ø2 Total Site Area .17 Acre

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

Comprehensive Plan Designation Residential Zoning Designation R-4

1. State nature of the request in detail: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Describe in detail how the request will be consistent with the McMinnville Comprehensive Plan and the objectives of the zoning ordinance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Describe how the location size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with, and have minimum impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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6. Has the development been specifically designed to preserve any environmental assets or unique topography or vegetation of the site? If so, how? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Explain how the development and use of the land as proposed has no inappropriate purpose, such as to artificially alter property values for speculative purposes: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

- A site plan (drawn to scale, legible, and of a reproducible size), clearly showing 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; structures and other proposed and existing improvements; north direction arrow; and significant features (slope, vegetation, adjacent development, drainage, etc.).
- A legal description of the property, preferably taken from 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.

Lisa DeZul  
Applicant's Signature

7/13/17  
Date

Lisa DeZul  
Property Owner's Signature  
On Behalf of  
MMS

7/13/17  
Date

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

**ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE COUNTY OF YAMHILL AND STATE OF OREGON BEING KNOWN AND DESIGNATED AS FOLLOWS:**

**A TRACT OF LAND IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, COUNTY OF YAMHILL, STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT WHICH IS DESCRIBED AS BEING 2.47 CHAINS SOUTH 45" WEST OF THE SOUTHEAST COMER OF KIRBY AND FIRST STREETS IN THE CITY OF MCMINNVILLE, SAID POINT BEING LOCATED BY COUNTY SURVEY CSP-6044; THENCE SOUTH 20°43' WEST, 74.6 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING THE NORTHEAST COMER OF THAT TRACT OF LAND CONVEYED TO LORNA LINDA UNIVERSITY BY DEED RECORDED AUGUST 15, 1983 IN FILM VOLUME 179, PAGE 1060, DEED AND MORTGAGE RECORDS; THENCE ALONG THE EAST LINE OF THE SAID LORNA LINDA TRACT, SOUTH 20"43' WEST, 118.98 FEET TO THE NORTH LINE OF BROOKS STREET; THENCE SOUTH 89"15' WEST ALONG THE NORTH LINE OF BROOKS STREET, 46.62 FEET; THENCE NORTH 68°45' WEST ALONG THE NORTH LINE OF BROOKS STREET, 13 FEET TO AN IRON ROD; THENCE NORTH 20"43' EAST, PARALLEL WITH THE EAST LINE OF THE LORNA LINDA TRACT, 136.36 FEET; THENCE SOUTH 68°50' EAST, 56.4 FEET TO THE POINT OF BEGINNING.**

**PIN #: R4421CA 01202**

**SERVICELINK TITLE COMPANY OF OREGON, LLC**

1. **State the nature of the request in detail:** McMinnville Montessori School (MMS) - A Not For Profit School, is requesting a conditional use permit to expand its current elementary classroom into the adjacent property located at 1045 SE Brooks St., McMinnville Or - Zoned R-4 which was recently purchased in June 2017. MMS has been a member of the McMinnville community for almost 30 years. Twenty years ago MMS was able to purchase the property where the existing school is located at 1101 SE Brooks St, McMinnville, OR 97128 . The Montessori Philosophy teaches children to be independent thinkers while collaborating with their peers to support and participate in their community. This philosophy supports a One Classroom environment where the children of Elementary ages 1st through 6th grades participate in the same learning space and learning experience. This allows for the older children to assist the younger children as needed along with assistance from the Guide or Teacher. Over the past several years, MMS has consistently had a lengthy waiting list to attend the school which has led the current and past board members to entertain the idea of expanding the school to accommodate the needs of our community. MMS is tuition based with financial assistance provided on an "as needed" basis. We pride ourselves in welcoming diversity into the school and being good stewards of our community. Recently the school was awarded a grant for a Native Garden, which the children worked tirelessly to install, maintain and create educational materials for visitors to better understand Native Gardens in Oregon. MMS also has participated in bringing musical performances to the local Farmer's Market as well as bringing the joy of song into the different assisted living centers. There is great pride taken in our neighborhood where the children walk to the park and pick up trash as a lesson learned about taking care of our environment. With the approval of the Conditional Use Permit, MMS will move the existing Elementary Classroom into the new space and extend the play yard into the adjacent backyard area of the new property. MMS will also extend the Native Garden onto the new adjacent property allowing for the beautification of the neighborhood and continuity of the school.

2. **Describe in detail how the request will be consistent with the McMinnville Comprehensive Plan and the objectives of the zoning ordinance:**

**17.74.030 Authorization to Grant or Deny Conditional Use. A conditional use listed in this ordinance shall be permitted, altered or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, a change in the use or in lot area, or an alteration of any structure shall conform with the requirements for conditional uses. In judging whether or not a conditional use proposal shall be approved or denied, the Planning Commission shall weigh its appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are**

*not applicable:*

***Why the proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;***

***Applicable Comprehensive Plan Policies***

In 2007, the staff report identified the following McMinnville Comprehensive Plan goals and policies as applicable to McMinnville Montessori School's expansion. Applicable plan goals and policies are addressed below.

***CHAPTER III CULTURAL, HISTORICAL, AND EDUCATIONAL RESOURCES  
GOAL III 1: TO PROVIDE CULTURAL AND SOCIAL SERVICES AND FACILITIES  
COMMENSURATE WITH THE NEEDS OF OUR EXPANDING POPULATION,  
PROPERLY LOCATED TO SERVICE THE COMMUNITY AND TO PROVIDE  
POSITIVE IMPACTS ON SURROUNDING AREAS.***

***Policy 13.00 The City of McMinnville shall allow future community center type facilities, both public and private, to locate in appropriate areas based on impacts on the surrounding land uses and the community as a whole, and the functions, land needs, and service area of the proposed facility.***

**Response:** The decision by McMinnville Montessori School to expand is the response to our community's demonstrated need for more spaces for children in our school. As mentioned above, for several years we have had to create a waiting list for families that desire the Mindful approach to education that McMinnville Montessori School offers. This expansion will provide the ability for families from 1st through 6<sup>th</sup> grade to reap the benefits of this student centric learning method that has provided a strong educational basis to millions of children throughout the world. The strategic design and minimal external modifications to the current structure, along with the minimal change to the current parking and circulation in this area ensures that neighborhood impacts from the expansion of McMinnville Montessori School will be minimized.

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

**Sanitary Sewer System 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.*

**Response:** The sewer impact of this facility will be minimal as there is no regular cooking, no shower facilities, no laundry facilities and the only sewer usage is for restroom facilities for the current 28 children and 2 adult teachers. This usage is very consistent with permitted facilities for this zoning such as a daycare facility.

**Storm Drainage 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.*

**Response:** As we are not modifying the external structure in any way, the storm water handling will be no different from the current permitted use.

**Water System Policies**

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

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

**Response:** This building is currently hooked up to city water, and there is a minimal need for water as mentioned above. There are no shower facilities, no laundry facilities, there is minimal water usage and with the expansion of the native garden there will be minimal water usage for landscape.

**Police and Fire Protection:**

**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 annexation, subdivision proposals, and other major land use decisions.*

**Response:** The building will meet and/or exceed all current fire codes which will be an upgrade from its current status.

**Energy Conservation:**

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

**Response:** As part of the renovation of the structure, all attempts for energy conservation and improvement of the facility will be addressed. This will include improving the insulation in the building, all updated windows will meet building codes, and all lighting will be low watt bulbs such as CFL and LED technologies.

- 3. Describe how the location size, design and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimum impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development:**

**Response:** The following narrative explains why the proposed McMinnville Montessori expansion, as designed, will have a minimal impact on the livability of the surrounding neighborhood when compared with existing conditions.

***Location***

This building is located adjacent to the existing McMinnville Montessori School building on Brooks Street which has been at this location for approximately 20 years. This expansion will offer a needed resource for parents looking for an alternative educational experience for children aged 5-12 years of age. This location has been a valuable asset to the community through the good stewardship of the MMS Community through trash pick up in the local neighborhood and parks, development and maintenance of the Native Garden, the overall upkeep and care given to the existing building which contrasts with the building the school is looking to expand into.

***Size and Design - Scale, Bulk, Coverage and Density***

There will be no major modification to the exterior of the building except to greatly enhance the property which is currently in a state of disrepair. The only

modification required will be the addition of 1 extra parking space to meet the parking requirements for the proposed use referencing Chapter 17.60.060 Spaces - Number Required B6. Elementary or Junior High School - One space per classroom plus one space per administrative employee. With the entire building being converted into One classroom ( 1 space) with the need for One Lead Guide (1 Space) and One Assistant (1 space), we are planning to add one parking space to supplement the two existing parking spaces currently in place. As you can see from the attached site plan, the goal is to maintain the look of a single family dwelling with parking minimally impacting the front of the property. The large tree and buffer landscaping along the side of the property will be improved upon by expansion of the Native Garden. The exterior will remain very consistent with the current surrounding mixed use apartments, duplexes and single family homes.

### ***Operating Characteristics***

With regard to operating characteristics, the elementary class will continue to operate on its regular schedule, approximately 8:30 to 3:00 as has been the case for the school for the past 20 years. This additional space will not incur any changes from the current use of the existing school.

Adequate public facilities and utilities serve the proposed school including water and sewer. Storm drainage is not altered in any way from the existing permitted use . The traffic impacts of the proposed addition will be relatively benign and can be supported by existing facilities and the addition of the 1 parking space. As parents are able to drop and pick up children without leaving their vehicle, there will be no change to the impact of the parking requirements of the neighborhood.

4. **Describe what impact the proposed development may have on the livability, value, or appropriate development of abutting properties or the surrounding area when compared to the impact of permitted development that is not classified as conditional:**

**Response:** This building is currently located in R-4 zoning which allows for single and multiple family dwellings, condominiums and day care facilities. As you can reference in the attached site plan and drawings, the plan is to fix the building's current state of disrepair and keep the external finishes to the standard of a high-quality single family home which is very consistent with the permitted single family unit and a vast upgrade from its current status. Furthermore, the actual use of the building will be consistent



with that of a permitted day care facility as there are several children that will be in the building during the day and parents will pick up and deliver their children at a set schedule. The pickup and drop off are scheduled in such a way to not require any parking needs as children are escorted to their parent's cars. This is the practice of the existing school and works very well to lessen any impact on the surrounding neighborhood.

**5. Describe how the location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants:**

**Response:** McMinnville Montessori is committed to creating a learning environment that nurtures our students. Among other aspects of this commitment, it is our mission to create a site that is both aesthetically appealing as well as blending with the existing environment. To this end, our proposal will include an expansion of our native Oregon garden which was recently completed at the existing school along with a rock path and arbor. Additionally, part of the renovation project plan for this facility is to address the disrepair that this building has faced over the past few years as it has sat vacant and has been used as a transient rental. As owners of this building, we will ensure that the exterior of the property enhances the overall quality of the neighborhood and is maintained at a standard worthy of a Montessori School

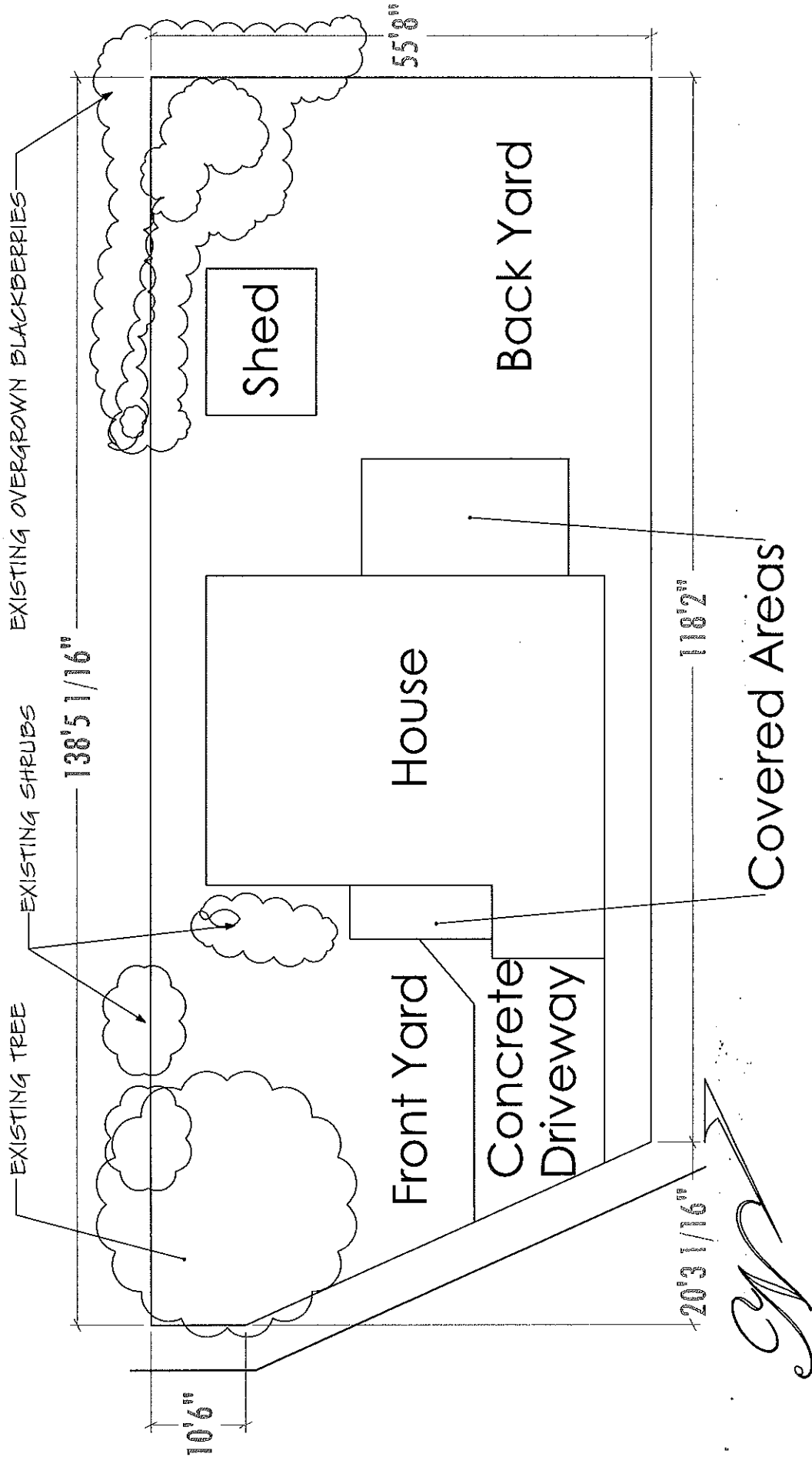
**6. Has the development been specifically designed to preserve any environmental assets or unique topography or vegetation of the site? If so, how?**

**Response:** To the best of our knowledge, there are no city-inventoried environmental assets on the property. Surrounding properties are developed as residential uses. There is a large tree in the front yard along with a buffer of landscaping between the existing building and the neighboring duplex which MMS intends to preserve and improve.

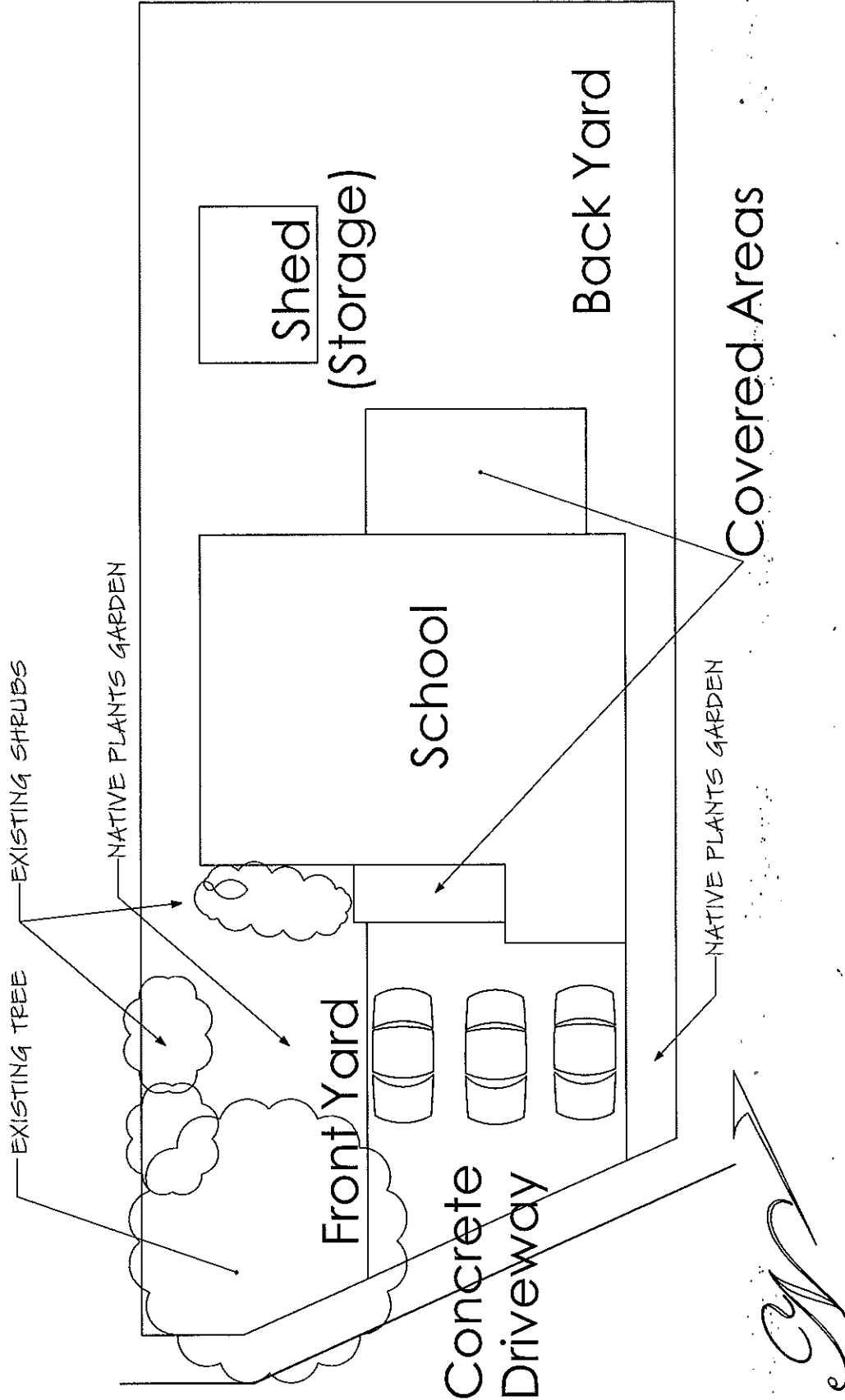
**7. Explain how the development and use of the land as proposed has no inappropriate purpose, such as to artificially alter property values for speculative purposes:**

**Response:** The single purpose of this proposed use is to provide a resource for the families of Yamhill County for quality Montessori based education. The main school building is already located within this neighborhood. People have chosen to purchase and/or rent properties with the knowledge that there is currently a school on the block. It can be demonstrated that having quality education near to one's residence does not negatively impact a property's value. A recent study by Realtor.com stated that a 6-10% increase in home values are reflected when located near a high quality school such as McMinnville Montessori School.

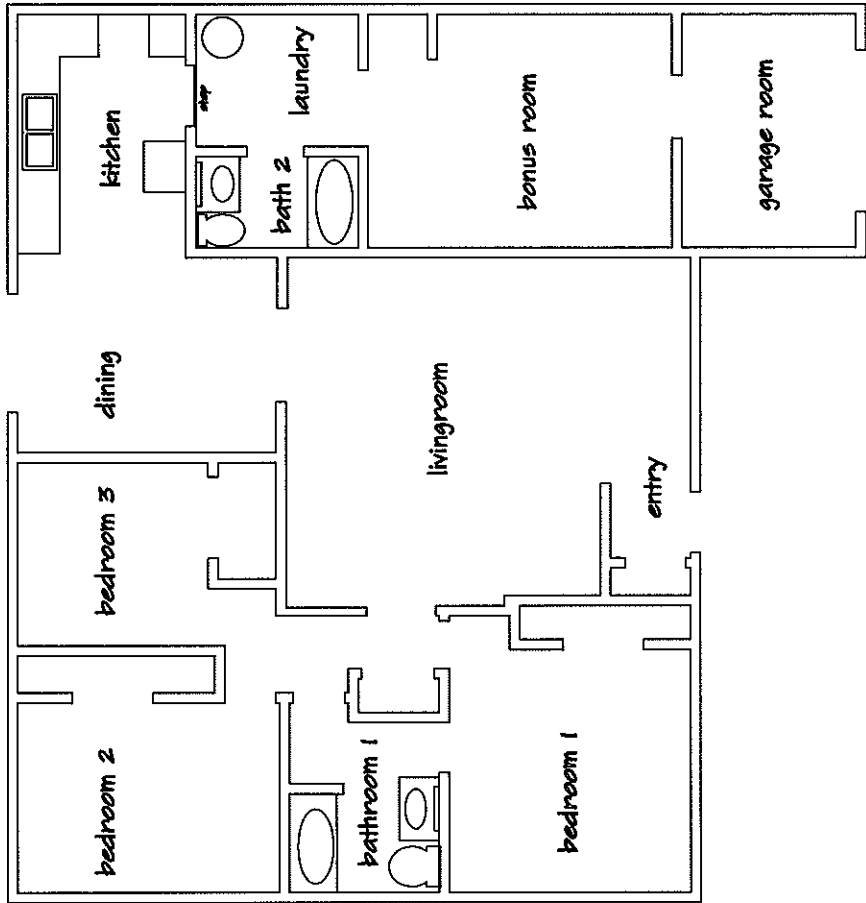
# CURRENT LOT LAYOUT



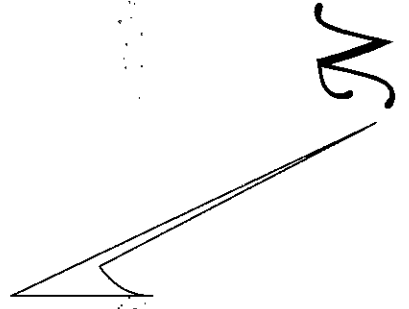
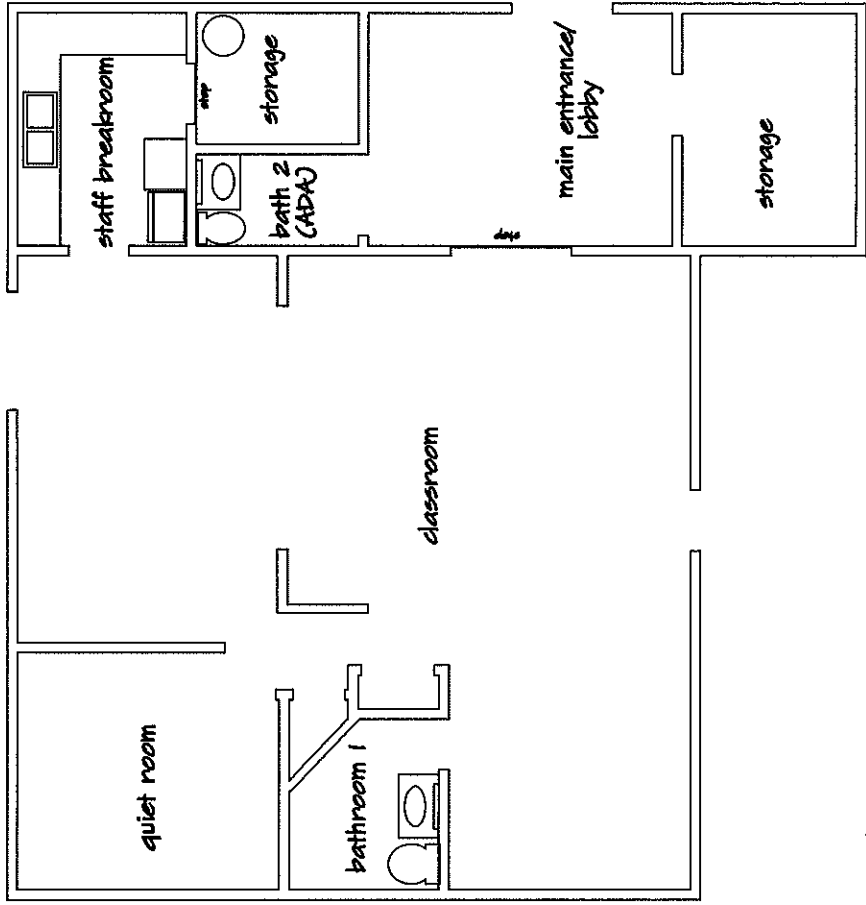
# PROPOSED LOT LAYOUT

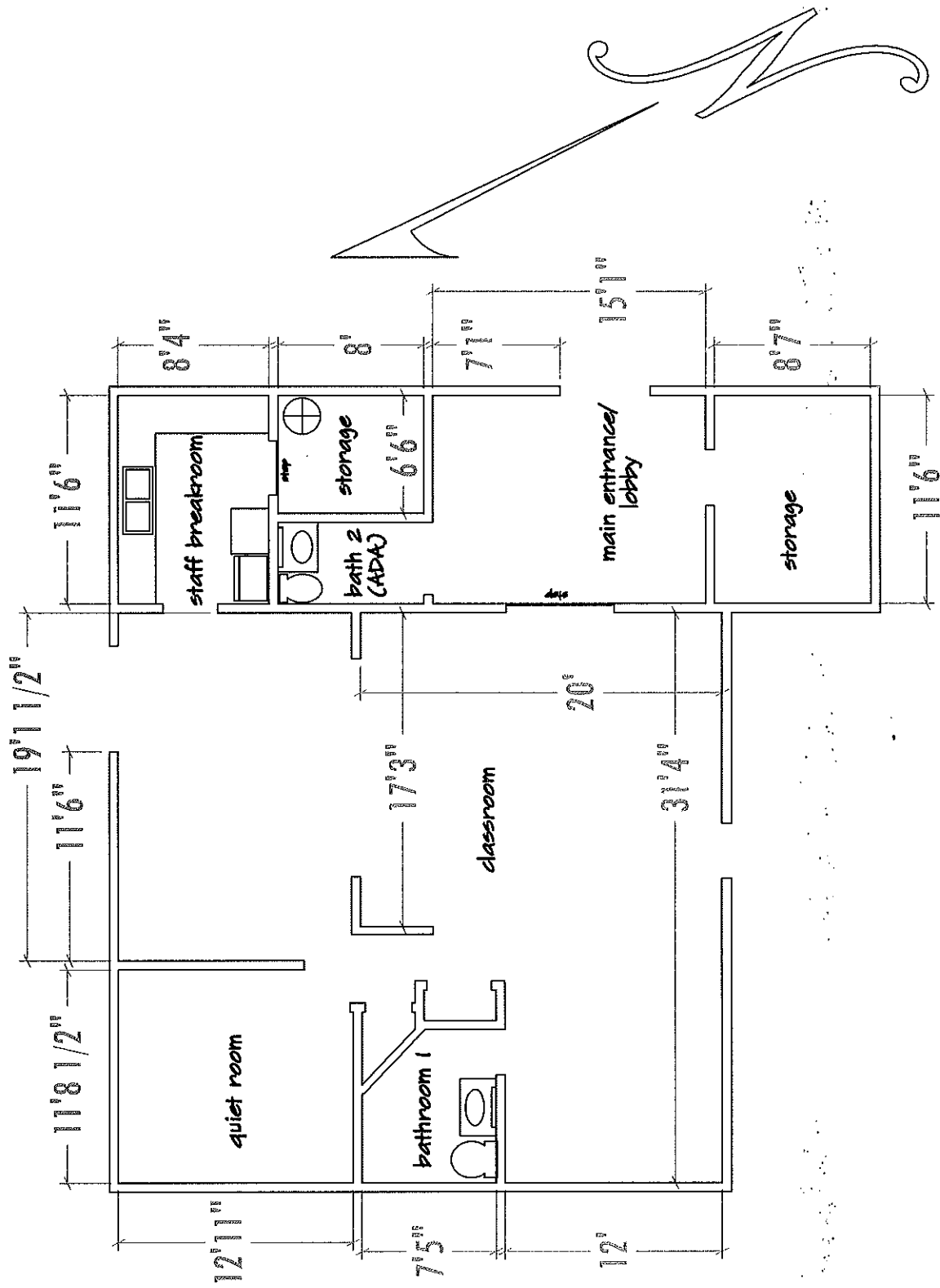


CURRENT PLAN

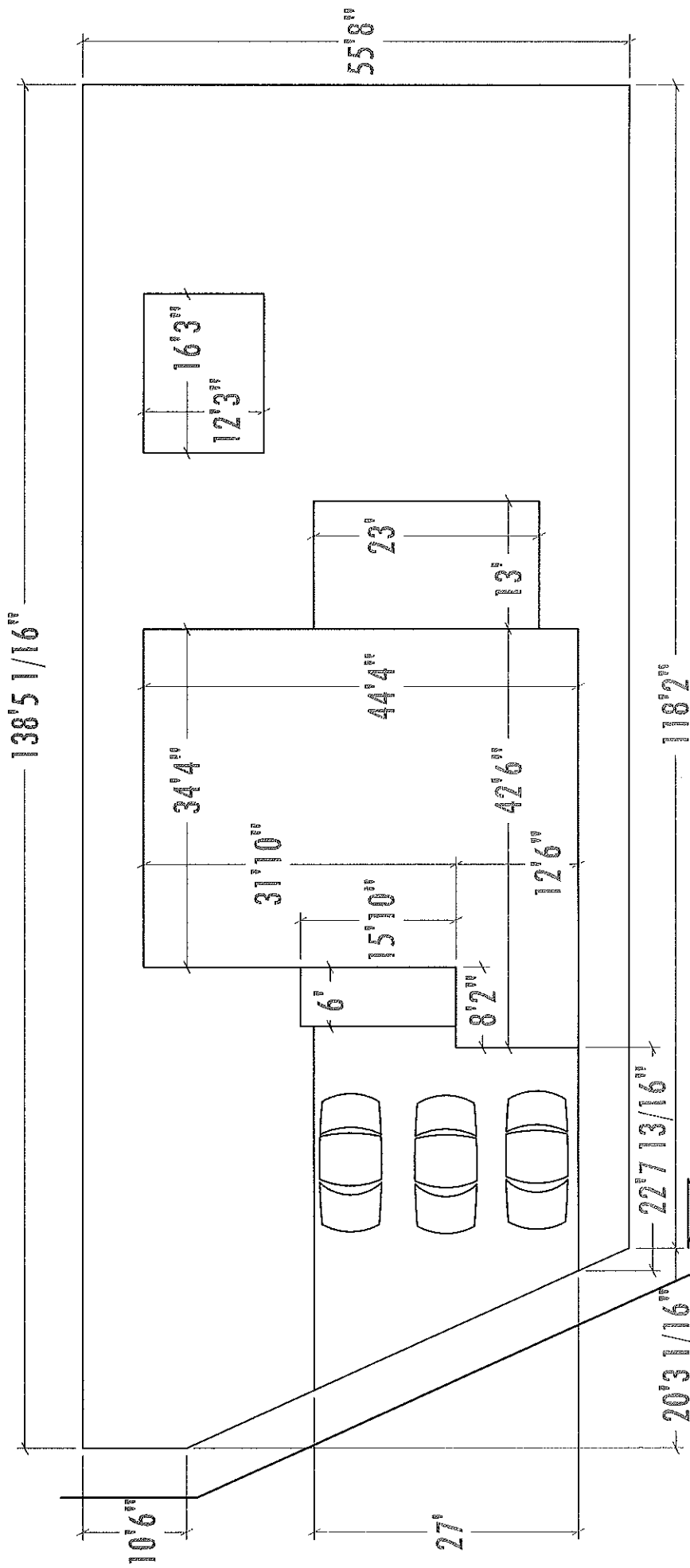


PROPOSED PLAN





PROPOSED FLOORPLAN DIMENSION



PROPOSED LOT LAYOUT DIMENSIONS

# PUBLIC HEARING NOTICE



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

## CONDITIONAL USE PERMIT FOR EXPANSION OF MCMINNVILLE MONTESSORI SCHOOL

DOCKET NUMBER: CU 4-17

The McMinnville Montessori School (MMS) is requesting approval of a conditional use permit to allow for the expansion of the existing MMS campus. The school has purchased the property next to the existing MMS building, and intends to renovate the existing building on the property to operate as the elementary school classroom. The existing MMS building would continue to operate as school classrooms and facilities. The rear of the existing school and the new property would be combined to operate as one open play yard in the backyard areas. The property is located at 1045 SE Brooks Street, and is more specifically described as Tax Lot 1202, Section 21CA, T. 4 S., R. 4 W., W.M.

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

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

1. The goals and policies of the McMinnville Comprehensive Plan.
2. The adopted Planned Development Overlay ordinance (Ordinance 4581).
3. The requirements of McMinnville Ordinance No. 3380 (the Zoning Ordinance) with particular emphasis on Chapter 17.21 (R-4 Multiple-Family Residential Zone), Section 17.72.120 (Applications – Public Hearings), Section 17.74.030 (Authorization to Grant of Deny Conditional Use), and Section 17.74.040 (Placing Conditions on a Conditional Use Permit).

17.74.030 Authorization to Grant or Deny Conditional Use. [...] In judging whether or not a conditional use proposal shall be approved or denied, the Planning Commission shall weigh its appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;
- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;
- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;
- E. The proposal will preserve environmental assets of particular interest to the community;
- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

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

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

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

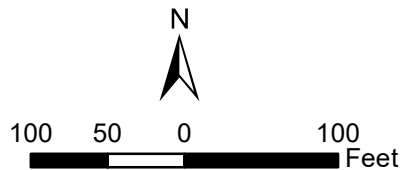
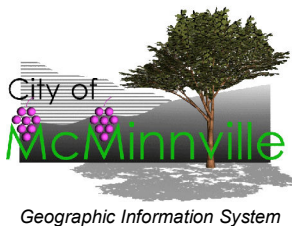
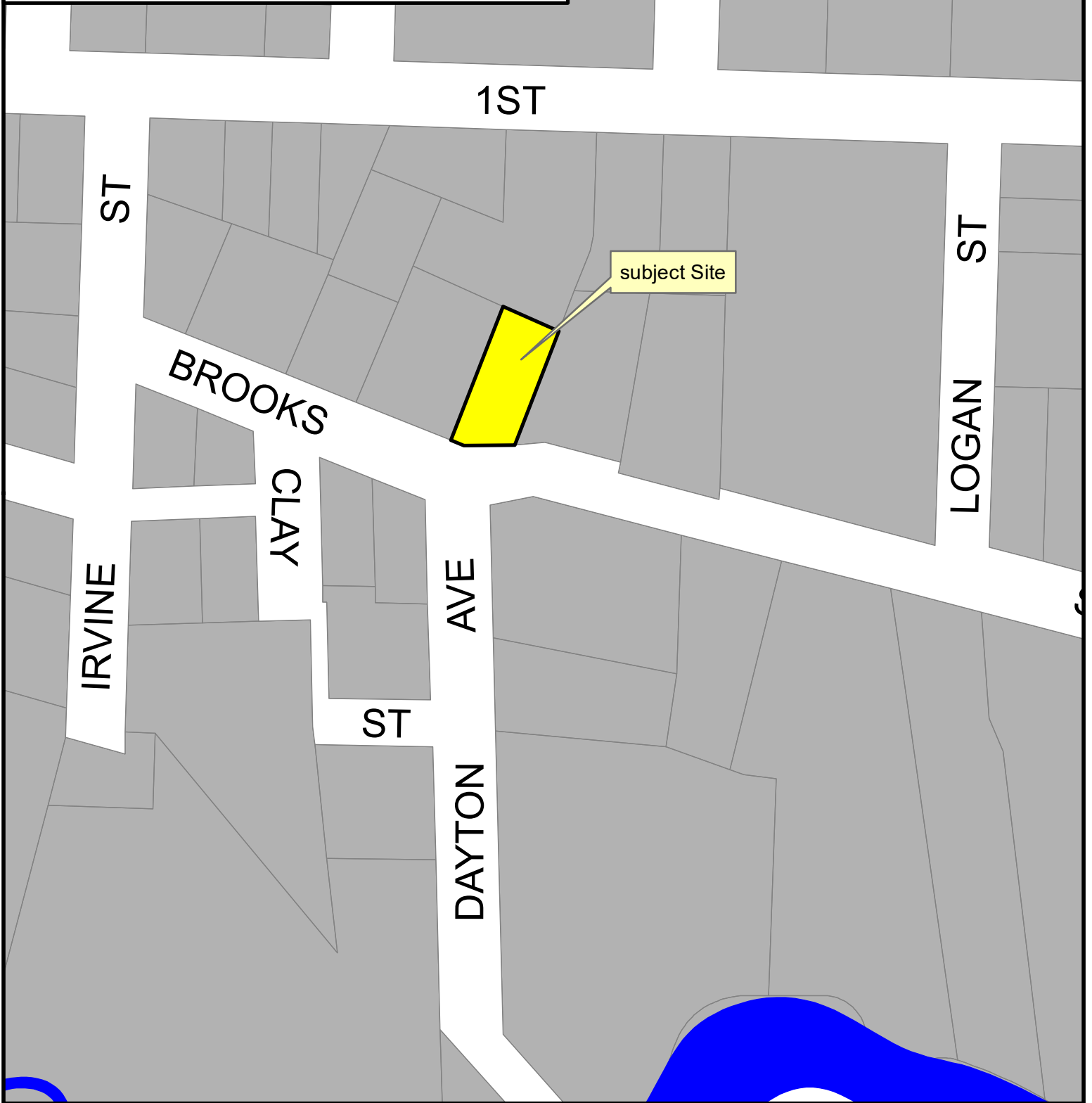
For additional information contact Chuck Darnell, Associate Planner, at the above address, or phone (503) 434-7330.

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

Heather Richards  
Planning Director

(Map of area on back)

# Vicinity Map



City of McMinnville  
Planning Department  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311



Map No.	Tax Lot	Site Address	Owner	Attn:	Mailing Address	City State	Zip
1	R4421CA00100	1110 SE 1ST ST	ST JAMES	ST JAMES CATHOLIC CHURCH MCMINNVILLE	1145 NE 1ST ST	MCMINNVILLE OR	97128
2	R4421CA00200	1056 SE 1ST ST	EDWARDS WESLEY	EDWARDS JULIE	1056 SE 1ST ST	MCMINNVILLE OR	97128
3	R4421CA00300	1040 SE 1ST ST	MCMINNVILLE AREA	MCMINNVILLE AREA HABITAT FOR HUMANITY	1040 SE 1ST ST	MCMINNVILLE OR	97128
4	R4421CA00400	1030 SE 1ST ST	SCHOKO PROPERTIES	SCHOKO PROPERTIES LLC	19191 SW PEAVINE RD	MCMINNVILLE OR	97128
5	R4421CA00500	1020 SE 1ST ST	MORTON &	MORTON & SONS LLC	6800 SE BOOTH BEND RD	MCMINNVILLE OR	97128
6	R4421CA00600	940 SE 1ST ST	JOHNSON TIMOTHY	JOHNSON TIMOTHY M	6611 NE 66TH	PORTLAND OR	97218
7	R4421CA01000	920 SE 1ST ST	GULLICK DELLA	GULLICK ROBERT R JR	920 SE 1ST ST	MCMINNVILLE OR	97128
8	R4421CA01001	925 SE BROOKS ST	LUNA RICARDO	BAUTISTA ANA R L (WROS)	1230 7TH ST	LAFAYETTE OR	97127
9	R4421CA01101	945 SE BROOKS ST	VOIGT EGON	VOIGT EGON W & BONITA M	945 SE BROOKS ST	MCMINNVILLE OR	97128
10	R4421CA01102	n/a	VOIGT EGON	VOIGT EGON W & BONITA M	945 SE BROOKS ST	MCMINNVILLE OR	97128
11	R4421CA01201	1009 SE BROOKS ST	PAK CHAE	PAK ROSHALDE	11355 NW MELODY LN	PORTLAND OR	97229
13	R4421CA01300	1101 SE BROOKS ST	MCMINNVILLE MONTESSORI	MCMINNVILLE MONTESSORI SCHOOL	PO BOX 372	MCMINNVILLE OR	97128
14	R4421CA01400	1135 SE BROOKS ST	RAMSBY MICHAEL	RAMSBY MICHAEL T & JULIE A	1135 SE BROOKS ST	MCMINNVILLE OR	97128
15	R4421CA02500	922 SE BROOKS ST	DIETZEL DELORIES	DIETZEL DELORIES J	922 SE BROOKS ST	MCMINNVILLE OR	97128
16	R4421CA02700	225 SE DAYTON AVE	CARDWELL KRISTIN	HUNTER JASON A (WROS)	225 SE DAYTON AVE	MCMINNVILLE OR	97128
17	R4421CA02701	1040 SE BROOKS ST	BENTLEY GENE	BENTLEY GENE R & GAYLE I LIVING TRUST	1040 SE BROOKS ST	MCMINNVILLE OR	97128
18	R4421CA02800	1020 SE BROOKS ST	PARKER LISA	PARKER LISA R	1020 SE BROOKS ST	MCMINNVILLE OR	97128
19	R4421CA02901	CNTY	KUUST SIMON	BELL AMANDA	922 SE WASHINGTON ST	MCMINNVILLE OR	97128
20	R4421DB03700	300 SE DAYTON AVE	DUNN TROY	DUNN TARA	300 SE DAYTON AVE	MCMINNVILLE OR	97128
21	R4421DB03800	310 SE DAYTON AVE	SIMPSON EDITH	SIMPSON EDITH TRUST	310 SE DAYTON AVE	MCMINNVILLE OR	97128
22	R4421DB03900	1132 SE BROOKS ST	SPECIALIZED HOUSING	SPECIALIZED HOUSING INC	1745 STATE ST	SALEM OR	97301
Owner	R4421CA01202	1045 SE BROOKS ST	US BANK	C/O QUALITY LOAN SERV CORP OF WA	411 IVY ST	SAN DIEGO CA	92101
Applicant			LISA NEAL	MCMINNVILLE MONTESSORI SCHOOL	1101 SE BROOKS ST	MCMINNVILLE OR	97128

Date Sent 10/31/17  
 Sent By SA