



231 NE Fifth Street • McMinnville, Oregon 97128 • www.mcminnvilleoregon.gov

September 18, 2018

Daniel Danicic
3411 Hayes Street – Suite 122
Newberg, OR 97132

RE: Comprehensive Plan Map Amendment & Zone Change Approval

Dear Mr. Danicic:

This is to advise you that, at a meeting of the McMinnville City Council on Tuesday, September 11, 2018, your applications for a Comprehensive Plan Map Amendment (CPA 1-18) from Industrial to Residential and a Zone Change (ZC 1-18) From M-1 (Light Industrial) to R-4 (Multiple-Family Residential) were presented and considered. The subject site is located at 1601 NE McDaniel Lane and is more specifically described as Tax Lot 7100, Section 16DB, T. 4 S., R. 4 W., W.M.

Based on the material submitted, testimony received, and the review criteria in Section 17.74.020 of the McMinnville Zoning Ordinance, the City Council voted to **APPROVE** your Comprehensive Plan Map Amendment and Zone Change requests (CPA 1-18 and ZC 1-18). Enclosed for your records is a copy of Ordinance No. 5058, which was adopted by the City Council on September 11, 2018, and includes your land use decision with the Findings of Fact and Conclusionary Findings for approval.

The approval of the Zone Change request included conditions of approval, which are included in Ordinance 5058 and your land use decision. We have also outlined those conditions of approval below:

1. That the rezoning be contingent on the Comprehensive Plan Map amendment request (CPA 1-18) being approved by the McMinnville City Council.
2. That a dedicated 10 foot landscaped area be provided along the entire west property line. The landscaped area shall include sight-obscuring fencing along the property line and dense evergreen trees and shrubs within the 10 foot landscaped area to provide adequate buffering between the adjacent single family uses and the multiple-family site. No improvements shall encroach on the dedicated landscaped area. The exact species and type of fencing shall be approved by the Landscape Review Committee during the review of the landscape plan for any future development of the site.

3. That a dedicated 20 foot landscaped area be provided along the entire south property line. The landscaped area shall include sight-obscuring fencing along the property line and dense evergreen trees and shrubs within the 20 foot landscaped area to provide adequate buffering between the multiple-family residential uses and the adjacent railroad corridor. No improvements shall encroach on the dedicated landscaped area, with the exception of a trash enclosure. The exact species and type of fencing shall be approved by the Landscape Review Committee during the review of the landscape plan for any future development of the site.
4. Yard setbacks shall be increased one foot for each foot of building height over thirty-five feet.
5. If the site is developed as multi-family residential, an additional area equivalent to 7 percent of the gross area of the site (or 3,048 square feet) shall be reserved for usable open space for residents of the multiple-family development site. The usable open space area shall be in addition to the required landscape areas along the west and south property lines. The usable open space area shall also be a contiguous area with each dimension being at least 15 feet in length, shall be located outside of the front yard setback area, and may be counted towards the minimum 25 percent of the site area that must be landscaped.
6. That, based on the analysis provided in the submitted Traffic Impact Analysis (TIA) (June 25, 2018) and the Transportation Planning Rule memo (June 22, 2018) prepared for the applicant by Associated Transportation Engineering & Planning, Inc., the residential density allowed on this subject site shall be limited to a use that generates a maximum total of 176 trips per day (ADT) as referenced in the Transportation Planning Rule memo (June 22, 2018) unless a subsequent TIA is submitted by the applicant and the conclusions of which are found to be acceptable to the City.

Pursuant to the Zoning Ordinance of the City of McMinnville, an action or ruling of the City Council may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of the decision is mailed. If no notice of intent to appeal to LUBA is submitted by October 9, 2018, the decision of the City Council will become final.

If you have any questions regarding this matter, please feel free to contact me at (503) 434-7330.

Sincerely,



Chuck Darnell
Senior Planner

CD:sjs
Encl.

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c:

Charlie Parr, 1601 NE McDaniel Lane, McMinnville, OR 97128
Jody & Tricia Fisher, 1508 NE 16th Street, McMinnville, OR 97128
Mike Maffin, 1610 NE Home Way, McMinnville, OR 97128
Duane Navarra, 1450 NE 16th Street, McMinnville, OR 97128
Steve Kaer, 17110 Cedar Road, Lake Oswego, OR 97034

Enclosures:
Ordinance No. 5058