

ORDINANCE NO. 5063

AN ORDINANCE AMENDING PLANNED DEVELOPMENT ORDINANCE NO. 4953 AND 4990 TO REDUCE AVERAGE LOT SIZE REQUIREMENTS AND CERTAIN SETBACKS, INCREASE ALLOWED BLOCK LENGTHS AND LOT DEPTH TO WIDTH RATIO, AND AMEND AN APPROVED SITE PLAN, FOR A SMALL-LOT, SMALL-HOME SUBDIVISION AT CHEGWYN VILLAGE.

RECITALS:

The subject site is located west of NE McDonald Lane, east of NE Jacob Street, north of NE Peyton Lane, and south of NE Autumn Ridge Drive, and is more specifically described as Tax Lots 2100 and 2104, Section 9, T. 4 S., R 4 W., W.M.; and

The Planning Department received application PDA 2-18 on October 18, 2018, and deemed it complete on November 6, 2018. A public hearing before the McMinnville Planning Commission was held on February 21, 2019, after due notice had been provided in the local newspaper on February 15, 2019, and written notice had been mailed to property owners within 300 feet of the affected property. At the February 21, 2019, Planning Commission public meeting, after the application materials and a staff report were presented and testimony was received, the Commission voted 7 - 2 to recommend approval of PDA 2-18 to the McMinnville City Council; and

The City Council, being fully informed about said request, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the Planned Development Amendment review criteria listed in Section 17.74.070 of the McMinnville Municipal Code based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The City Council having received the Planning Commission recommendation and staff report, and having deliberated;

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

1. That the Council adopts the Findings of Fact, Conclusionary Findings, Decision and Conditions of Approval as documented in Exhibit A approving PDA 2-18; and
2. That the final development plan made part of the zone and binding on the owner and developer per Section 2, Condition 3 of Planned Development Ordinance 4953 is amended to reflect an alley loaded small lot subdivision in the northeast portion of the site plan labeled multi-family; and
3. That Section 2 of Ordinance 4990 is amended by adding the following:
 2. *An alley loaded small lot single family development is allowed with the following development standards:*
 - a) *An average lot size of 2,925 square feet;*
 - b) *A front yard setback of three (3) feet;*

- c) *An interior side yard setback of three (3) feet;*
- d) *An approximate ten (10) percent increase in allowed block length;*
- e) *A lot depth to width ratio exceeding the recommended two (2) to one (1) ratio;*
- f) *An access easement to provide access to more than three (3) lots.*

4. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 12th day of March 2019, by the following votes:

Ayes: Drabkin, Garvin, Geary, Menke, Peralta, Stassens

Nays: _____



MAYOR

Attest:



CITY RECORDER

Approved as to form:



CITY ATTORNEY



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT
231 NE FIFTH STREET
MCMINNVILLE, OR 97128**

503-434-7311

www.mcminnvilleoregon.gov

DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A PLANNED DEVELOPMENT AMENDMENT TO REDUCE AVERAGE LOT SIZE REQUIREMENTS, REDUCE REQUIRED YARD SETBACKS, INCREASE ALLOWED BLOCK LENGTH, INCREASE ALLOWED LOT DEPTH TO WIDTH RATIO, INCREASE LOTS ACCESSIBLE BY ACCESS EASEMENT, AND REMOVE A BINDING SITE PLAN FROM THE ZONE AT R44092100/R44092104.

DOCKET: PDA 2-18 (Planned Development Amendment)

REQUEST: The applicant is requesting approval of a Planned Development Amendment to an R-4 Planned Development described by Ordinance 4953 and amended by Ordinance 4990. The amendments requested consist of reducing the average lot size requirements, increasing the allowed block lengths, and increasing the lot depth to width ratio that are allowed in the underlying R4 zoning standards, as well as amending certain yard setbacks approved in Ordinance 4990 and amending the site plan approved in Ordinance 4953. This Planned Development amendment also requests to allow access to lots through an access easement.

LOCATION: The subject site is located west of NE McDonald Lane, east of NE Jacob Street, north of NE Peyton Lane, and south of NE Autumn Ridge Drive, and is more specifically described as Tax Lots 2100 and 2104, Section 9, T. 4 S., R 4 W., W.M.

ZONING: R-4 PD (Multiple Family Residential Planned Development)

APPLICANT: Alan Ruden, on behalf of Cottages at Chegwyn Village, LLC

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: November 06, 2018

HEARINGS BODY: McMinnville Planning Commission

DATE & TIME: February 21, 2019. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

DECISION-MAKING BODY: McMinnville City Council

DATE & TIME: March 12, 2019. Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

PROCEDURE: A request to amend an existing Planned Development requires an application to be reviewed by the Planning Commission during a public hearing, as described in Section 17.72.120 of the McMinnville City Code.

CRITERIA: The applicable criteria are specified in Section 17.74.070 of the McMinnville City Code.

APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.72.170 of the McMinnville Zoning Ordinance.

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; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION

Based on the findings and conclusions, the City Council **APPROVES** the Planned Development Amendment (PDA 2-18) **subject to the conditions of approval provided in this document.**

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DECISION: APPROVAL WITH CONDITIONS
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City Council: 
Scott Hill, Mayor of McMinnville

Date: 3 / 12 / 2019

Planning Commission: 
Roger Hall, Chair of the McMinnville Planning Commission

Date: March 14, 2019

Planning Department: 
Heather Richards, Planning Director

Date: 3 / 15 / 19

APPLICATION SUMMARY:

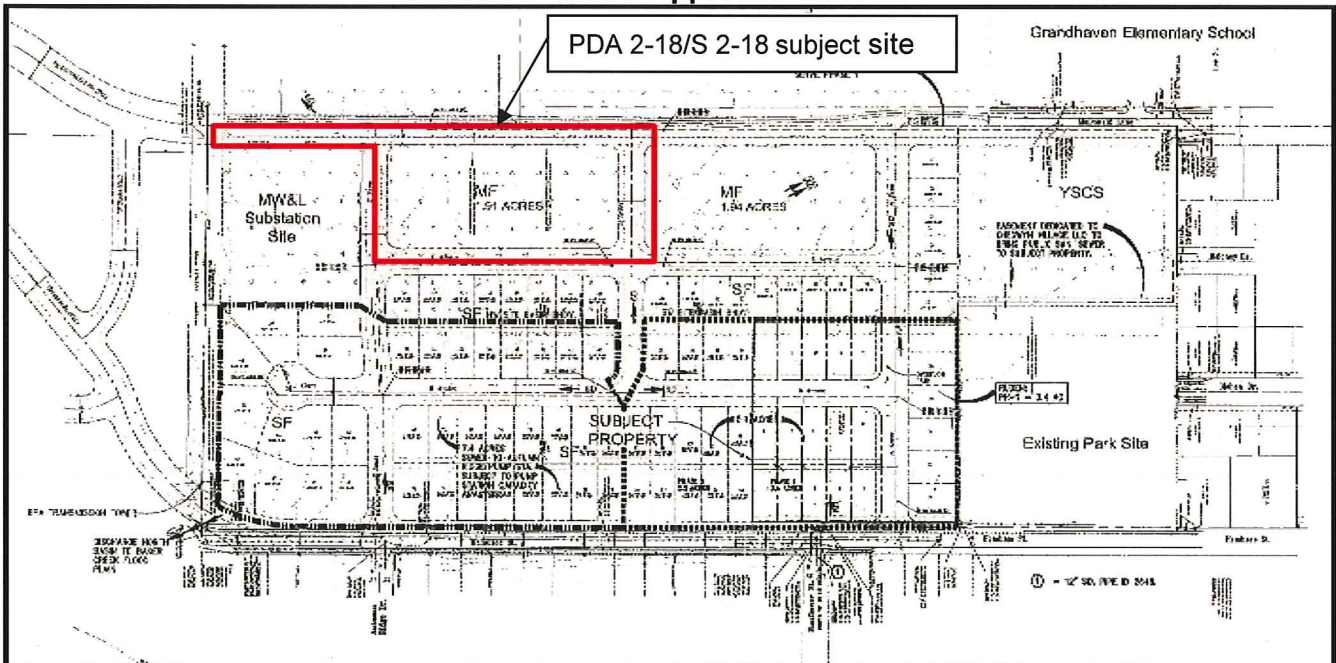
The applicant is requesting approval of a Planned Development Amendment to an R-4 Planned Development described by Ordinance 4953 and amended by Ordinance 4990. The amendments requested consist of reducing the average lot size requirements, increasing the allowed block lengths, and increasing the lot depth to width ratio that are allowed in the underlying R4 zoning standards, as well as amending certain yard setbacks approved in Ordinance 4990 and amending the site plan approved in Ordinance 4953. This Planned Development amendment also requests to allow access to lots through an access easement.

The applicant also requested approval of a Tentative Subdivision for the construction of an alley loaded 28 lot subdivision of bungalow style single family detached residences, referred to as the Cottages at Chegwyn Village Phase 2. This subdivision was approved by the McMinnville Planning Commission on February 21, 2019, and was conditioned upon the approval of the Planned Development Amendment being approved as requested. The Tentative Subdivision Plan is a separate land-use decision and was processed in a separate decision document.

The subject site is approximately 2.74 gross acres, and following the conveyance of a small strip of land to McMinnville Water & Light and dedication of rights-of-way, the subdivision will have a net area of approximately 1.88 acres, yielding a density per net acre of 14.89 dwelling units per acre.

Currently, the subject site is zoned R-4 PD, approved in 2012 by the McMinnville City Council with the adoption of Ordinance 4953. Ordinance 4953 was subsequently amended in 2015 by Ordinance 4990. Ordinance 4953 rezoned approximately 22.26 acres from County EF-80 to City R-4 PD, and approved a site plan as part of the planned development. The subject site was identified as a multi-family on the site plan. The approved "Overall Plan" can be seen below:

Ordinance 4953 – Approved Site Plan



Ordinance 4953 approved the following setback variances to the R4 zoning standards as part of the planned development:

- Front Yard: 15 feet minimum setback reduced to 10 feet.
- Side Yard: Six (6) feet minimum reduced to zero for garage construction on Lots 2, 4-7, 9, 11, 12, 14, 16-20. All other development shall provide minimum six (6) foot side yard setback.
- Exterior Side Yard: No change to 15 foot setback.
- Rear Yard: No change to 20 foot setback.

Ordinance 4953 also established an average lot size for single family lots within the subject site of 5,000 square feet instead of a 5,000 square foot minimum lot size. Phases 1 and 2 of the Bungalows at Chegwyn Village were developed subject to the planned development standards established by Ordinance 4953.

Preceding the development of additional phases of the Bungalows at Chegwyn Village, Planned Development Ordinance 4990 was approved by the McMinnville City Council on June 23, 2015 amending Ordinance 4953 for approximately 13.7 acres of land of the original site plan. Exceptions to zoning standards approved by Ordinance 4990 included the following reductions in required yard setbacks:

- Front Yard: No change to 10 foot setback.
- Side Yard: Zero foot setback for garage construction on all lots. All other development shall provide minimum six (6) foot side yard setback.
- Exterior Side Yard: No change to 15 foot setback.
- Rear Yard: No change to 20 foot setback.
- All setbacks for multiple-family lots: 10 feet.

Ordinance 4990 did not amend the original site plan.

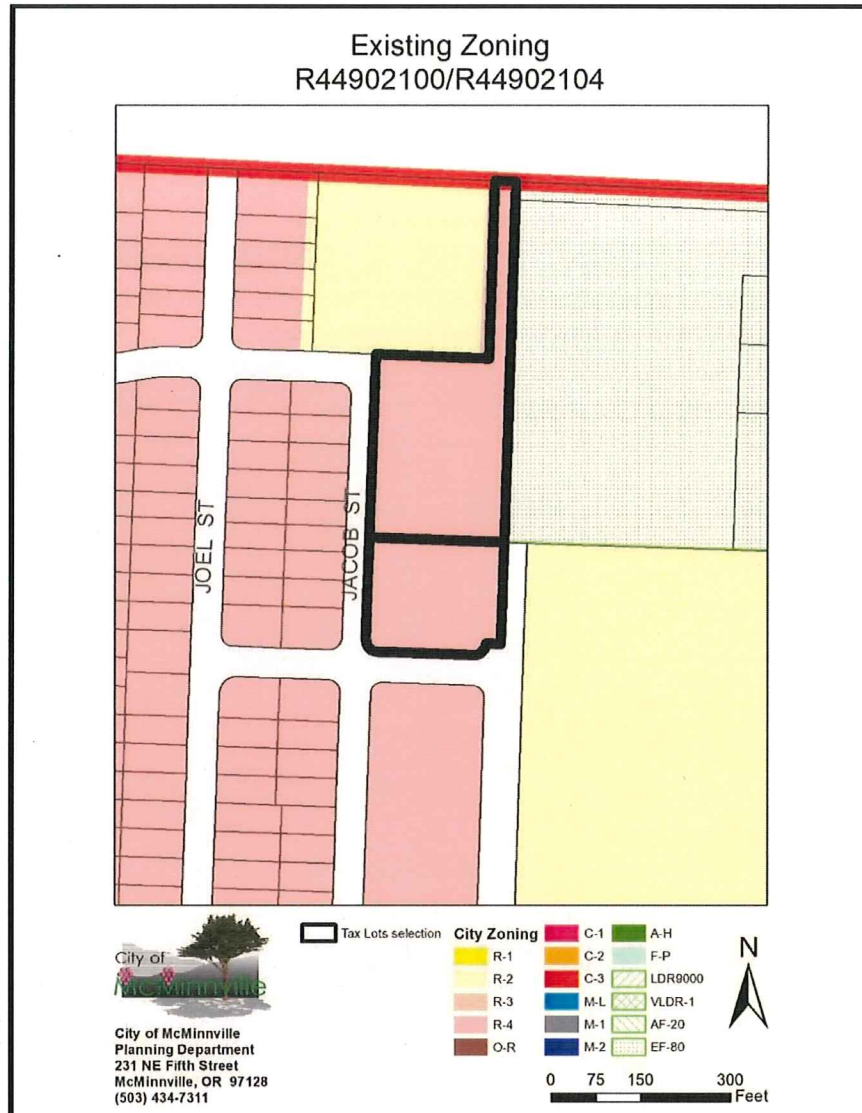
Since that time, portions of the site subject to Ordinance 4990 have been developed with single family and multi-family residences, including the Bungalows at Chegwyn Village Phase 3 and the Cottages at Chegwyn Village. It is the remaining 2.40 acres of the original 22.26 acres that are the subject of the current Planned Development Amendment and Subdivision requests. This 2.40 acres was originally identified as multi-family in the Ordinance 4953 site plan and is subject to the setback standards established by Ordinance 4990.

It should be noted that if this planned development amendment is not approved, the provisions of Ordinance 4953 and Ordinance 4990 are still binding on the site, which would permit development similar to the Cottages at Chegwyn Village, the multi-family development to the south of the subject site. The Cottages at Chegwyn Village has 36 dwelling units on approximately 1.96 acres, yielding a density per net acre of 18.36 dwelling units per acre.

The subject site is currently undeveloped, and is zoned R-4 PD (Multi-Family Residential Planned Development). To the north of the subject site where the Cottages at Chegwyn Village Phase 2 is proposed, is undeveloped land owned by McMinnville Water & Light that is anticipated to be the site of a future electrical substation. To the east of the subject site is undeveloped land owned by the McMinnville School District. West of the subject site is the Bungalows at Chegwyn Village Phase 3, a single family residential development. To the south of the subject site is the Cottages at Chegwyn Village, a multi-family residential development. A visual of the subject site and reference maps showing the zoning designations of the subject site and the surrounding properties can be seen below:

Site Reference Map





CONDITIONS OF APPROVAL:

The following conditions of approval shall be required:

PDA 2-18 is recommended for **approval** subject to the following conditions:

1. That Section 2 of Ordinance 4990 is amended by adding the following: An alley loaded small lot single family development is allowed with the following development standards:
 - a. An average lot size of 2,925 square feet;
 - b. A front yard setback of ten (10) feet;
 - c. An interior side yard setback of three (3) feet;
 - d. An approximate ten (10) percent increase in allowed block length;
 - e. A lot depth to width ratio exceeding the recommended two (2) to one (1) ratio;
 - f. An access easement to provide access to more than three (3) lots.

2. That the final development plans made part of the zone and binding on the owner and developer per Section 2, Condition 3 of Planned Development Ordinance 4953 shall be amended to reflect an alley loaded small lot subdivision in the northeast portion of the site plan labeled multi-family.

3. All other standards and conditions of approval adopted by Ordinance 4990 and Ordinance 4953 remain in effect.

ATTACHMENTS:

1. PDA 2-18 Application and Attachments (on file with Planning Department)
2. Testimony Received - Jonathan Booth – Email received December 4, 2018 (on file with Planning Department)
3. Testimony Received – John and Karen Vanderwall – Email received February 5, 2019 (on file with Planning Department)
4. Testimony Received – Patrick Evans – Email received February 10, 2019 (on file with Planning Department)
5. Agency Comments – McMinnville Water & Light Memorandum, November 30, 2018 (on file with Planning Department)
6. Communication - Letter of Intent from McMinnville School District, February 1, 2019 (on file with Planning Department)
7. Communication - McMinnville Water & Light Conveyance Confirmation, January 25, 2019 (on file with Planning Department)

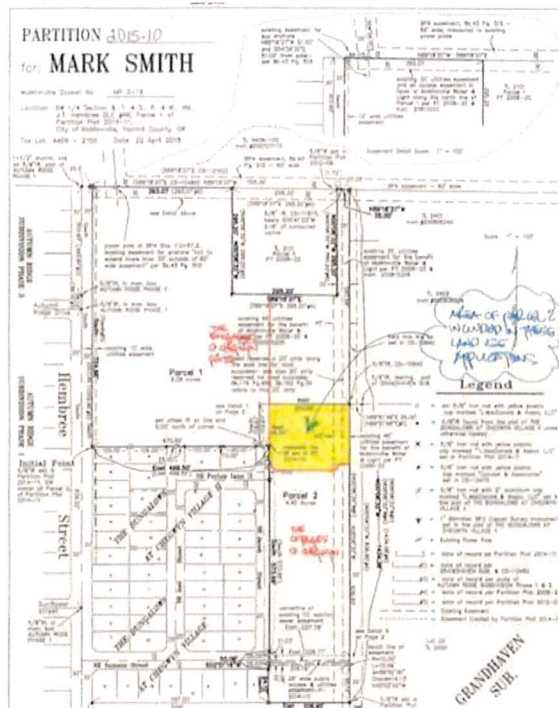
COMMENTS:

Agency 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. Most of the comments received pertain to the accompanying Tentative Subdivision Plan that is proposed if this planned development amendment is approved, and are reflected as conditions of approval in that land-use decision document but provided here for continuity.

- McMinnville Engineering Department:

The application materials do not seem to accurately describe the properties included in the proposal. Specifically, a portion of parcel 2 of partition 2015-10 (AKA tax lot R4409 02104) is included in the subdivision area, and none of the application materials accurately show the northern property line of this parcel.



Suggested conditions of approval for the applications include:

- The final plat shall reflect that access to McDonald Lane for Lots 15-28 is not allowed.
- The final plat shall reflect the dedication of 28-feet of right-of-way for NE McDonald Lane. As previously approved, a public utility easement along the site's McDonald Lane frontage, except where the NE Peyton Lane and NE Autumn Ridge Drive right-of-ways intersect the McDonald Lane right-of-way, is not required.
- Prior to the City's acceptance of the final plat, McDonald Lane adjacent to the development shall be fully improved with a total of 30-feet of pavement (curb to curb width), 6.5-foot wide curbside planting strips (including the curb width), and five-foot-wide sidewalks. This will require the dedication of right-of-way from the adjacent School District owned property (tax lot R4409 02400). Per the development agreement for the McDonald Lane extension, as recorded in document no. 2008-06237, the northern limits of the NE McDonald Lane improvement shall be 30 feet south of the northern edge of the subject properties (R4409 02100 and R4409 02400).
- The existing McMinnville Water & Light easement over the 28-foot wide right-of-way west of centerline for McDonald Lane will need to be released by McMinnville Water & Light prior to the acceptance of the final subdivision plat by the City.
- Autumn Ridge Drive shall be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets. The sidewalk along the north side of Autumn Ridge Drive shall be installed prior to the City's acceptance of the final plat.
- The applicant shall install a barricade at the northern terminus of McDonald Lane, consistent with City standards. The barricade shall include signage with text stating: "This Street is planned for extension to serve future development."

- On-street parking will not be permitted within a 30-foot distance of street intersections measured from the terminus of the curb returns. Additionally, on-street parking will not be permitted adjacent to where the private driveways for the proposed apartments intersect McDonald Lane.
- The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associated with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat.
- That a detailed, engineered sanitary sewage collection plan, which incorporates the requirements of the City's adopted Conveyance System Master Plan, must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved sanitary sewage plan must be reflected on the final plat. Any offsite public easements must be dedicated to and accepted by the City prior to the City's approval of the final plat.
- That a detailed, engineered storm drainage plan, which satisfies the requirements of the City's Storm Drainage Master Plan must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved plan must be reflected on the final plat.
- If the final storm drainage plan incorporates the use of backyard collection systems and easements, including those in the proposed alleys, such systems must be private rather than public, and private maintenance agreements for them must be approved by the City prior to the City's approval of the final plat.
- Prior to the construction of any private storm facilities, the applicant shall obtain the necessary permits from the City's Building Division.
- The final plat shall include 10-foot wide public utility easements along both sides of all public rights-of-way for the placement and maintenance of required utilities. Such easement on McDonald Lane, except where the NE Peyton Lane and NE Autumn Ridge right-of-ways intersect the McDonald Lane right-of-way, shall not be required.
- The final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.
- The applicant shall secure from the Oregon Department of Environmental Quality (DEQ) any applicable storm runoff and site development permits prior to construction of the required site improvements. Evidence of such permits shall be submitted to the City Engineer.
- That the applicant submit evidence that all fill placed in the areas where building sites are expected is engineered. Evidence shall meet with the approval of the City Building Division and the City Engineering Department.
- That park fees shall be paid for each housing unit at the time of building permit application as required by McMinnville Ordinance 4282, as amended.
- That the required public improvements shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat. Prior to the construction of the required

public improvements, the applicant shall enter into a Construction Permit Agreement with the City Engineering Department, and pay the associated fees.

- That the applicant shall submit a draft copy of the subdivision plat to the City Engineer for review and comment which shall include any necessary cross easements for access to serve all the proposed parcels, and cross easements for utilities which are not contained within the lot they are serving, including those for water, sanitary sewer, storm sewer, electric, natural gas, cable, and telephone. A current title report for the subject property shall be submitted with the draft plat. Two copies of the final subdivision plat mylars shall be submitted to the City Engineer for the appropriate City signatures. The signed plat mylars will be released to the applicant for delivery to McMinnville Water and Light and the County for appropriate signatures and for recording.

- McMinnville Fire Department:

We have no issue with revised plan. The only comment would be to ensure the proper hydrant spacing is maintained (one hydrant every 500ft).

- Bonneville Power Administration

BPA has reviewed the amended Chegwyn Village Development plans. Proposed amendments for Phase II will not negatively impact the BPA transmission line easement.

- McMinnville Water & Light

McMinnville Water and Light (MW&L) provided comments in a Memorandum dated 11-30-2018. Those comments have been incorporated into this decision document. The memorandum is provided as an attachment to this document (Attachment 5)

Public Comments

Notice of this request was mailed to property owners located within 300 feet of the subject site. As of the date this report was written, 3 emails have been received.

- Email – Jonathan Booth, December 4, 2018 (Attachment 2), expressing support of the application based on the applicant's past development history.
- Email – John and Karen Vanderwall, February 5, 2019 (Attachment 3), expressing overall support for the application, but with concerns related upkeep and maintenance of affordable homes that may be bought by investors and not be owner-occupied.
- Email – Patrick Evans, February 10, 2019 (Attachment 4), expressing opposition to the application with concerns related to the change from multi-family to single family development, ownership of those developments and the impact that lack of maintenance would have on the surrounding neighborhood, fire response, and lack of benefit to the neighborhood.

FINDINGS OF FACT

1. Alan Ruden, on behalf of the property owner Cottages at Chegwyn Village, LLC, requested approval to amend Planned Development Ordinance 4990 to vary from the underlying R-4 PD zone by reducing the average lot size from 5,000 square feet to 2,925 square feet and reducing the side yard setback from five (5) feet to three (3) feet, allowing the development of an alley-

loaded 28 lot subdivision, which would replace a similarly sized multi-family development, that was planned for the lot, as previously approved under the "Overall Plan" submitted February 9, 2012 and approved by Ordinance 4953.

2. The subject site is located west of NE McDonald Lane, east of NE Jacob Street, north of NE Peyton Lane, and south of NE Autumn Ridge Drive, and is more specifically described as Tax Lots 2100 and 2104, Section 9, T. 4 S., R 4 W., W.M.
3. The site is currently designated as Residential on the McMinnville Comprehensive Plan Map, 1980. The site is currently zoned R-4 PD (Multiple Family Residential Planned Development) on the McMinnville Zoning Map.
4. Sanitary sewer and municipal water and power can adequately serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
5. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation 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, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. No comments in opposition were provided to the Planning Department.
6. Notice of the application was provided by the City of McMinnville to property owners within 300 feet of the subject site, as required by the process described in Section 17.72.120 (Applications– Public Hearings) of the McMinnville Zoning Ordinance. Notice of the public hearing was also provided in the News Register on Friday, February 15, 2019. No public testimony was provided to the Planning Department prior to the Planning Commission public hearing.
7. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

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

Finding: Goal V1 and Policy 58.00 are SATISFIED. The proposed planned development amendment will implement the necessary changes to zoning standards to allow the development of a new type of housing product - alley loaded small lot bungalow style single family detached residential - at a density not found in the area in an effort to provide diverse and affordable housing.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

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

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

Policy 73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.

Finding: Goal V2 and Policies 68.00, 71.00, and 73.00 are SATISFIED. The proposed Planned Development Amendment will allow the development of a 28 lot, alley loaded, detached bungalow style single family housing subdivision, a unique and innovative development that will meet a market demand for lower cost single family detached housing. The innovation of the development can be found in using several techniques to help keep the potential housing costs down while providing a unique character to the subdivision. Small lots keep the cost of land to a minimum. Smaller homes keep the cost of construction and materials down. Alley loaded off-street parking means garages can be eliminated, further keeping the cost of development down, which can be translated to lower sale prices for the homes. Providing an alley to serve the lots and access off-street parking also means that no driveways are necessary in the front of the homes that would disrupt the sidewalk or planting strips in the rights-of-way. Uninterrupted planting strips will allow for more street trees and screening/buffering of the development from the street. Uninterrupted sidewalks translate to a more pleasant and safe pedestrian experience throughout the development. The type of housing that will be provided, alley loaded single family homes on small lots at a density typically found in townhome developments, is innovative and will be unique to the area. The development is being proposed on land designated residential and that has urban services available to serve the development. Therefore, the proposed Planned Development Amendment and resulting development is consistent with the Housing and Residential Development Goals of the Comprehensive Plan and satisfies Policies 68.00, 71.00, and 73.00.

Policy 75.00 Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.

Policy 76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.

Finding: Policies 75.00 and 76.00 are SATISFIED. Located less than ¼ mile away from the proposed development is Chegwyn Farms Neighborhood Park, an existing City Park. As defined in the 1999 McMinnville Parks, Recreation, and Open Space Master Plan, a neighborhood park is designed to serve residences within a ½ mile radius without crossing a major street. Chegwyn Farms Neighborhood Park is accessible to all future occupants of the proposed development via public walkways along local residential streets, a shared use path connecting the park to NE Samson Street,

and by vehicular access from NE Hembree Street or NE Mohan Drive. The proposed planned development amendment and development are consistent with the Comprehensive Plan Policies 75.00 and 76.00 in that a park with open space and recreation facilities is readily accessible to occupants of the planned development.

Policy 77.00 The internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways.

Policy 78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.

Finding: Policies 77.00 and 78.00 are SATISFIED. The primary internal traffic system within the proposed development as allowed by the planned development amendment is the alley serving all lots. All off street parking is proposed to be accessed via the alley, which will be a shared access easement. Alley loaded off-street parking will encourage vehicular traffic on the alley in the rear of the lots. The alley connects to local residential streets, Autumn Ridge Drive to the north and Peyton Lane to the south, which in turn connect to McDonald Lane, a minor collector. Alley loaded off-street parking eliminates the need for driveways crossing sidewalks to access front-loaded garages or other parking in the front of a residence. The result is an uninterrupted sidewalk along the east and west edges of the development, safer for pedestrians and bicyclists. The sidewalks along the north and south edges are broken only once were the alley is accessed from the local street. The alley promotes efficient traffic flow from the development into the adjacent street network while creating a safe pedestrian and bicycle environment. The traffic system around the perimeter of the proposed development is carried by the extension of existing streets, McDonald Lane to the west, and Autumn Ridge Drive to the north. This is extension of the existing street grid is compatible with the circulation patterns of adjoining properties. Therefore, the planned development amendment and proposed development is compatible with Policies 77.00 and 78.00.

Policy 81.00 Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as schools, commercial facilities, parks, and other residential areas, shall be encouraged.

Finding: Policy 81.00 is SATISFIED. While no internal pedestrian or bicycle pathway was provided in the development proposal, staff felt that such a path would provide negligible benefit over public sidewalks around the perimeter of the development. The public sidewalk on McDonald Lane, easily accessible from the proposed development, provides direct access to Grandhaven Elementary School and nearby commercial facilities located on Highway 99.

Policy 82.00 The layout of streets in residential areas shall be designed in a manner that preserves the development potential of adjacent properties if such properties are recognized for development on the McMinnville Comprehensive Plan Map.

Finding: Policy 82.00 is SATISFIED. The proposed development is bounded by existing development to the west and south. Vacant, undeveloped properties border the subject site to the north and east. The proposed extension of Autumn Ridge Drive along the north side of the proposed development and McDonald Lane along the east side, and extension of associated utilities will preserve the development potential of the adjacent properties.

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).

Finding: Policy 99.00 is SATISFIED. Adequate urban services can be provided concurrently with development to serve the subdivision. Sanitary sewer and storm drain lines are available via McDonald Lane, and are proposed to be extended to serve the development. McDonald Lane and Autumn Ridge Drive are proposed to be extended to provide access to the entirety of the proposed development. Water and power are located in Autumn Ridge Drive, McDonald Lane, and Jacob Street, and are planned to be extended to the subject site to serve the property.

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

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

Policy 118.00 The City of McMinnville shall encourage development of roads that include the following design factors:

1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.
2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.
3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.
4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths).

Finding: Goal VI1 and Policies 117.00 and 118.00 are SATISFIED. Each individual parcel of the proposed subdivision will be accessed via private alley, which is in turn accessed via NE Autumn Ridge Drive and NE Peyton Lane. The alley will be paved and accessed by driveway approaches from the public streets constructed to City standards. The extension of Autumn Ridge Drive and McDonald Lane provide further access to parcels in the subdivision and allow for future development of adjacent properties. The streets will be constructed to City standards, providing asphalt surfacing, curbs, planting strips, and sidewalks that combine to provide meet multi-modal transportation needs.

Policy 122.00 The City of McMinnville shall encourage the following provisions for each of the three functional road classifications:

2. Major, minor collectors.
 - Designs should minimize impacts on existing neighborhoods.
 - Sufficient street rights-of-way should be obtained prior to development of adjacent lands.
 - On-street parking should be limited wherever necessary.
 - Landscaping should be required along public rights-of-way. (Ord.4922, February 23, 2010)
 - As far as is practical, residential collector streets should be no further than 1,800 feet apart in order to facilitate a grid pattern of collector streets in residential areas.
3. Local Streets

- Designs should minimize through-traffic and serve local areas only.
- Street widths should be appropriate for the existing and future needs of the area.
- Off-street parking should be encouraged wherever possible.
- Landscaping should be encouraged along public rights-of-way.

Finding: Policy 122.00 is SATISFIED. NE McDonald Lane is classified as a minor collector, and will be extended to service the proposed development in accordance to City Standards, including paving, curbs, planter strips with landscaping, and sidewalks. The applicant is dedicating right-of-way to the City to extend the west half of McDonald Lane. The applicant has indicated that they are working with the McMinnville School District, property owners to the east of the proposed development to allow the full construction of McDonald Lane right-of-way to City standards. The applicant further indicates that the McMinnville School District is supportive of the request and has agreed to a temporary easement to allow access and construction of the full right-of-way, with dedication of the school district owned portion of the McDonald Lane right-of-way to occur following completion of construction. Autumn Ridge Drive, a designated local street, will also be extended to serve the proposed development per City standards, including paving, curbs, planter strips with landscaping, and sidewalks.

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. The proposed development provides the required two (2) off-street parking spaces per dwelling unit (up to 4 bedrooms). Off-street parking is accessed via a proposed alley in the rear of the lots.

Policy 132.00 The City of McMinnville shall encourage development of subdivision designs that include bike and foot paths that interconnect neighborhoods and lead to schools, parks, and other activity areas.

Policy 132.15 The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.

Finding: Policies 132.00 and 132.15 are SATISFIED. The proposed planned development that results from this land-use application is one square block in area, bounded by Autumn Ridge Drive, Jacob Street, Peyton Lane, and McDonald Lane. Each street surrounding the subdivision has, or will have, public sidewalks that connect to the City's street and sidewalk network. This public walkway network provides direct access to adjacent neighborhoods, Chegwyn Farms Neighborhood Park, Grandhaven Elementary School, and the commercial facilities located on Highway 99. Although no dedicated bike or foot path internal to the subdivision was proposed as part of the development, staff felt that the benefit of such an element would be negligible to the benefits of the uninterrupted, or minimally disrupted, sidewalks created by the use of the alley and alley loaded off-street parking. The required right-of-way improvements which include sidewalks, will connect the proposed development to the adjacent neighborhoods.

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

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

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

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

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

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

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

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

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

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

Finding: Goal VII1 and Policies 136.00, 139.00, 142.00, 143.00, 144.00, 145.00, 147.00, and 151.00 are SATISFIED. Based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

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

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

Finding: Policies 153.00 and 155.00 are SATISFIED. Emergency services departments have reviewed this request and no concerns were raised. Any requirements of the Oregon Fire Code or Building Code will be required at the time of development.

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

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

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

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

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

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

Finding: Policies 173.00 and 177.00 are SATISFIED. Policies 173.00 and 177.00 are satisfied. McMinnville Water and Light and Northwest Natural Gas were provided opportunity to review and comment regarding this proposal and no concerns were raised.

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

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

Finding: Policy 188.00 is SATISFIED. McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the holding of advertised public hearing(s). All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville's City Code:

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

17.74.070 Planned Development Amendment - Review Criteria. An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:

- An increase in the amount of land within the subject site;
- An increase in density including the number of housing units;
- A reduction in the amount of open space; or
- Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas and access.

An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;

Finding: Criterion 17.74.070(A) is SATISFIED. The applicant has presented special objectives for the proposed development that the planned development will satisfy that warrant a departure from the standards established in Ordinances 4990 and 4953, and the underlying R-4 zone. The applicant is proposing a development with the objectives of providing an innovative housing product and site design to meet a housing need not met with multi-family development. The applicant, by requesting the planned development amendment, hopes to provide single family detached housing that provides ownership opportunity at a lower cost due to the smaller lot, smaller home size, and lack of garage. The innovation of the development can be found in using several techniques to help keep the potential housing costs down while providing a unique character to the subdivision. Small lots keep the cost of

land to a minimum. Smaller homes keep the cost of construction and materials down. Alley loaded off-street parking means garages can be eliminated, further keeping the cost of development down, which can be translated to lower sale prices for the homes. Providing an alley to serve the lots and access off-street parking also means that no driveways are necessary in the front of the homes that would disrupt the sidewalk or planting strips in the rights-of-way. Uninterrupted planting strips will allow for more street trees and screening/buffering of the development from the street. Uninterrupted sidewalks translate to a more pleasant and safe pedestrian experience throughout the development. The type of housing that will be provided, alley loaded single family homes on small lots at a density typically found in townhome developments, is innovative and will be unique to the area.

- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;

Finding: Criterion 17.74.070(B) is SATISFIED. The proposed Planned Development Amendment is consistent with the goals and policies of the Comprehensive Plan, as described in more detail above in the specific findings for each Comprehensive Plan goal and policy.

- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;

Finding: Criterion 17.74.070(C) is SATISFIED. The proposed development is designed within the existing street network surrounding the subject site. The extension of NE Autumn Ridge Drive and NE McDonald Lane adjacent to the proposed development, and the associated extensions of sewer, water, and power in those streets, will provide access and efficient provision of services to adjoining parcels.

- D. The plan can be completed within a reasonable period of time;

Finding: Criterion 17.74.070(D) is SATISFIED. The applicant has indicated that construction of the subdivision would begin Early Summer 2019 and be completed in Late Fall 2019, in one single phase of construction.

- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;

Finding: Criterion 17.74.070(E) is SATISFIED. The density of the proposed development is within the density standards for the underlying R-4 zone. The Transportation System Plan is based on the full build-out of the zone at maximum density. The proposed development is not increasing the density beyond that which has been incorporated into the TSP, and will not overload the streets in the planned area. The proposed 28 lots are expected to generate approximately 269 vehicle trips per day based on the ITE daily trip rate of 9.6 trips per day. New traffic is expected to exit off-street parking to the alley, and then to one of two local streets, Autumn Ridge Drive or Peyton Lane. From the local streets, traffic is expected to then use McDonald Lane, a designated minor collector. Minor collectors are designed to carry higher volumes of traffic than local streets, per the City's Transportation System Plan.

- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;

Finding: Criterion 17.74.070(F) is SATISFIED. Existing eight (8) inch water lines are located in McDonald Lane and Jacob Street can be extended to service the development.

An existing eight (8) inch sanitary sewer line located in McDonald Lane can be extended to service the development, and has capacity and depth. The capacity is based on the Facility Plans assumption

that the sewers are sized for 12 dwelling units per acre. The application indicates the density of the proposed development is just under 12 dwelling units per gross acre.

An existing 15 inch storm drain line located in McDonald Lane can be extended to service the proposed development, and has capacity and depth to service the proposed development.

Existing power, natural gas, and telephone lines in McDonald Lane and Jacob Street can be extended to service the development.

- G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

Finding: Criterion 17.74.070(G) is SATISFIED. It is not anticipated that the proposed residential development would cause noise, air, and water pollutants that would have an adverse effect on the surrounding areas, public utilities, or the city as a whole.

JF