



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
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MCMINNVILLE, OR 97128

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**DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS
FOR THE APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW FOR LOCATION OF LITTLE
ROOTS PRESCHOOL IN THE NORTHEAST GATEWAY DISTRICT.**

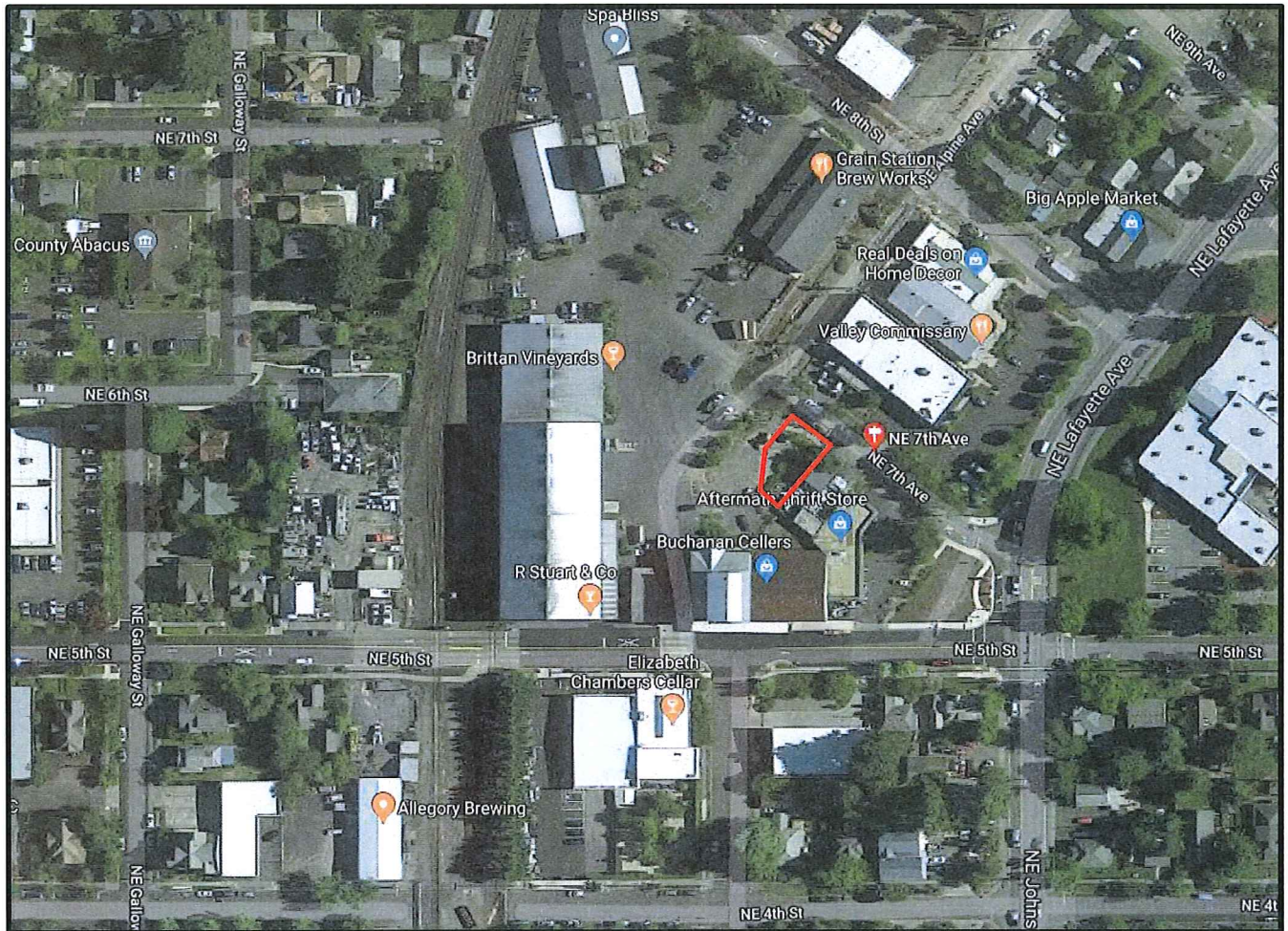
- DOCKET:** CU 1-18 (Conditional Use)
- REQUEST:** The applicant is requesting a conditional use permit to allow for location of Little Roots Preschool in the NE Gateway District. The school has agreed to lease a portion of the property behind Buchanan Cellars, and intends to place a small, customized modular building to operate as the preschool classroom. The grounds around the classroom building would be improved and maintained to function as open play space.
- LOCATION:** The property is located at NE 7th Avenue between NE Alpine Avenue and NE Lafayette Avenue, and is more specifically described as Tax Lot 4800, Section 21BA, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site's current zoning is C-3PD (General Commercial, Planned Development Ordinance 4971), and is in the NE Gateway District Planned Development.
- APPLICANT:** Rhonda Thompson
- STAFF:** Jamie Fleckenstein, Associate Planner
- HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME:** August 16, 2018. Meeting held at the Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; Northwest Natural Gas; and Recology. Their comments are provided in this decision document.

Application Summary:

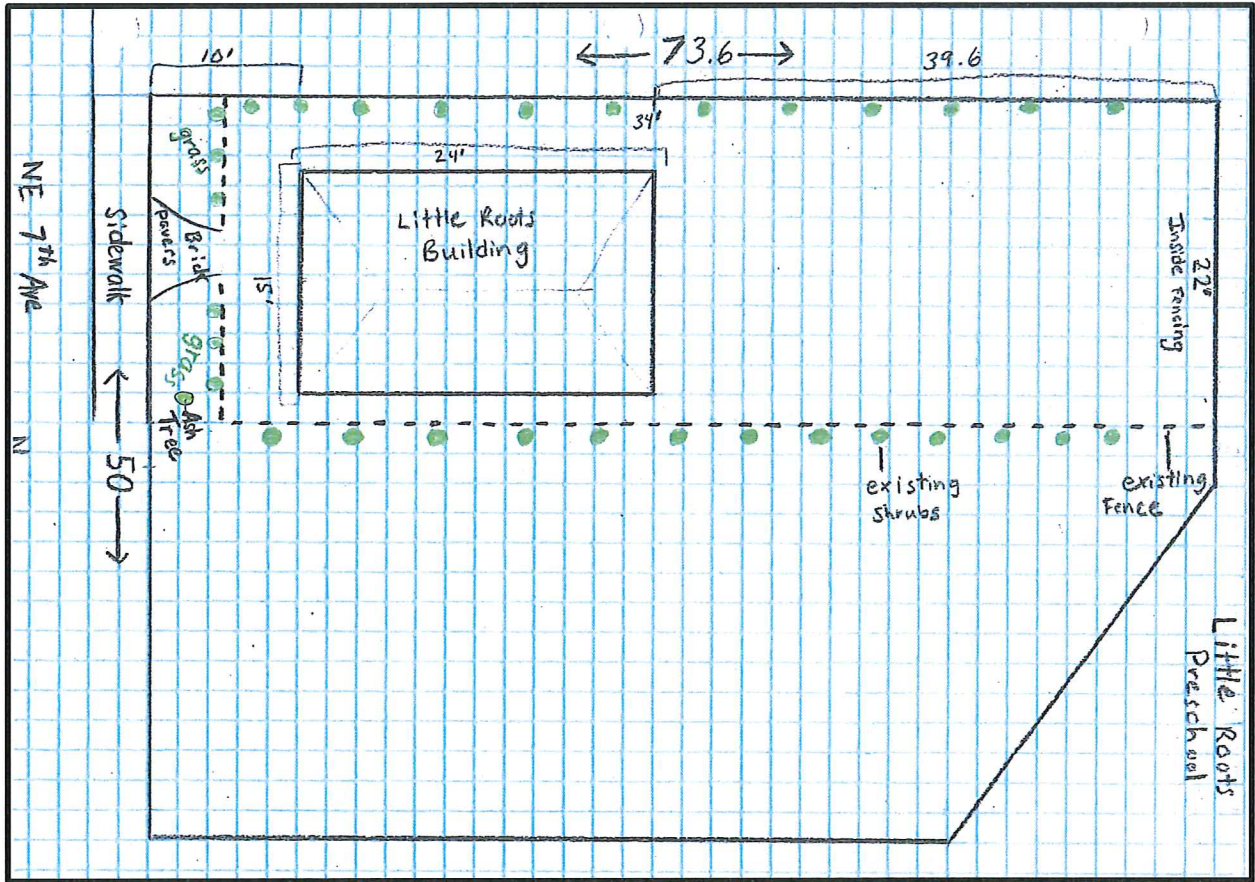
The applicant is requesting a conditional use permit to allow for location of Little Roots Preschool in the NE Gateway District. The applicant has agreed to lease a portion of the property behind Buchanan Cellars, and intends to place a small, customized modular building to operate as the preschool classroom. The grounds around the classroom building would be improved and maintained to function as open play space.

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

Site Reference Map



Proposed Site Plan



Proposed Structure



CONDITIONS OF APPROVAL

The following conditions of approval shall be required:

CU 1-18 is **approved** subject to the following conditions:

1. That the applicant shall include, in the building permit construction plan set, detailing of the metal roof material showing that it is formed to resemble standing seams or other similar materials.
2. That signage shall meet the standards for signage in Zone 2 of the NE Gateway District and comply with applicable standards of the McMinnville Zoning Ordinance, except that each site is allowed one permanent monument sign not to exceed 48 square feet in area and six feet in height, and for every lineal foot of building frontage, 1.5 square feet of signage may be allowed up to 200 square feet. Wall signage shall be constructed of a material complimentary to that of the building façade and be placed in a traditional location to fit within architectural features.
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 1-18 Application and Attachments

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 1-18, and do not have any comments/concerns.

McMinnville Building Department:

A construction permit (bldg., mech, elec, & plumbing) will be necessary for the proposed work.

McMinnville Water and Light:

MWL has no comments on this application.

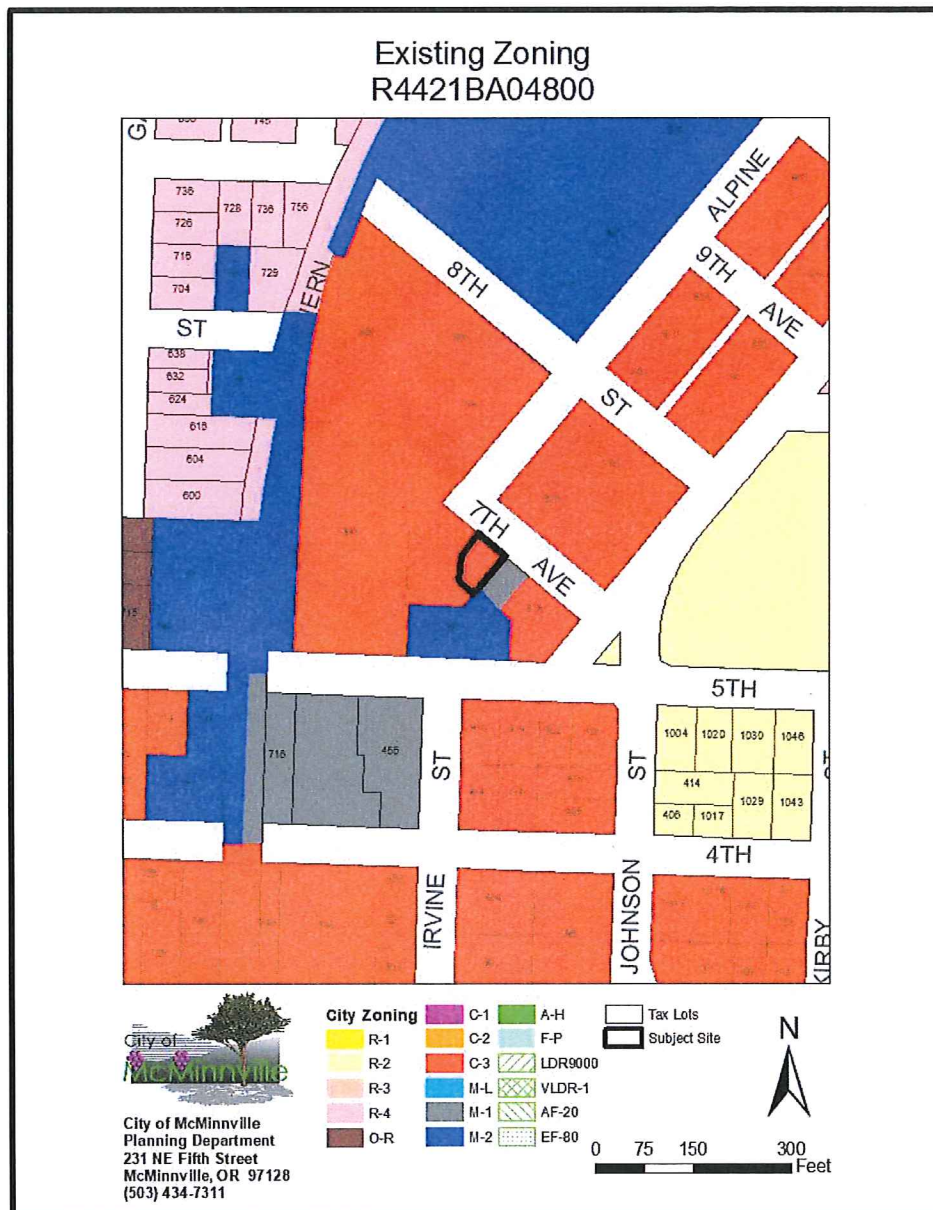
FINDINGS OF FACT

1. Rhonda Thompson, owner and operator of Little Roots Preschool, is requesting a conditional use permit to allow for location of Little Roots Preschool in the NE Gateway District. The applicant has agreed to lease a portion of the property behind Buchanan Cellars, and intends to place a small, customized modular building to operate as the preschool classroom. The grounds around the classroom building would be improved and maintained to function as open play space. The property is located at NE 7th Avenue between NE Alpine Avenue and NE Lafayette Avenue, and is more specifically described as Tax Lot 4800, Section 21BA, T. 4 S., R. 4 W., W.M.

- The subject site's current zoning is C-3PD (General Commercial Planned Development), and is in the NE Gateway District Planned Development. It is designated as Commercial on the McMinnville Comprehensive Plan Map, 1980.

The property immediately adjacent to the subject site to the west is also zoned C-3PD (General Commercial, Planned Development). The property to the south, the site of Buchanan Cellars, is zoned M-2 (General Industrial). Immediately to the east of the subject site is a property that is zoned M-1 (Light Industrial) that serves as outdoor storage for the C-3PD (General Commercial, Planned Development) zoned property further east that is the site of the Aftermath Thrift Shop. To the north is a C-3PD zoned property that is the site of the Grain Station Brew Works. Across NE 7th Avenue to the northeast of the subject site is a C-3PD zoned property that is the site of a wine production facility, restaurant, and a home furnishings store.

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 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 Little Roots Preschool will provide an educational facility in need in the community. The applicant has stated that the enrollment list for Little Roots Preschool is growing, despite the fact they have no physical location as yet. The applicant expects to have full classes upon opening the preschool. The permitting of a preschool will allow expanded opportunity to provide educational resources and facilities that are in need to McMinnville's expanding population. 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 location of Little Roots Preschool in the NE Gateway District meets the stated goals of that district, and the compliance to the district's design standards will ensure that this facility is appropriately developed to service the community, with little impact on the surrounding area.

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 the size and use of the proposed development falls below the threshold requiring off-street parking for the NE Gateway District, which has a stated goal of being a pedestrian-oriented district.

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 Northeast Gateway District Planned Development Ordinance (Ord. No. 4971) are applicable to the request:

Section 6- Permitted and Conditionally Permitted Uses:

Table 1:

Use		Zone 1	Zone 2	Zone 3
P - Permitted	C –Conditionally Permitted			
<u>Civic</u>				
	Church	C	-	C
	College /University	C	C	C
	Cultural Exhibit Center and Library	P	P	C
	Government Building	C	C	C
	School - Public or Private	C	C	C

Finding: The subject site in Zone 2 which allows the proposed use of a private school as a conditional use.

Section 7 – Development Standards. The following standards are intended to create buildings and spaces that are functional and visually appealing, and satisfy the goals and objectives of the adopted NE Gateway Plan. They shall apply as follows: [...]

Zone 2 and Zone 3: For properties located within Zone 2 [...], the following development standards shall apply:

- A. Buildings - Minimum and Maximum Setbacks, Height.

1. Except as allowed by this ordinance, there shall be no minimum setback requirement for non-residential uses [...] The maximum front yard and exterior side yard setback for all development in any zone is 10 feet [...]
2. [...]
3. The maximum building height is 80 feet.

Finding: The existing building meets all required yard setbacks, and is well below the maximum building height.

- B. Pedestrian Oriented Development. In order to promote a pedestrian oriented street environment, active frontages are required for the façade of any building facing a public street. Active frontages are integral components of design that ensure the public realm (streets, buildings) is lively and animated, thereby making it feel safer and more welcoming.
1. Except for access driveways, areas reserved for vehicular maneuvering and off-street parking and loading shall be located behind the building for all uses [...]
 2. Uses that are strictly commercial, must have either outdoor uses (e.g., restaurant seating, benches) or be designed to have windows allowing views into the buildings from the public sidewalk to satisfy the active frontage requirement. [...]
 3. All buildings shall be oriented to the public street with at least one primary entrance facing the street. [...]

Finding: The proposed development meets all applicable pedestrian-oriented development guidelines. No vehicular areas are being proposed and the proposed use is civic, therefore (B)(1) and (B)(2) do not apply.

- C. Primary entrances for all development [...] shall be clearly visible from the street, welcoming to pedestrians and shall incorporate changes in appearance to emphasize the entrance. Architectural features used at the primary pedestrian entrance shall complement the architectural style of the building. A primary entrance shall incorporate at least one of the following elements into the design:
1. If the building is not constructed to the property line, the entrance projects architecturally a minimum of two (2) feet from the face of the building and includes either a portico or a covered porch. [...]

Finding: The proposed building incorporates a covered porch across the entire front façade.

- D. Building entrances fronting a street shall open directly to the outside and, if not immediately abutting a street, shall have walkways connecting them to the public sidewalk.

Finding: The proposed building entrance opens directly to the outside, and the site plan indicates a brick paver walk connects the entry to the sidewalk.

- E. Design and Building Materials. The design and construction of all buildings shall be consistent with the goals and objectives of the NE Gateway Plan and this ordinance. This standard is met when the approval body finds that all applicable standards below have been met.

F. Standards Applicable to All Development.

1. The following materials are permitted on all street facing building facades: [...]
 - d. Fiber cement. [...]
2. The following materials are prohibited on all street facing building facades: [...]
3. Pitched roofs shall have eaves, brackets, gables with decorative vents, or other detailing. Pitched roof material may include architectural composition, slate

(either natural or man-made), shingle (either wood or asphalt composition), metal formed to resemble standing seams or other similar materials. Specifically prohibited are corrugated plastic or corrugated metal roofing.

- I. Standards Applicable to Non-Residential Development. This Ordinance aims to create development that reduces the visual scale of buildings. In addition to the standards of (F) (1-4) above, the following shall apply:
 1. Regularly spaced and similarly shaped windows shall be provided throughout each story of a building on facades visible from any public street. Compliance with this standard shall be assessed based on a consistent window pattern for each floor and not the window pattern for the entire building.
 2. As noted above in (B)(2), a minimum of 60% glazing below a point eight feet above the sidewalk is required when the use of a building is solely commercial.
 3. Display windows shall be trimmed, recessed, or otherwise defined by wainscoting, sills, bulkheads, or similar architectural features. Reflective glass or dark tinted/painted glass is not permitted for display windows.

Finding: The proposed building complies with materials permitted on facades, and the application indicates the roof is to have eaves and be metal, a permitted material. A condition of approval will require approval of the metal roof detailing to ensure it is formed to resemble standing seams or other similar material.

Section 8 – Off-Street Parking and Loading- Location and Standards. The NE Gateway Plan recognizes that application of the City’s current off-street parking requirements may not be practicable or conducive to the goals and future development of the area. The following off-street parking standards shall apply to development within this area. Except as noted below, the standards listed in Chapter 17.60 (Off-Street Parking and Loading) of the Zoning Ordinance shall apply to the development of properties in Zone 1-3.

- A. No off-street parking shall be required for non-residential uses having 3,000 square feet or less of floor area. Off-street parking must be provided for the floor area in excess of 3,000 square feet.

Finding: The proposed use is non-residential and the proposed building is 360 square feet, and as such, no off-street parking is required.

Section 9 – Signage.

Zone 2 and Zone 3: Signage in Zone 2 and Zone 3 shall comply with the standards of Chapter 17.62 (Signs) of the McMinnville Zoning Ordinance except as follows:

- A. Each site or multi-tenant complex is allowed a maximum of one (1) permanent monument sign not to exceed 48 square feet in area and six (6) feet in height.
- B. Properties with frontage on Lafayette Avenue may have one additional permanent free-standing sign per site not to exceed 12 feet in height and 48 square feet in area. If the property has frontage on Lafayette Avenue and one or more additional public streets, the additional free-standing sign is permitted only on Lafayette Avenue.
- C. For every lineal foot of building frontage, 1.5 square feet of signage may be allowed, to a maximum of 200 square feet. Wall signage shall be constructed of a material that is complementary to the material of the building façade. Wall signs shall be placed in traditional locations in order to fit within architectural features, such as above transoms or below cornices.

Finding: The applicant has not provided any details of proposed signage. A conditional of approval will require submittal of proposed signage details for the Planning Director's review and approval.

Section 10 – Landscaping. Landscaping plans are subject to the review and design standards outlined in Chapter 17.57 (Landscaping) of the Zoning Ordinance and as noted below:

All Zones:

- A. Landscaping shall be provided between the public street right-of-way and the front building line, exclusive of pedestrian walk-ways, patios, plazas, and similar facilities. Such landscaping shall be designed to provide interest to pedestrians and shall be maintained at a height no more than three (3) feet so that it is not site obscuring. [...]
- D. Lighting of parking and landscaped areas shall be directed either into or on the site and away from property lines. Building accent lighting shall be directed and/or shielded to place light on the intended target, and not result in skyward glare.

Finding: The applicant has indicated that existing landscaping between the public street right-of-way and the building will be preserved and maintained at a three foot height. Additional landscaping in the form of grass, and potted plants will be added. A landscape plan is required to be submitted for review by the Landscape Review Committee at the time of building permit submittal.

Landscaping:

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

- D. C-3 (General Commercial Zone) [...]

17.57.070 Area Determination—Planning factors.

- A. Landscaping shall be accomplished within the following ranges: [...]
 - 2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee [...]

Finding: Landscaping will be required, 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 C-3PD (General Commercial, Planned Development). The site is within the Northeast Gateway Planned Development, Zone 2. The proposed use as a private school is allowed as a conditional use in the NE Gateway District Zone 2.

The applicant is proposing to place a 15 foot by 24 foot (360 square feet) building on the property. Ordinance 4971 Section 7-Development Standards states there shall be no minimum setback requirements for non-residential uses, and the maximum front yard setback is 10 feet. Since the building is located 10 feet from the front property line, the proposed structure meets all required setbacks for the NE Gateway District Zone 2.

The NE Gateway District Planned Development requires active frontages to promote a pedestrian oriented street environment, specifically that areas reserved for vehicular maneuvering and off street parking are located behind the building, uses that are strictly commercial must have outdoor uses or meet a 60% glazing requirement to allow views into the building from the sidewalk, and that all buildings are oriented to the public street with at least one primary entrance facing the street. The site plan indicates that no vehicular maneuvering is taking place in the front of the building, and no off-street parking is required for non-residential uses less than 3,000 square feet. The applicant notes that if off-street parking is desired, there is sufficient space on the sites meeting this standard. Per Section 6 Table 1-Permitted and Conditionally Permitted Uses, the proposed use as a private school is Civic, and therefore the requirements for strictly commercial uses do not apply. However, an active outdoor play space for the students is proposed for the space in front of the building. The proposed building is oriented to the street, and the primary entrance is facing NE 7th Street. The proposed meets the Pedestrian Oriented Development standard.

Primary entrances for all development must be clearly visible from the street and must incorporate one of the following design elements: A porch or portico projecting a minimum of 2 feet from the building if the building is not built to the property line, a recessed entry, or an architectural element such a cornice or gable. The proposed classroom building features a gabled roof that extends approximately 5 feet beyond the front of the building to create a covered front porch, thereby meeting this criterion. The front entry of building is also connected to the street by a paver walkway, meeting another requirement of the NE Gateway District for primary entrances.

The NE Gateway District requires specific design and building materials for all developments. The proposed structure is sided with HardieBoard fibrous cement in a board and batten pattern, meeting the façade material requirement. The proposed structure has a pitched metal roof and eaves. No specific detailing of the roof was included in the application. Staff recommends a condition of approval that the metal used for the roof be formed to resemble standing seams or similar materials.

Ordinance 4971 states five design and building material standards for all non-residential development. The proposed building features regularly spaced windows on each façade visible from the street. The use is considered civic, not solely commercial, so the 60% glazing standard does not apply. The windows are trimmed and each window has window box planter as an architectural feature. Since the

proposal is for a one story building of just 360 square feet, the requirements for separating stories by appropriate architectural features and articulating facades on buildings of more than 25,000 square feet do not apply. The proposal meets all applicable requirements of this section.

Ordinance 4971 Section 8(A) states that no off street parking shall be required for non-residential uses having 3,000 square feet or less of floor area. Since the proposed preschool is seeking a conditional use permit as a civic function of less than 3,000 square feet, off-street parking is not required. However, the applicant notes that if off-street parking is desired, there is sufficient space on the site to provide off-street parking suitable for this use.

The applicant has not provided details of any proposed signage for Little Roots Preschool. Staff recommends a condition of approval that signage shall meet the standards for signage in Zone 2 of the NE Gateway District and comply with applicable standards of the McMinnville Zoning Ordinance, except that each site is allowed one permanent monument sign not to exceed 48 square feet in area and six feet in height, and for every lineal foot of building frontage, 1.5 square feet of signage may be allowed up to 200 square feet. Wall signage shall be constructed of a material complimentary to that of the building façade and be placed in a traditional location to fit within architectural features.

The NE Gateway District Planned Development requires that landscaping be provided between the public right-of-way and the front building line. Currently, there is unmaintained plantings (shrubs and trees) on the perimeter of the existing fence on the property. The applicant is proposing to keep the existing mature plant material, and enhance it by pruning and maintaining it at a height of no more than three feet so that it is not sight-obscuring. The applicant is also proposing to install lawn between the fence/existing planting and the sidewalk to enhance the urban farmhouse feel of the overall development. Interior to the fence, the applicant is proposing potted plants that can be moved depending upon the use of the children's play space, as well as ornamental planting in the window boxes. Building accent light fixtures are being proposed and were selected and located to prevent skyward glare. The NE Gateway District Planned Development also requires compliance to McMinnville Zoning Ordinance Section 17.57-Landscaping. Section 17.57 requires landscaping in a C-3 zones, and a landscape plan for review by the Landscape Review Committee, to be submitted at the time of building permit application.

The subject site is located within the NE Gateway District Planned Development which is designed to guide the transition of a light and heavy industrial area into a vital, mixed use, pedestrian friendly neighborhood. While there are larger developments and structures immediately adjacent to the subject site, the proposed use and structure are of a scale compatible with the overall goal of the NE Gateway District. The proposal converts a small, undeveloped lot into a pedestrian-oriented, active space that provides a use not found elsewhere in the area. The scale of the proposed development will help transition the larger scale of the surrounding properties to the pedestrian scale that is a goal of the NE Gateway District.

The operating characteristics of the proposed use will be consistent with a typical preschool. Classes will be limited to eight (8) students aged three (3) to five (5). On Mondays, Wednesdays, and Fridays classes will be held from 8:15-11:15AM and again from 12:00-3:00PM. Tuesdays and Thursdays have only a morning session from 8:15-11:15AM. Parents will pick up and drop off their children at the school. The applicant has noted that she expects traffic impacts to be minimal, especially in comparison to a daycare facility for all day care of up to 12 children, which is a permitted use in this zone. The applicant also anticipates the NE Gateway District growing with residential uses and envisions having families living in the area and walking to drop off children at their neighborhood preschool. Therefore, the operations of the proposed preschool will not negatively impact the surrounding neighborhood.

A neighboring property owner commented to the Planning Department that the planting around the subject site is often a place where a transient population establishes camps and areas to sleep. The property owner was pleased to hear that the subject site would be developed, activated, and maintained, thereby creating a safer and more pleasant pedestrian experience along NE 7th Avenue. The

maintenance and upkeep of the street frontage, in addition to the proposed residential scale building designed to all the district standards, will be a positive change and enhance the overall quality of the built environment in this neighborhood.

Adequate existing public facilities serve the existing site, including water, sewer, and streets. The Engineering Department has reviewed the application and has provided no comment on the ability for public facilities to serve the proposed use.

As described above, no off-street parking is required for the proposed development, and no additional vehicular circulation routes are being proposed on the site. 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 site has capacity for additional off-street parking if necessary, but the subject site is immediately adjacent to the off-street parking lot serving the Granary District. The Engineering Department reviewed the plans, and does not have any concerns with traffic from the proposed use.

The type of development proposed is consistent with the development goals of the NE Gateway District, to provide a transition of light and heavy industrial use to a vital, mixed use, pedestrian-friendly neighborhood. The applicant notes that the proposed conditional preschool use closely resembles a daycare use, which is permitted outright in the NE Gateway District Zone 2, the main difference being an additional drop-off and pick-up time 3 days per week and fewer students enrolled. The applicant also notes the size and scale of the proposed use's impact on the neighborhood would be negligible based on other permitted uses in this zone including theaters and lodging. The proposed classroom building will meet all applicable standard for design and materials for the district, assuring it is developed in a consistent manner with other new developments in the area.

The site and the proposed building will be designed in such a way as to be consistent with the design standards for new development in the NE Gateway District. The building will be oriented to the street, with a covered porch and primary entry facing the street frontage. The 10 foot setback from the right-of-way will allow an active children's play space in the front of the school, promoting a pedestrian oriented street environment. The materials for the building facades and roofing are approved materials for the district, and the window placement and treatments are also consistent with the required design standards. The overall theme for the design of the school building is "urban farmhouse" which is appropriate for its urban setting adjacent to a farm and pet supply store, wine production facilities, and a similarly themed Grain Station Brew Works.

The existing site contains some landscape material that will be preserved and maintained, to provide mature landscaping appropriate for the site and use. Two (2) existing trees will continue to provide shade and screening for the site. Additional lawn will be installed along the street frontage, further enhancing the urban farmhouse feel.

The McMinnville Zoning Ordinance requires that a landscape plan be submitted for review by the Landscape Review Committee at the time building permits are submitted. The existing landscaping on the site can be identified on the landscape plan, and retained if healthy. The proposed open play space in and lawn would all count towards overall landscaped space.

The subject site does not contain any significant environmental assets that would be of any particular interest to the community. The site was previously developed (only a concrete building pad remains), is flat, and does not contain any significant natural features. The applicant is proposing to preserve and maintain the existing planting on the site. There are a mix of shrubs (*Choisya ternata*/Mexican Mock Orange and *Arctostaphylos* spp./Manzanita) and two trees (*Acer circinatum*/Vine Maple and *Fraxinus* spp./Ash) on site that will be retained to continue to provide shade and screening of the site. Therefore, the proposed conditional use satisfies this review criteria.

The applicant intends to develop the site and building as proposed, and has the intent and capability to develop and use the land as proposed. The applicant has the cooperation of the property owner and a lease agreement in place. Also, the applicant is a lifetime resident of the City of McMinnville and is intent on being a part of the development of the NE Gateway District and the revitalization it will bring to this area. She notes that Little Roots Preschool's registration list is growing continually, and that the demand for this type of educational facility in the City of McMinnville is evident. The applicant believes the establishment of Little Roots Preschool will allow her to 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.

JF:sjs