

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

March 18, 2019

Alan Ruden
Cottages at Chegwyn Village LLC
PO Box 570
McMinnville, OR 97128

RE: Planned Development Amendment (PDA 2-18)

Dear Mr. Ruden:

This is to advise you that, at a meeting of the McMinnville City Council on Tuesday, March 12, 2019, your application for a Planned Development Amendment (PDA 2-18) was presented and considered. 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.

Based on the material submitted, testimony received, and the review criteria in Section 17.74.070 of the McMinnville Municipal Code, the City Council voted to **APPROVE** your Planned Development Amendment request (PDA 2-18). Enclosed for your records is a copy of Ordinance No. 5063, which was adopted by the City Council on March 12, 2019, and includes your land use decisions with the Findings of Fact and Conclusionary Findings for approval.

The Planned Development Amendment request included conditions of approval, which are included in Ordinance 5063 and your land use decision. We have also outlined those conditions of approval below.

Planned Development Amendment (PDA 2-18) conditions of approval:

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.

Pursuant to Section 17.72.190 of the McMinnville Municipal Code, an action or ruling of the City Council may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date the written notice of the decision is mailed. If no notice of intent to appeal to LUBA is submitted by April 8, 2019, the decision of the City Council will become final.

Additionally, the McMinnville Planning Commission conducted a public hearing on Thursday, February 21, 2019, to review your Tentative Subdivision request (S 2-18) for the platting of 28 single-family lots on a 1.88 acre parcel of land 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. The hearing was conducted and the Planning Commission chose to close the public hearing.

Based on the material submitted, the testimony received, the findings of fact, and the conclusionary findings for approval, the Planning Commission voted to **APPROVE** your request (S 2-18), subject to the following conditions:

1. That the subdivision approval does not take effect until and unless the Planned Development Amendment request (PDA 2-18) is approved by the City Council.
2. The final plat shall reflect that access to McDonald Lane for Lots 15-28 is not allowed.
3. 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.
4. 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).
5. 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.
6. 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.

7. 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."
8. 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 dwelling units intersect McDonald Lane.
9. 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.
10. 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.
11. 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.
12. 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.
13. Prior to the construction of any private storm facilities, the applicant shall obtain the necessary permits from the City's Building Division.
14. 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.
15. The final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.
16. 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.

17. 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.
18. 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.
19. 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.
20. 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.
21. That conduit be placed under Peyton Lane and Autumn Ridge Drive in the north-south direction to provide street crossings for future McMinnville Water & Light electric and fiber without disturbing street improvements.
22. That conduit be placed in the McMinnville Water & Light easement on the west side of McDonald Lane in the north-south direction for future McMinnville Water & Light electric and fiber to avoid conflict with east-west sanitation and storm lines.
23. That pre-placed water services on Peyton Lane be replaced with water services that are size appropriate for single family development. In addition, with abandoned services, the developer shall pave the street back to the water main in those locations on Peyton Lane.
24. That a utility corridor in the form of a public utility easement be provided on the east side of McDonald Lane.
25. That no permanent structures shall be permitted in the McMinnville Water & Light easement.
26. That paving work on Jacob Street shall cover the area of all new water services up to the intersections with Peyton Lane to the south and Autumn Ridge Drive to the north.
27. That the applicant plant street trees within curbside planting strips in accordance with a street tree plan to be prepared by the applicant and submitted to the Landscape Review Committee for their review and approval. The street tree plan shall identify the locations of all street lights, fire hydrants, utility vaults, transformers, and other public and private utilities. The placement of those utilities shall be strategic to allow for as many street trees to be planted within the subdivisions as possible. All street trees shall have a two-inch

minimum caliper, exhibit size and growing characteristics appropriate for the particular planting strip, and be spaced as appropriate for the selected species and as may be required for the location of above ground utility vaults, transformers, light poles, and hydrants. In planting areas that may be constrained, additional consideration shall be given to the tree species and other planting techniques, as determined by the Landscape Review Committee, may be required to allow for the planting of street trees without compromising adjacent infrastructure. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1). The Planning Director reserves the right to reject any plant material which does not meet this standard.

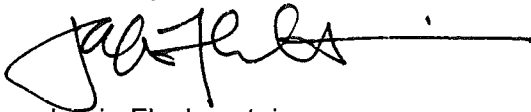
- A. Trees shall be provided with root barrier protection in order to minimize infrastructure and tree root conflicts. The barrier shall be placed on the building side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth.
 - B. Each year the applicant shall install street trees, from November 1 to March 1, adjacent to those properties on which a structure has been constructed and received final occupancy. This planting schedule shall continue until all platted lots have been planted with street trees. This provision does not apply to the multi-family lot.
 - C. It shall be the applicant's responsibility to relocate trees as may be necessary to accommodate individual building plans. The applicant shall also be responsible for the maintenance of the street trees, and for the replacement of any trees which may die due to neglect or vandalism, for one year from the date of planting
28. That restrictive covenants, conditions, and restrictions (CC&Rs) shall be prepared for the development that are consistent with those in place for existing adjacent single family developments and must meet with the approval of the Planning Director. The submitted CC&Rs shall indicate any necessary maintenance agreements for the alley, in addition to developed "no-parking" standards and enforcement within the alley. The CC&Rs shall also require that placement of trash and recycling containers be allowed only on the adjacent lots. Such containers are not to be stored anywhere within the 20-foot-wide alleyway at any time.
29. That the Tentative Subdivision Plan shall expire one (1) year from the date of this approval. If the property owner wishes a one-year extension of the Planning Commission approval of this tentative plan under the provisions of MMC Section 17.53.075 (Submission of Final Subdivision Plat), a request for such extension must be filed in writing with the Planning Department a minimum of 30 days prior to the expiration date of this approval.
30. That, prior to issuance of residential building permits, the applicant shall submit a residential Architectural Pattern Book to the Planning Director for review and approval. The purpose of the Architectural Pattern Book is to provide an illustrative guide for residential design in this subdivision. This book will contain architectural elevations, details, materials and colors of each building type. In order to protect property values, front entries will need to be clearly defined, at least three material types will need to be used on the front elevations, and a variety of color schemes should be used throughout the development that are distinctly different from each other but enhance each other.

31. In order to eliminate a cookie-cutter stylization of the neighborhood, no same home design shall be built in adjacency to another, including both sides of the street.
32. The applicant shall coordinate the location of clustered mailboxes with the Postmaster, and the location of any clustered mailboxes shall meet the accessibility requirements of PROWAG and the State of Oregon Structural Specialty Code.

Pursuant to the Section 17.72.180 of the McMinnville Municipal Code, an action or ruling of the Planning Commission may be appealed to the City Council within 15 (fifteen) days of the date the written notice of the decision is mailed. If no appeal is filed with the Planning Department on or before April 2, 2019, the decision of the Planning Commission will be final.

If you have any questions regarding this matter, please feel free to contact me at (503) 434-4153.

Sincerely,



Jamie Fleckenstein
Associate Planner

JF:sjs
Encl.

c:

Jonathan and Karleen Booth, 3844 NE Joel Street, McMinnville, OR 97128
John and Karen Vanderwall, 3812 NE Joel Street, McMinnville, OR 97128
Patrick Evans, 3587 NE Joel Street, McMinnville, OR 97128
Brad and Patty Landsiedel, 3577 NE Jacob Street, McMinnville, OR 97128
Mark Davis, 652 SE Washington Street, McMinnville, OR 97128
Bill Whiteman, 3480 NE Hembree Street, McMinnville, OR 97128

Enclosures:

*Ordinance No. 5063
Decision, Findings Of Fact And Conclusionary Findings For The Approval Of A Tentative
Subdivision For A 28 Small Lot, Alley Loaded, Bungalow Style Single Family Detached
Development R44092100/R44092104. (Docket S 2-18)*