



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

www.mcminnvilleoregon.gov

EXHIBIT 1 - STAFF REPORT

DATE: February 21, 2019
TO: McMinnville Planning Commissioners
FROM: Jamie Fleckenstein, PLA, Associate Planner
SUBJECT: PDA 2-18 (Planned Development Amendment) / S 2-18 (Subdivision) Cottages at Chegwyn Village Phase 2

Report in Brief:

This is the public hearing to consider Cottages at Chegwyn Village, LLC's application requesting approval of a Planned Development Amendment (PDA 2-18) and the subsequent approval of a 28 lot subdivision (S 2-18). 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.

Cottages at Chegwyn Village, LLC is requesting approval to amend an R-4 Planned Development described by Ordinance 4953 and amended by Ordinance 4990 reducing average lot size and certain setbacks, increasing allowed block length and lot depth to width ratio, allowing lot access through an access easement, and amending an approved site plan. Cottages at Chegwyn Village, LLC is also requesting approval of an alley loaded 28 lot subdivision on approximately 1.88 net acres.

Background:

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 is also requesting 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, which would be conditioned upon the approval of the Planned Development Amendment being approved as requested.

Attachments:

Attachment A: Decision, Findings of Fact and Conclusionary Findings for the Approval of a Planned Development Amendment at R44902100/R44902104;

Attachment B: Decision, Conditions of Approval, Findings of Fact and Conclusionary Findings for the Approval of a Tentative Subdivision at R44902100/R44902104;

Attachment C: PDA 2-18/S 2-18 Application Materials

Attachment D(1-3): Testimony Received

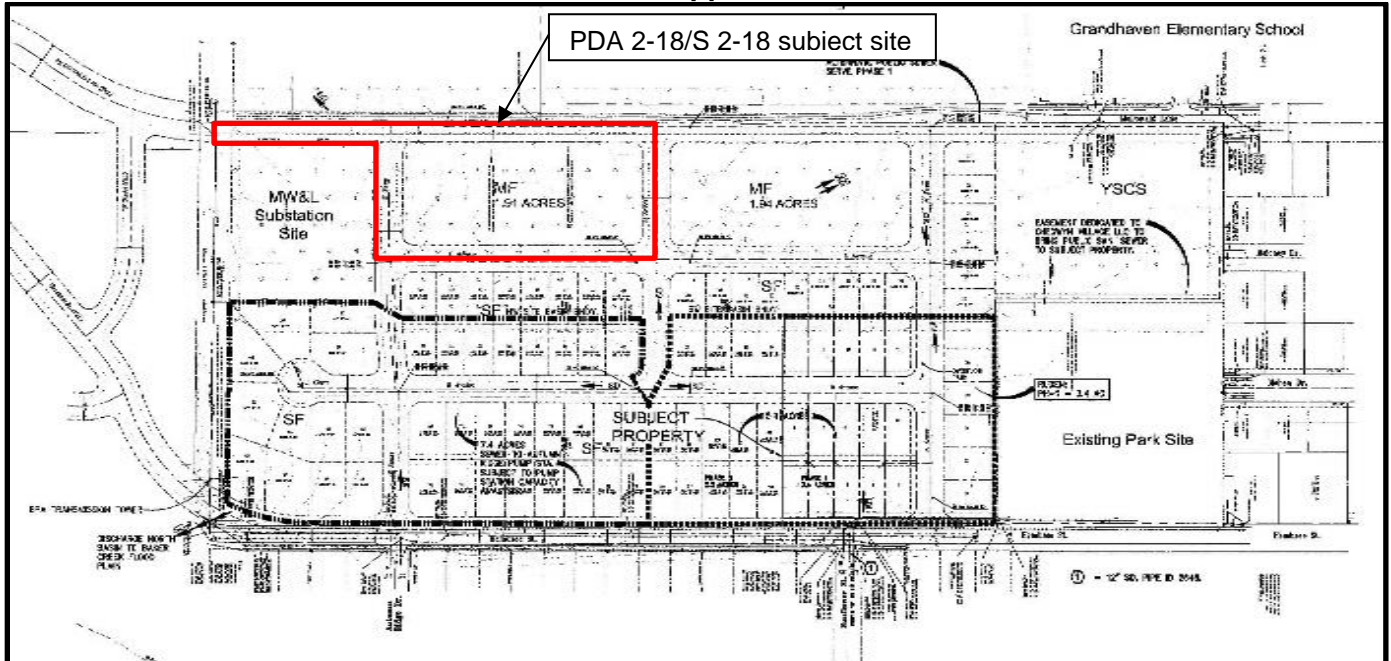
Attachment E: Agency Comments – McMinnville Water & Light

Attachment F(1-2): Additional Communications

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 R-4 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

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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:

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Site Reference Map



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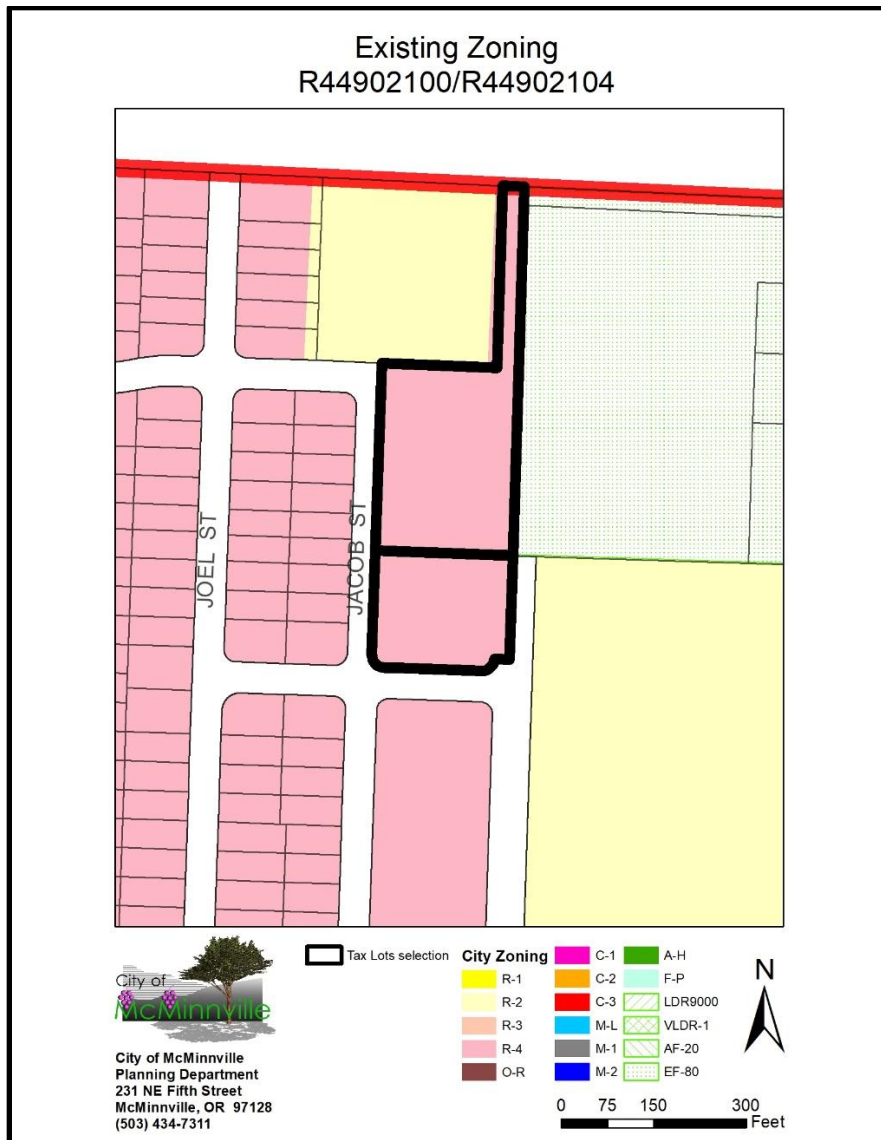
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Discussion:

Planned Development Review

An amendment to an existing planned development can either be minor or major. Major amendments include increases to density or number of housing units and changes to the vehicular system which result in a significant change to the location of streets, shared driveways, parking areas, and access. The proposed amendment qualifies as a major amendment and is therefore processed in accordance with McMinnville Zoning Ordinance Section 17.72.120 Applications – Public Hearings.

The responsibility of the Planning Commission regarding the requested Planned Development Amendment (PDA 2-18) is to conduct a public hearing for the purpose of taking testimony on this

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proposal, and based upon the testimony received, findings of fact, and conclusionary findings, forward a recommendation to the City Council that the request be approved, approved with conditions, or denied. Specific to the tentative subdivision plan, the Commission is authorized to take action to approve, approve with conditions, or deny the request.

Evaluation of Review Criteria for Planned Development Amendments:

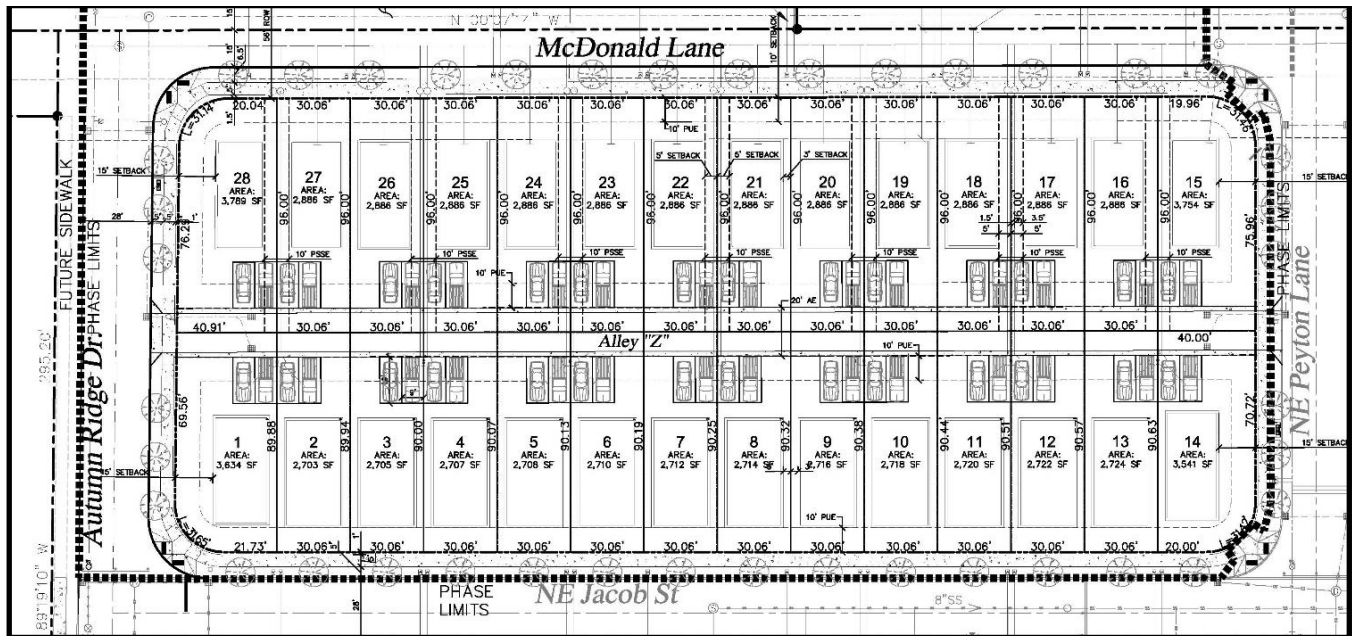
An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of the Zoning Ordinance (Ord. 3380) and also provided that the applicant demonstrates the following:

Section 17.74.070 Planned Development Amendment – Review Criteria:

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

The applicant has provided narrative in the application outlining the objectives of the proposed development. Specifically, the applicant wants to meet a market need for smaller, single family dwelling units and City goals of increased density in the underlying R-4 zone. To meet these goals, the applicant is proposing a 28 lot, alley loaded, detached bungalow style single family housing subdivision. For every two dwelling units, there are four (4) shared off-street parking stalls accessed from the alley. The tentative subdivision plan illustrating these concepts is shown below:

S 2-18 Tentative Subdivision Plan



In order to achieve this development, the applicant is proposing adjustments to the existing planned development, Ordinance 4990, which amended Ordinance 4953. The history of planned development zone changes for the subject site is outlined below, including the proposed amendment:

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| | R-4 Zone | P.D. Ordinance 4953 | P.D. Ordinance 4990 (existing P.D.) | Proposed P.D. Amendment |
|----------------------------|------------------------------------------------------------------|------------------------------------------------------------------|-----------------------------------------------------|--------------------------------|
| Lot Size | 5,000 s.f. min. 2,500 s.f. min. for common wall single-family | 5,000 s.f. average | 5,000 s.f. average | 2,925 s.f. average |
| Front Yard Setback | 15 feet | 10 feet | 10 feet | 10 feet (no change) |
| Side Yard Setback | 6 feet | 0 feet for garages on some lots; 6 feet all other development | 0 feet for garages; 6 feet all other development | 3 feet |
| Exterior Side Yard Setback | 15 feet | 15 feet | 15 feet | 15 feet (no change) |
| Rear Yard Setback | 20 feet | 20 feet | 20 feet | 20 feet (no change) |

The planned development amendments proposed by the applicant are summarized below:

- Reduce average lot size from 5,000 square feet to 2,925 square feet;
 - (Note: The application requests a reduction from 4,900 s.f. to 2,925 s.f., but the current average lot size requirement for the subject site per Ord. 4990 is 5,000 s.f.)
- Maintain the reduced 10 foot front yard setback;
- Reduce the side yard setback from six (6) feet to three (3) feet.
 - (Note: The application requests a reduction from five (5) feet to three (3) feet, but the current side yard setback requirement for the subject site per Ord. 4990 is six (6) feet.)

Additional planned development amendments identified by staff during subdivision review (discussed in more detail below):

- Allow an approximate 10 percent increase in allowed block length (proposed block length is approximately 440 feet, standard block length is 400 feet)
- Allow the lot depth to width ratio to exceed the recommended two (2) to one (1) ratio (interior lots have a proposed depth to width ratio of 2.7:1)
- Allow access easement (alley) to provide access to more than three (3) lots (the access easement provides access to 28 lots)
- Allow alley loaded small lot subdivision development by amending 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.

Again, 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. If multi-family dwelling units were proposed on the subject site's 1.88 net acres,

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per maximum density standards in the R-4 zone, 54 two (2) bedroom units (1,500 square feet of lot area minimum per unit) or 46 three (3) bedroom units (one per 1,750 square feet) could potentially be proposed in buildings up to 60 feet in height.

However, the applicant is proposing a single family 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 proposed subdivision development cannot reach the desired density for the proposed housing type without the reduction of average lot size from 5,000 square feet to 2,925 square feet. The application indicates a minimum lot size of 2,702 square feet and a maximum lot size of 3,789 s.f. The underlying R-4 zone allows common wall single family dwelling units on minimum 2,500 square foot lots. The proposed amendment increases the density of single family development for the subject site, yet remains below the maximum threshold for single family residences established by the underlying zone.

Keeping the reduced 10 foot front yard setback will allow the proposed single family dwelling units to be located closer to the street, creating the space for an mid-block access easement/alley to access each unit's off-street parking spaces. The application indicates that the 10 foot setback will apply to units on the west side of the subdivision. Units on the east side, along McDonald Lane, will be set back 17 feet due to an existing McMinnville Water & Light easement.

The reduction of the required side yard setback from six (6) feet to three (3) feet will allow the applicant to maintain the density of the underlying R-4 zone. According to the application, the reduced side yard setback helps provide the density of townhomes, but with a detached single family product without the complication of shared wall construction and maintenance. The applicant is proposing to utilize the three (3) foot side yard setback for all interior side yards in lots 1 through 14 along Jacob Street, and for one interior side yard per lot for lots 16 through 27 along McDonald Lane. Lots 1, 14, 15, and 28, being corner lots, would be subject to the 15 foot exterior side yard setback.

2. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area.

The subject site is designated as Residential on the McMinnville Comprehensive Plan Map. There are numerous Comprehensive Plan Goals and Policies that are applicable to this request. The narrative provided by the applicant identifies those goals and policies in more detail, and they have also been identified in the attached decision document.

General Comprehensive Plan Goals & Policies

The Comprehensive Plan goals and policies most applicable to the planned development amendment request are found in Chapter V (Housing and Residential Development), Chapter VI (Transportation System), and Chapter VII (Community Facilities and Services).

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Housing and Residential Development

Goals from Chapter V of the Comprehensive Plan promote the “development of affordable, quality housing for all city residents” (Goal V 1), and also “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” (Goal V 2). More specifically, supporting policies provide guidance in the provision of opportunities for the development of a variety of housing types and densities (Policy 58.00), encouragement of compact development in areas where urban services are already available (Policy 68.00), development of a variety of housing types on residentially designated land to meet housing needs (Policy 71.00), and encouragement of planned residential developments which offer a variety and mix of housing types and prices (Policy 73.00).

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 58.00, 68.00, 71.00, and 73.00.

Additional policies address the provision of common open space in residential planned developments designed to directly benefit future residents of the developments (Policy 75.00) and the location of parks, recreation facilities, and community centers within planned developments that are readily accessible to all occupants (Policy 76.00).

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.

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Policies 77.00 and 78.00 provide guidance in designing traffic systems within planned developments, requiring that internal traffic systems promote safe and efficient traffic flow and give consideration pedestrian and bicycle pathways (Policy 77.00) and that traffic systems are compatible with the circulation patterns of adjoining properties (Policy 78.00).

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.

The Comprehensive Plan includes specific policies related to Residential Design, which the applicant has provided findings for in their application. The proposed development is consistent with policies regarding incorporation of pedestrian and bicycle pathways to connect with activity areas (Policy 81.00) and the layout of streets to preserve development potential of adjacent properties (Policy 82.00). 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. 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 requires an adequate level of urban services be provided with all proposed residential development, including sanitary sewer, storm sewer, water supply, and improved streets (to City standards) within the development or providing access to the development. The proposed development is consistent with Policy 99.00. 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.

Transportation System

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The Goal of Chapter VI of the Comprehensive Plan promotes the “development of a transportation system that provides for the coordinated movement of people and freight in a safe and efficient manner” (Goal VI 1). More specifically, supporting policies address streets, parking, and bike paths.

Policies regarding streets include the goal to insure safe and easy access to every parcel (Policy 117.00), encouraging development of roads that minimize adverse effects on the land, reduce the amount of land necessary for streets, emphasize existing and future needs of the area to be served (traffic volumes being an important factor), and consideration of Compete Streets and multimodal transportation (Policy 118.00). Policy 122.00 encourages provisions for functional road classifications, including minor collectors and local streets. The proposed development is consistent with Policies 117.00 and 118.00. 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. The proposed development is also consistent with Policy 122.00. 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.

McMinnville continues to require adequate off street parking for future developments and land use changes (Policy 126.00), and encourages off-street parking to better utilize roadways and right-of-way (Policy 127.00). 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. Therefore, the proposed development is consistent with Policies 126.00 and 127.00.

The City also encourages subdivision designs that include bike and foot paths that interconnect neighborhoods and lead to schools, parks, and other activity areas (Policy 132.00). The proposed subdivision 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. Therefore, the proposed development is consistent with Policy 132.00.

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Community Facilities and Services

McMinnville's Comprehensive Plan also includes goals relative to Community Facilities and Services. A goal from Chapter VII is 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." Supporting policies provide guidance in the provision of municipal sewage connections to urban developments (Policy 136.00) and provide guidelines for the extension of sanitary sewage collection lines to urban developments (Policy 139.00). Another policy guides the provision of adequate storm water drainage to urban developments (Policy 142.00)

The application indicates that each lot of the proposed development will be served by the public sanitary sewer collection system that will be extended and constructed with the development of adjacent streets. The proposed eight (8) inch sanitary sewer extension in McDonald Lane has capacity to service the proposed subdivision based on the density of the development. The proposal is consistent with Policies 136.00 and 139.00. The application indicates that an existing 15 inch public storm drain in McDonald Lane has the capacity to service the development and will be extended to do so. Therefore, the proposed development is consistent with Policy 142.00.

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

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.

4. The plan can be completed within a reasonable period of time.

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.

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

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.

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

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.

7. 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.

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.

Subdivision Review

The responsibility of the Planning Commission regarding the requested Tentative Subdivision (S 2-18) is to conduct a public hearing for the purpose of taking testimony on this proposal, and based upon the testimony received, findings of fact, and conclusionary findings, take action to approve, approve with conditions, or deny the request.

Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance provides standards and procedures for the subdivision of land. Subdivision in accordance to the Planned Development section of the zoning ordinance may result in the requirements of Chapter 17.53 being waived, altered, or otherwise changed as determined by action of the Planning Commission and approved by the City Council.

The proposed tentative subdivision plan is provided below for reference:

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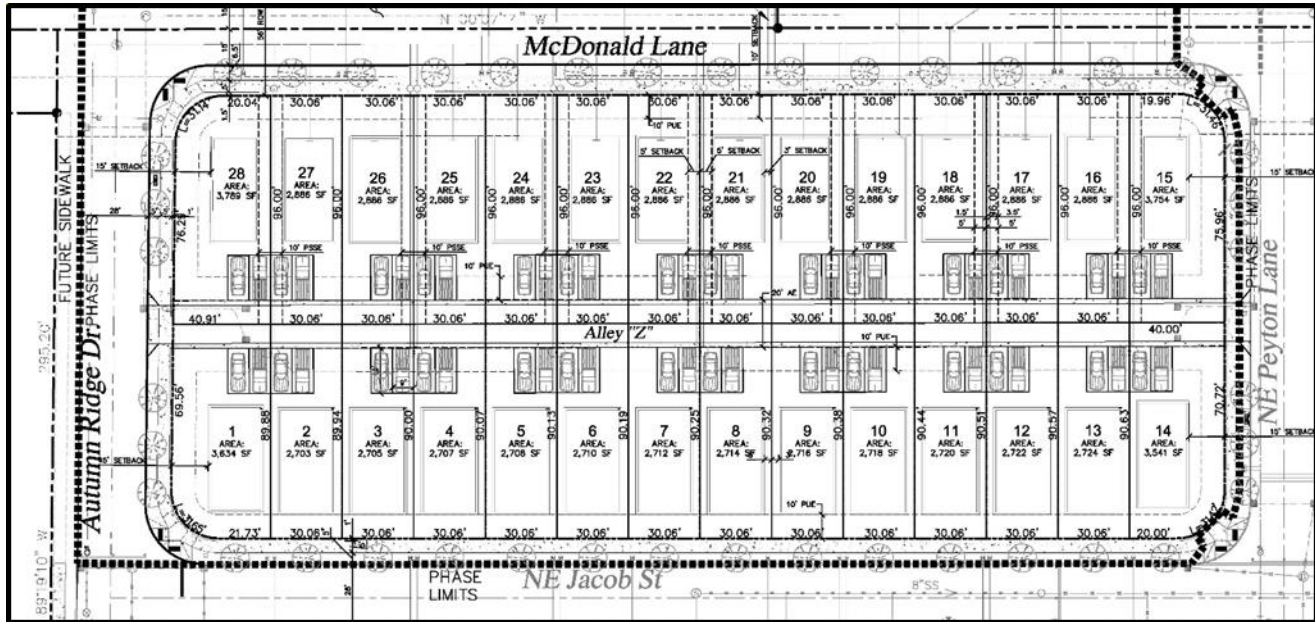
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S 2-18 Tentative Subdivision Plan



Evaluation of Review Criteria for Tentative Subdivisions:

17.53.100 Creation of Streets

No new streets are proposed to be created as part of the proposed development. NE Jacob Street and NE Peyton Lane are fully developed adjacent to the proposed development. Autumn Ridge Drive and McDonald Lane are proposed to be extended from their existing terminus to the extent of the proposed subdivision, and the applicant will dedicate that right-of-way.

The applicant is proposing the creation of an alley to access the required off-street parking in the rear of each of the 28 proposed lots. The alley is identified on the tentative subdivision plan as an access easement rather than a private drive/way or dedicated public alley. Section 17.53.100(C) allows a private access easement to be approved if it is the only reasonable method to provide access to three (3) lots or less. The access easement is 20 feet in width, more than the 15 feet required minimum and able to allow a minimum 10 foot wide hard paved surface. Since the access easement/alley serves each of the 28 proposed lots, providing access to required off-street parking in the rear of each lot, staff recommends an amendment to the planned development to allow the access easement to serve more than three (3) lots. This change to the zoning will allow uninterrupted sidewalks along NE Jacob Street and McDonald Lane by eliminating the need for driveways crossing the sidewalk to access off-street parking in the front of the lots, thereby creating a more pleasant pedestrian experience.

17.53.101 Streets

To fully serve and provide access to the proposed development, McDonald Lane and Autumn Ridge Drive are proposed to be extended from their termini to their intersection at the northeast corner and

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boundary of the proposed development. These are existing principal streets in the area, and continuation of these streets is appropriate.

Autumn Ridge Drive is classified as a local residential street, requiring a 50 foot wide right-of-way dedication to fulfill City specifications. As a local residential street, Autumn Ridge Drive is specified to have a curb-to-curb street width of 28 feet, and sidewalk and planter strips widths of five (5) feet each. The continuation of Autumn Ridge Drive to these standards is shown on the tentative subdivision plan. McDonald Lane is classified as a minor collector, requiring a curb-to-curb street width of 30 feet, a five (5) foot wide sidewalk and minimum six (6) foot wide planter strips in a 56 foot wide right-of-way dedication. The continuation of McDonald Lane to these standards is shown on the tentative subdivision plan. McDonald Lane is not identified in the Bicycle System Plan in the Transportation System Plan, and therefore dedication of a wider right-of-way to accommodate bicycle lanes is not required. The extension of Autumn Ridge Drive and McDonald Lane to the boundary of the proposed subdivision will allow access to adjacent undeveloped lots to the north and east of the subject site.

The eastern property line of the subject site falls on the centerline of the McDonald Lane extension, meaning half of the required right-of-way width falls within the subject property, and the other half of the required right-of-way width falls within the undeveloped property to the east owned by the McMinnville School District. The applicant has provided a letter of intent from the McMinnville School District indicating the intention of the school district to provide a temporary easement to allow access and construction of the full right-of-way width for McDonald Lane. Upon completion of the extension of McDonald Lane, the school district intends to dedicate the portion of the McDonald Lane right-of-way in its ownership to the City prior to the approval of the final plat.

The subject site is generally flat, with a minimal slope of one (1) to two (2) percent from west to the east and north. Therefore, the grades of the proposed streets do not exceed City standards, 10 percent maximum for collectors, and 12 percent maximum for local residential streets.

17.53.103 Blocks

The proposed subdivision is located in one square block within the existing street network. As proposed between existing streets (Autumn Ridge Drive, Joel Street, Peyton Lane, and MacDonald Lane) the proposed subdivision has a block length in the north-south direction of approximately 440 feet. The City standard is a block length of 400 feet unless the location of adjoining streets justifies an exception. Because the proposed block length is only 10 percent over the standard, and constrained by the location and layout of adjoining streets, staff recommends allowing an exception to the standard block length. The proposed subdivision has a block perimeter of approximately 1,300 feet, less than the 1,600 foot maximum perimeter.

An existing 45 foot wide McMinnville Water & Light (MW&L) easement is currently in place on the eastern edge of the subject site along McDonald Lane. MW&L has provided comments that indicate they can accommodate a reduction in the easement width to 17 feet, as was done previously in 2016 to accommodate the housing development and street improvements to the south of the proposed development. Comments from MW&L have been incorporated into the decision document and conditions of approval.

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As required by code, 10 foot wide public utility easements are provided along all rights-of way and additionally along each side of the access easement/alley. No easement for a pedestrian way is proposed, however. Staff considered the benefit of a proposed pedestrian way through the development that would provide access through a longer than standard block. However, staff came to the conclusion that providing a pedestrian way would not provide substantial benefit above and beyond providing sidewalks within the right-of-way. The primary reason for this conclusion is that a mid-block pedestrian way would direct people to the existing sidewalk network. Without the benefit of a mid-block crossing of McDonald Lane, pedestrians would be directed to sidewalk crossings at Autumn Ridge Drive or Peyton Lane, which are easily accessed by the sidewalk network around the proposed development.

17.53.105 Lots

The size and shape of the 28 proposed lots are appropriate for the proposed use of the lots. A planned development amendment is requested to reduce the average lot size to 2,925 square feet, with a minimum lot size of 2,703 square feet and a maximum lot size of 3,789 square feet. The size of the resulting lots will allow the development to provide smaller and potentially less expensive single family detached bungalow style homes at a density similar to that allowed for common wall single family residences (townhomes) in the R-4 zone. The proposed depth for interior lots is approximately three (3) times the width, or 3:1, and the proposed depth for corner lots slightly exceeds two (2) times the width, or 2.1:1. The City standard is that lot depth shall not ordinarily exceed two (2) times the width. When removing the area of lots proposed for the rear alley/access easement, the depth to width ratio for interior lots falls to 2.7:1, and the ratio for the corner lots is 2:1, meeting the City standard. Staff recommends amending the planned development to allow the lot depth to width ratio to exceed the 2:1 standard.

Each of the 28 proposed lots abuts the adjacent street for a minimum of 25 feet, as indicated on the tentative subdivision plan. Each lot also abuts the rear alley/access easement. The access easement is proposed to be 20 feet wide, and abuts local residential streets (Autumn Ridge Drive and Peyton Lane) for more than the required 15 feet. The lot side lines run at right angles to the adjacent streets, and no flag lots or through lots are proposed, all meeting City standards.

17.53.110 Lot Grading

As mentioned previously, the subject site is generally flat, with minimal one (1) to two (2) percent slopes falling towards the west and north. Because of this condition, it is not expected that any cut and fill slopes would exceed City guidelines. The City Engineer has provided comments relative to a storm drainage system for the site, and those comments have been incorporated into the decision document.

17.53.140 Left Over Land

The tentative subdivision plan indicates that a portion of the subject site on Tax Lot R4409 02100 is not going to be developed as part of the subdivision and will be, in effect, left over land. This area of land is the skinny strip of land extending north from the extension of Autumn Ridge Drive along the approximate projection of McDonald Lane. This portion of the subject site is proposed to be conveyed to McMinnville Water & Light, owners of the property adjacent to this portion to the west. The applicant has provided confirmation in the form of an email that McMinnville Water & Light would be willing to take ownership of the narrow strip of land adjacent to their future substation site. Conveyance of the left over land to McMinnville Water & Light will be required before approval of the final subdivision plat.

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Testimony Received:

Three residents provided written testimony via email to the Planning Department in response to the public notice to residents within 300 feet of the proposed development.

Testimony:

One resident wrote on December 4, 2018 to express his support of the proposed amendments and development.

Testimony:

One resident wrote on February 5, 2019 to express support of a development of single family detached residences instead of multi-family rental units currently allowed, stating that individual homeowners will take pride of ownership in their home and community. However, a concern of a more affordable housing development would be that investors purchase the properties for rental investments, which could have an effect on maintenance and appearance of the development. The resident suggested off-street parking be provided via the alley, Covenants, Conditions, and Restrictions (CC&Rs) be developed consistent with the surrounding single family neighborhoods, a Neighborhood Association be created to collect fees for maintenance and enforcement of the CC&Rs, and that exterior maintenance of the residences be contracted through the Neighborhood Association.

Staff Response:

Off street parking as required by code (two spaces for dwelling unit) has been provided in the rear of each lot, accessed via the access easement/alley. A Condition of Approval has been included to require CC&Rs consistent with the surrounding single family neighborhoods.

Testimony:

One resident wrote on February 10, 2019 to oppose approval of the planned development amendment and subsequent development for several reasons. First, because the original development plan indicated the site was to be developed as multi-family, then no modifications to accommodate single family residential development should be approved. Second, if the modifications are approved they would negatively impact the surrounding neighborhood for the following reasons:

- Singular ownership of a multi-family development would provide consistent exterior upkeep and maintenance, single family ownership may not;
- Lack of garages does not allow space for parking or storage of maintenance equipment;
- Reduction of side yard setback is a hindrance to first responders in the event of a fire;
- Lack of alley maintenance by homeowners, which could be addressed through City ownership of alley or HOA to provide alley maintenance.

The testimony concludes with the statement that the Applicant has not met the standards for granting a variance (per MMC 17.74.110), and that there is no reason for the Applicant to not proceed with a multi-family development as originally approved, or development of single family homes identical to those in the original approved site plan made binding by Ord. 4953.

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Staff Response:

The Planning Commission will review the application for the Planned Development Amendment against the review criteria, and if found to meet the criteria, can recommend approval of the amendment to the Planned Development and site plan. Off street parking as required by code (two spaces per dwelling unit) has been provided in the rear of each lot, accessed via the access easement/alley. The proposed development does not include, but also does not preclude, the addition of a garage or accessory structures (i.e. exterior storage shed) to the rear yards of the lots. The McMinnville Fire Department has reviewed the application and did not have any comment relative to the reduced setback. Building Department will review plans prior to issuing building permits to ensure all development meets applicable building codes. A Condition of Approval has been included to require CC&Rs consistent with the surrounding single family neighborhoods, including maintenance of the alley.

Fiscal Impact:

None.

Commission Options for Planned Development Amendment (PDA 2-18):

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

Recommendation/Suggested Motion:

Based on the analysis and findings provided above, the Planning Department recommends that the Planning Commission recommend approval of the Planned Development Amendment (PDA 2-18) to the City Council. Specifically, the Planning Department suggests that the following conditions of approval be included in the approval of the Planned Development Amendment request:

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.

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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.

The Planning Department recommends that the Planning Commission make the following motions recommending approval of PDA 2-18 to the City Council:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL APPROVE PDA 2-18, SUBJECT TO THE CONDITIONS OF APPROVAL PROVIDED IN THE DECISION DOCUMENTS.

Commission Options for Tentative Subdivision (S 2-18):

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

Based on the analysis and findings provided above, the Planning Department recommends that the Planning Commission approve the Tentative Subdivision. Specifically, the Planning Department suggests that the following conditions of approval be included in the approval of the Tentative Subdivision request:

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.

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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 apartments 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

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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.

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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.

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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.

The Planning Department recommends that the Planning Commission make the following motion for approval of S 2-18:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVE S 2-18, SUBJECT TO THE CONDITIONS OF APPROVAL PROVIDED IN THE DECISION DOCUMENTS.

JF:sjs

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