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Planning Department
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MINUTES

December 5, 2019
Planning Commission
Regular Meeting

6:30 pm
McMinnville Civic Hall, 200 NE 2nd Street
McMinnville, Oregon

Members Present: Chair Roger Hall, Commissioners: Erin Butler, Martin Chroust-Masin
Susan Dirks, Roger Lizut, Amanda Perron, and Lori Schanche

Members Absent: Christopher Knapp and Gary Langenwalter

Staff Present: Heather Richards – Planning Director, Chuck Darnell – Senior Planner, and
Spencer Parsons – Legal Council

1. Call to Order

Chair Hall called the meeting to order at 6:30 p.m.

2. Citizen Comments

None

3. Public Hearing:

A. Quasi-Judicial Hearing. Comprehensive Plan Map Amendment, Zone Change, Planned Development Amendment, Planned Development, Tentative Subdivision, and Landscape Plan Review (CPA 1-19 / ZC 1-19 / PDA 2-19 / PD 1-19 / S 1-19 / L 12-19) (Exhibit 1)

Request: Approval of six concurrent actions.

- 1) Comprehensive Plan Map Amendment on the southwestern portion of the site to reduce the size of an existing area designated as Commercial on the Comprehensive Plan Map. The proposed amendment would result in 4.76 acres of existing Commercially designated land being designated as Residential;
- 2) Zone Change from mix of R-1 (Single Family Residential) and EF-80 (remnant County Exclusive Farm Use zone from prior to annexation) to a mix of 6.62 acres of C-3 (General Commercial) and 48.7 acres of R-4 (Multiple Family Residential);
- 3) Planned Development Amendment to reduce the size of the existing Planned Development Overlay District governed by Ordinance 4633 to the size of the proposed 6.62 acre C-3 (General Commercial) site and amending the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site;

- 4) Planned Development to allow for the development of 280 single family detached dwelling units, public right-of way improvements, and open spaces on the proposed 48.7 acres of R-4 (Multiple Family Residential) land with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities;
- 5) Tentative Subdivision to allow for a 10-phase subdivision including a total of 280 single family detached dwelling units, public right-of-way improvements, and open spaces consistent with the proposed Planned Development plan;
- 6) Landscape Plan Review for the landscaping of proposed open space tracts within the subdivision phases and a street tree plan for the planting of street trees in the planter strips within the right-of-way adjacent to the single family dwelling unit lots.

Location: The subject site located Northeast corner of the intersection of NW Hill Road and NW Baker Creek Road. It is more specifically described as Tax Lots 100, 105, 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lot 106, Section 18, T. 4 S., R. 4 W., W.M.

Applicant: Stafford Development Company, LLC

6:31 Opening Statement: Chair Hall read the opening statement and described the application.

6:36 Disclosures: Chair Hall opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Hall asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none. Chair Hall asked if any Commissioner had visited the site. If so, did they wish to discuss the visit to the site? Several members of the Commission had visited the site, but had no comments to make on the visits.

6:37 Staff Presentation: Senior Planner Darnell said this was a request for six land use applications associated with the Baker Creek North project. He described the subject site. The Comprehensive Plan Map amendment would reduce the size of an existing area designated as Commercial from 11.3 acres to 6.62 acres and the remaining 4.76 acres would be designated as Residential. The Zone Change request was to change the current mix of R-1 and EF-80 to a mix of 6.62 acres of C-3 (General Commercial) and 48.7 acres of R-4 (Multiple Family Residential). The Planned Development amendment would reduce the size of the existing Planned Development Overlay District to the size of the proposed 6.62 acre C-3 (General Commercial) site and amend the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site. The fourth application would create a new Planned Development to apply to the R-4 (Multiple Family Residential) land on the site to allow for the development of 280 single family detached dwelling units with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities. The tentative Subdivision would correspond to that Planned Development and would allow for a 10-phase subdivision of the 280 single family detached dwelling units and all associated improvements. A Landscape Plan application for the subdivision had also been submitted which included tree removal requests, street tree plan, and

landscaping areas. All of these applications were going through a concurrent process and the Planning Commission would be making a recommendation to the Council on all the applications.

Senior Planner Darnell showed maps of the parcel and of the requests. The majority of the parcel was zoned EF-80 which was a remnant of the County Exclusive Farm Use zone when the property was annexed into the City. There was a portion of R-1 on the site and some of the park donation site was zoned Flood Plain, consistent with the FEMA 100 year floodplain line. The non-floodplain areas would be changed to a mix of 6.62 acres of C-3 (General Commercial) and 48.7 acres of R-4 (Multiple Family Residential). He also showed a map of the development plan for the subdivision. He then reviewed the Comprehensive Plan Map amendment and Zone Change criteria. He explained the Comprehensive Plan goals that applied to this request including encouraging growth, diversification of the economy, and promoting development and quality housing for all City residents. The City had a deficit of both commercial and residential land. Even though this would be reducing commercial land, it would provide more residential land and he noted the housing policies were given added emphasis in the Comprehensive Plan. There was a housing need in the City to warrant the reduction of the commercial. The surrounding area was mostly residential and the smaller commercial area would allow for appropriately scaled commercial uses at this location. The zone change would designate the commercial as C-3, General Commercial, and the residential as R-4, Multiple Family Residential. There was a goal in the Comprehensive Plan that called for the City to allow for commercial development that maximized the efficiency of the land use. The proposed C-3 zone would be consistent with that goal. The Planned Development amendment would also regulate the use and development of the site in a way that was consistent with the Comprehensive Plan policies and neighborhood commercial uses that the applicant intended, and staff suggested that the zone change not be approved unless the Planned Development amendment was approved. Regarding the housing goals in the Comprehensive Plan, they related to providing affordable, quality housing and promoting a residential development pattern that was land intensive and energy efficient. One policy that was applicable to the zone change was the locational requirements for high density housing. Overall the site met the locational requirements as it would be located on an arterial, future transit corridor, adjacent to commercial services, and was not subject to any development limitations. There were a couple locational requirements that were not achieved, such as being adjacent to public/private open space, ability to buffer from low density residential, and capacity of existing services had not been shown for the maximum buildout. All of these issues were addressed in the Planned Development application.

Senior Planner Darnell then reviewed the Planned Development Amendment which applied to the commercial area of the site. There was an existing ordinance and Planned Development Overlay District which had recently been reduced to allow for the McMinnville Water and Light substation expansion. The request was to reduce the size of the Overlay District to be consistent with the Comprehensive Plan Map commercial designation and to amend the existing conditions of approval to allow up to 120 multi-family units and to require a minimum of two acres of neighborhood commercial uses. No development plan had been submitted for this portion of the site. He explained the criteria for amending a Planned Development. This proposal would introduce a mix of uses on the site by allowing multi-family residential and neighborhood commercial uses. Staff thought that these special objectives could warrant departure from the existing requirements if the development was designed appropriately given its location in the surrounding residential area and the intent to provide neighborhood commercial uses which were currently not provided in this area and would be more fitting with the surrounding residential development. Staff thought mixed uses could be provided on site if they were integrated well and if the development was consistent with all applicable Comprehensive Plan policies. There had been changes in the City since this Planned Development was adopted in 1996. There are

identified housing inventory and affordability issues in the City and providing multi-family units on the site would help meet the needs. There was a lack of commercial land in this area and staff suggested the minimum size of the neighborhood commercial uses be 5 acres instead of the 2 acres proposed by the applicant. He discussed the Comprehensive Plan policies and goals that applied to this site including efficiency of land use, providing a compact form of urban development, and exploring utilization of innovative land use regulatory ordinances to integrate the functions of housing and commercial into a compatible framework. Staff was suggesting a condition to allow up to 120 multi-family dwelling units on the site as proposed by the applicant if they were integrated with neighborhood commercial uses. This integration could be done in either a mixed use building or some other form in a development plan that integrated the uses in a manner acceptable to the Planning Commission when detailed development plans were submitted for review. Staff also added a condition that the minimum neighborhood commercial area be 5 acres as part of a mixed use development. The 5 acres would be calculated based on all the development requirements for the commercial use. There was a policy that called for neighborhood commercial uses in residential areas, but the applicant had not stated what those uses would be. Staff suggested a condition that would allow neighborhood commercial uses on this property as defined in the C-1 zone and to allow a restaurant on the property. They also included language that would allow the applicant to request another use when detailed development plans were submitted and the Planning Commission could determine if it was a neighborhood commercial use. There were a number of policies in the economy chapter of the Comprehensive Plan that applied to how a commercial use was designed in terms of scale and size and impacts on surrounding land uses as well as on access points, traffic patterns, bicycle and pedestrian designs, and not creating auto oriented development patterns. Staff suggested a condition of approval that required the review of detailed development plans continue to be applied to this Overlay District as they were today and staff added more site and design components to meet applicable Comprehensive Plan policies. There were also policies related to a commercial site that it was not providing excessive traffic on the surrounding street network. Staff suggested a condition that an updated traffic impact analysis would be provided before development on the site.

Senior Planner Darnell continued with the Planned Development application for the residential zoned property. It would be a separate Planned Development Overlay District that would be created to allow for the 280 single family detached residential units, 18 open space tracts, and a dedicated public park. The request included modifications to lot sizes, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities. There would be 7 different lot types throughout the Planned Development area. Reduced setbacks were requested for each of the lot types and larger setbacks were requested on some lots for tree preservation. The average lot size that was being proposed was just under 5,000 square feet which was the minimum required in the R-4 zone. Planned Development policies allowed for a slight change in the density of the site. Staff thought it was close to the 5,000 square foot minimum and the applicant had described how the front loaded lots exceeded the 5,000 square feet and the alley loaded lots exceeded what would be required by a townhome. He went over the review criteria for Planned Developments. The applicant had listed the special objectives for the application including tree preservation, natural areas preservation, providing a mix of housing types throughout the development, providing open space amenities, and providing adequate off street parking. Staff suggested a condition that prior to any other tree removal than what was shown in the current plans, that the removal would be submitted for review by the Planning Director. A geotechnical report was submitted by the applicant that had some recommendations for additional analysis on the slope area and recommendations to be followed during construction. Staff had included a condition that those recommendations be followed. Staff suggested the plan for the transition

of density from the south side to the north side of the site and the denser development near the arterial and the less dense development by the natural features be binding. Staff also suggested a condition allowing lot size averaging. Staff suggested another condition that all lots less than 40 feet in width would be alley-loaded which would reduce vehicle conflicts with the sidewalk space and streetscape environment and reduce garage door dominance on the front facades. The alleys would be private. There were 18 open space tracts proposed throughout the site. The City would accept some of those as public parks and some conditions had been added stating which of the tracts would be accepted by the City at the time of the plat and the improvements that would be required. He explained how these tracts would connect with the trail system and the plans that were in the Parks Master Plan. The tracts that the City would not be accepting would be private and maintained by the Homeowners Association and he explained the amenities that would be on those tracts. The applicant was requesting wider driveways for adequate off street parking and staff included a condition that would allow the private lots the maximum driveway width to be what was requested by the applicant, but that the driveway narrow down at the property line to the maximum 40% of the lot frontage that was required by the code. This would reduce vehicle conflicts at the street and provide more space for street trees and utilities. In terms of the overall lot pattern and types of lots being created, the applicant wanted to avoid cookie cutter housing. The lot sizes and dimensions being proposed would result in a denser development pattern throughout the area. To avoid the cookie cutter housing, staff was suggesting a condition that design standards be applied to the building plans that were developed on the lots within the Planned Development. These would deal with style and massing, type of exterior materials, front porches and entry areas, roof design, exterior doors and windows, garage doors, lighting, and colors. Another suggested condition was to not allow any same house design in adjacency to another including both sides of the street. He discussed the other design features that were proposed, such as a wider meandering sidewalk path on Baker Creek Road and longer block lengths and block perimeter lengths with mid-block crossings. Staff had proposed conditions to include these features. He discussed the other review criteria including the streets being adequate to support the anticipated traffic and utility and drainage facilities being adequate for the density. There had been no issues raised regarding the utilities and drainage. A traffic impact analysis was provided by the applicant and the analysis showed that the volume-to-capacity ratios were less than the City's standard for the surrounding intersections except for Michelbook and Baker Creek Road at full build out. The applicant noted there was a future signal identified in the City's Transportation System Plan to address that intersection.

Senior Planner Darnell discussed the subdivision application. The applicant planned to have 10 phases for the 280 single family lots to be developed. Streets were required to be provided to connect to the surrounding areas. There would be a connection at Hill Road, Meadows Drive, and Shadden Drive. Easements would also be required for public utilities and drainage. Access easements and pedestrian ways would be provided as well. The lots were consistent with the Planned Development Overlay District and street access was provided to all the lots except those with alleys. Conditions were included to allow for the phasing of the project and the timeframes for the phases. There was a lot sale policy in the Comprehensive Plan that required a number of lots to be provided for sale to encourage a variety of housing types within a Planned Development. Staff had included a condition that 25% of the lots in each phase be offered for sale. There were a couple of conditions that related to public improvements, which included a redesign of the intersection geometry at Gregory and Augustine Streets and that the alleys be private either in a tract or an easement. There were other conditions related to the general conditions that were typically applied to a subdivision including the creation of CC&Rs and a Homeowners Association to maintain the open spaces and maintain the park until 2032, right-

of-way dedication along Baker Creek Road, standards for right-of-way improvements, process for review of final plats, and applicant obtaining all required permits.

Senior Planner Darnell discussed the last application which was the Landscape Plan. Tree removals were being proposed, there was a street tree plan for all of the new streets and improved Baker Creek Road, and landscaping in the open spaces. There was a condition for variation in the spacing of the street trees. Some locations were identified that could accommodate additional trees and were included as conditions of approval unless they were found to be in conflict with the utilities. Other conditions included changing tree species in the open spaces next to the overhead easement, transmission line, and BPA easement, setbacks from utilities, and planting standards. A revised Landscape Plan would need to be submitted to the Planning Director for review to respond to some of the conditions related to changes in species and coordinating with utility locations. Open Space Tract G was not identified with any improvements in the Landscape Plan. This was a tract that the City would be taking over for a public sewer pump station. A condition was included that a landscape plan be submitted for this tract. The pump station needed to be screened from the surrounding lots and a minimum of 25% of the site needed to be landscaped. Maintenance vehicles would also need to be able to access the site.

Senior Planner Darnell said the City had received one written public testimony from Patty O'Leary. The testimony referenced older Planned Development ordinances in relation to the multi-family use that was proposed. He gave an overview of the history of these ordinances. In 1991, Ordinance 4506 was passed which designated commercial land on the south side of Baker Creek Road. That was amended in 1996 by Ordinance 4626 which reduced the commercial land south of Baker Creek Road and allowed multi-family in that location. There was also a condition of approval that land north of Baker Creek Road would be changed to commercial, but no multi-family would be allowed there. That was what led to the application for the dedication of commercial land which was approved by Ordinance 4633. More recently, Ordinance 5021 was approved in 2017 which approved the amendment to the south side of Baker Creek Road which allowed Baker Creek West and Baker Creek East to be developed. That ordinance repealed Ordinance 4626. Ordinance 5076 reduced the size of the Planned Development Overlay District subject to Ordinance 4633 that allowed for the substation expansion. The size of the Overlay District was the 11.3 commercial acres that remained in the applicant's property. He explained other planned developments that did not move forward when Ordinance 4633 was adopted. Staff was recommending approval of all six applications. Staff had provided a memo to the Planning Commission on potential revisions to the conditions for the Planning Commission to consider. He reviewed those revisions which included providing for flexibility in alternative design features, Public Open Space S to be paved, access for McMinnville Water and Light, driveway width, revisions to architectural design standards for front porch sizes, vertical projections in building facades, and variations to ridgelines and eaves, garage width and design standards, Landscape Plan reviewed by the Planning Director instead of the Landscape Review Committee, and lot sale policy.

7:40 Commission Questions: Commissioner Schanche thought mid-block crossings were unsafe, and was surprised that they were being proposed. She asked how they were going to make these crossings visible to drivers to keep pedestrians safe such as warning signs and crosswalks. Senior Planner Darnell explained an enhanced crossing would be provided for the BPA trail crossing. The plans showed curb cuts and ADA access points at the mid-block crossings. Outside of that there were no other improvements proposed.

Community Development Director Bisset said they had mid-block crossings all over the City. Larger mid-block crossings were discouraged from the aspect of being marked. There was evidence that stripes on the road did not affect driver behavior. In those locations where there was a BPA crossing, they did do enhanced crossings, but at regular intersections they preferred not to mark them because they wanted pedestrians to be cautious. He would have to think about the need for more stripes on the road as it was not recommended.

Commissioner Schanche thought there should be at least warning signs. Community Development Director Bisset said the road signage was not part of the applications and it was possible that they would ask for warning signs at crossing locations where it was warranted. That would happen in the subdivision construction phase.

There was discussion and clarification on the proposed conditions. It was clarified the Great Neighborhood Principles did not apply to these applications since they were submitted before the Great Neighborhood Principles became effective.

7:48 The Commission took a short break.

7:54 Applicant's Testimony: Gordon Root, Stafford Development Company, was the applicant. He introduced himself and his development team. He was a local developer who worked in rural communities and brought attainable housing to those communities. He had to be attuned to the market and what people in the community wanted to buy. He focused on building high performance homes and made many lots available for purchase. As a company they delivered 450-500 lots to the market per year and last year they sold 94.6% of their lots. They had an objective of keeping 80% of their lots overall and he thought they would keep about 75% of the Baker Creek North lots to build themselves as they had found McMinnville to be a good market place. Staff had done a good job explaining the modifications he was requesting including the setbacks. Most of the yards met the R-4 standards and 66% of the lots had a five foot side yard setback instead of a six foot side yard setback and only 6% had a four foot side yard setback. The small alley-loaded lots had a three foot side yard setback. They needed some exceptions to the curbs in order to reach the driveways for the larger lots on the corners or irregular shapes. Regarding the driveways, they needed to provide ample off street parking. They strove to provide a double car garages and a driveway, so every home had at least four off street parking spaces. The proposed driveway widths varied from 18 feet to 30 feet. For the homes with alleys, the alleys were wider than most people were familiar with as there was 60 feet between garage doors. The mid-block paths would break up the blocks for pedestrian access. The street trees were provided at regular intervals, but were off-set at times due to water meters or driveways. They provided extra barrier and root protection for the street trees. He was requesting two monument signs at Meadows and Shadden. He thought the proposed Landscape Plan would create a sense of place along with the diversity of housing types. The housing types would allow people to stay in the same neighborhood and move to the different types as their lifestyles changed. There were 18 open space tracts and there would be a park as well as trail connections. They had agreed that the HOA would maintain the park until 2032 and then the City would maintain it. He showed pictures of what the green spaces would look like and the amenities they would provide. He then discussed the lot types, single family detached and detached alley. There were 102 larger lots, 100 medium lots, and 78 smaller lots. In McMinnville people were more attracted to the larger lots, and their best-selling product was a single story three car garage plan. He compared the standard lot in the R-4 zone which was 50 x 100 to his proposed single family detached lots. The large and medium lots were 7,000, 6,000, and 5,000 square feet and there were some that were below the minimum at 4,600 and 4,100 square feet. The lots around the perimeter were deeper to be able to protect the trees on the site. The lot

size averaging allowed them to go smaller on some of the lots and to have big lots as well. He then compared the smallest lot size to common wall lot size. The common wall lot size was 2,500 square feet and his smallest lot size alternated between 2,600 and 3,000 square feet to get a variation in the housing types and facades. He then reviewed each product that would be built in the development. There were standards for each lot size as well as parking. The reduced side yard setbacks would push people out into the common areas and would create a social environment and allowed people to walk to the commercial area. Some of the lots allowed the facades to protrude into the setbacks to create extra depth. The alley-loaded lots would have four off street parking spaces and no common walls.

Mr. Root explained the streets would be extended with this project and there would also be internal streets and alleys. He thought the circulation plan was good and would make it easy for people to get in, out, and around. They had gone through property line adjustments to match the phases. Regarding the conditions of approval, one had been worked out with McMinnville Water and Light for access on Meadows Drive and a turn around area. Others were the driveway modification request and architectural design book which had been taken care of. There were some concerns with the new modified conditions, especially regarding the elevations. The trees that would be planted would help screen the lots and hide elevations. If homeowners put in additional landscaping there would be a lot more greenery and screening as well. There would be different housing styles and widths and it would not be a stark mass. He thought as the landscape matured, it would be a lot less offensive looking. He was also concerned about the front porch requirement as it would eliminate some of his house plans from being able to be built. He thought the intent of the condition was making sure they had a good looking smaller home product, but it might affect building some of the larger projects as well. He wanted to make sure the ridgelines and eavelines worked for the project and could be applied to the lots that did not meet the standard instead of all the lots. These would all need continued discussion and more clearly defined facades. He agreed with the façade requirements for the public facing side of the buildings, but did not agree with having to put the façade features on the backs of the buildings. These features would not be seen and would make the homes more expensive. He discussed the features that he questioned putting on the back sides of the homes and proposed that they be on street facing elevations only. He also had some concern about the paint schemes and not requiring a third color for all the architectural styles.

8:40 Commission Questions: Commissioner Schanche asked if they would be putting in the infrastructure first before selling the lots. Mr. Root said yes, they sold finished lots. They did not put in the street trees associated with each house; that would be the builder's responsibility. They did put in street trees in front of and inside the open spaces. The trees that weren't planted in front of the homes were bonded and when they were planted by the builder the bond was released.

Commissioner Schanche said the houses in the area now all had dead street trees due to being buried too deep. She wanted to make sure that did not happen here.

Commissioner Butler asked about the phasing and completing Shadden Drive especially for the Oak Ridge Meadows development. Mr. Root said the phasing was driven by the ability to service each phase and the market. He explained Shadden was likely not going to be done in the first two years. He explained why the phases were in the order that was proposed, especially to be able to extend the services to the site.

Commissioner Dirks was in favor of the alley design that focused on the neighborhoods instead of the cars and driveways. She asked if they had considered a similar design for the larger lots

or a cottage cluster design. Mr. Root said they had considered every design, but decided not to go with those designs due to the lot depths and fitting with the topography.

Commissioner Dirks did not think they could count the pump station property as an open space. Mr. Root said it was not counted in the open space.

Commissioner Dirks was concerned about the fines they received from DEQ for Baker Creek South. She wanted to be assured that would not happen again. Mr. Root said the DEQ fines were in regard to the multi-family parcel. There was a rock construction entrance that in a heavy downpour did not allow for proper drainage and the runoff ran down the gutter. Their site development manager had died, and they were in transition on who was maintaining the site at that time. They had already sold all of the lots to LGI and the paperwork was submitted to DEQ for the transfer, but it took longer than expected to process. They thought LGI was taking care of it and their site development manager was not there to confirm that they were. They found out LGI was not taking care of it and they were on the hook because their name was still on the paperwork. They would make sure to have concrete washouts, to clean out the catch basins, and to have a manager to watch it. They planned to be more careful in the future.

Commissioner Lizut discussed electronic magnetic flux in the space between the commercial and housing. He questioned the effect of that to the human body and thought measurements should be taken and an analysis done to find the value of the flux for this development. If there was an issue, it needed to be addressed. Mr. Root said they were aware of that issue.

8:58 Public Testimony:

Proponents: None

Opponents: Doug Johnson, McMinnville resident, had concerns that came from the current development on Baker Creek South. He understood the Great Neighborhood Principles were not directly applicable, but there were certain architectural design criteria that he wanted to address. He did not want a monoculture design, and he did not think the argument that within a number of years that would be alleviated by future plantings was compelling. Another issue was tree preservation and he described how trees were removed in Baker Creek East that should not have been. He did not know whose responsibility it would be to preserve the trees. The developer had different housing types, however they were not integrated with each other in the same block but there was a block of one housing type and then another block of a different housing type and so on.

Rick Weidner, McMinnville resident, was concerned that not all of these lots would be built by Stafford. He discussed his dismay at the three story apartment building that was being built up against beautiful Hill Road. It took away from the sense of place to the neighborhood. Watching the construction crew, trade methods, and building materials, he did not know how they could build anything less expensive. He hoped that Stafford would take the ball and run with it and establish a better bar for this development. He also hoped it did not become a lease to own situation where people would lose their homes and move out. He asked if there would be any on street parking for visitors.

Senior Planner Darnell confirmed there would be on street parking.

Mr. Weidner said many people in McMinnville had big pickup trucks and he questioned if they would fit in the driveways and it might make the roads narrower if they had to park on the sides. He also asked if they would be putting in a bathroom at the park.

Planning Director Richards said no, as the property was in the floodplain.

Mr. Weidner thought a bathroom was needed. He thought there should be more design considerations for the monument at the entries that had an agricultural reference and not a New England rock art look that was seen everywhere.

Kathy Loving, McMinnville resident, was opposed to the mass and scale of the development. She was concerned about the homes LGI had built previously in the City on Hill Road and this could be the same type of development. She understood that they needed to have affordable housing, but it needed to be done in moderation. This was too much density and Baker Creek Road could not support this much traffic. She wanted to keep McMinnville as it was, and not turn it into another Beaverton.

9:18 Rebuttal: Mr. Root said the trees in Baker Creek East had been taken down because they were dying and he had been directed to take them down. For this project, there would be some trees removed but there were others that would be preserved and protected. The traffic study addressed the traffic issues. Stafford had the ability to complete the project in a timely manner. Home spacing and fire risk had been addressed and they had met the architectural standards. Regarding integration of housing types, this was consistent with good planning with higher density housing on smaller lots by the arterial and future transit and larger lots by the preservation areas and existing neighborhoods. There were different standards for Hill Road that was at the Urban Growth Boundary. He thought the façade in the rear would mitigate over time. The landscape plan would mitigate for the apartments. A third party would be constructing the apartments.

Commissioner Schanche asked when the commercial would be developed. Mr. Root was not sure as it would depend on a commercial developer purchasing the property and developing it. It would probably be around 3-5 years after the residential went in.

Commissioner Butler clarified no multi-family would be built until there was a developer for the commercial. Mr. Root said it might come earlier if the market demanded it. Staff was requiring a mixed use approach for the multi-family and commercial for five acres, but there was a little more than an acre that could be developed as only multi-family. They were planning for 120 units on that parcel, and he explained how that was less density than was allowed. There were site constraints with parking and landscaping that limited the number of units as well as height restrictions.

Chair Hall asked for direction from staff about the conditions that were still in question. Planning Director Richards said the Planning Commission could direct staff to evaluate the request to look at the architectural design standard conditions for the Planned Development. That would require continuing the hearing and the 120 day deadline.

Mr. Root thought there would be more time for discussion between this decision and the application going to the City Council to discuss the conditions with staff. The Commission could make a decision with an added condition that the applicant work with staff on these conditions before the City Council hearing. He did not think it was necessary for the Commission to delay the decision.

9:34 The Commission took a short break.

9:41 Chair Hall asked if the Commission wished to continue or close the hearing.

There was consensus to close the hearing. Chair Hall closed the public hearing.

9:42 Commission Deliberation: Commissioner Butler was dismayed to see that the applicant did not take the opportunity to use different housing types in the development. This area did not have a lot of commercial land, and she was not in favor of reducing the amount of commercial because it also reduced the amount of multi-family housing.

Commissioner Dirks thought the problem was they could not ensure that the development of the commercial property would be the mixed use of commercial and multi-family. Planning Director Richards clarified what approval would mean for this area, and how though design and development standards would be in place it would not guarantee development of 120 multi-family units. A developer would be allowed to do so if these applications were approved. The current ordinance prohibited multi-family on this site.

Commissioner Dirks thought they were doing as well as they could here because they were getting the opportunity to have multi-family housing. It would probably not be developed right away but they did not have control over that.

Planning Director Richards clarified the applicant requested a minimum of 2 acres of commercial with the ability to do 120 multi-family units, and staff had recommended a minimum of 5 acres of commercial mixed with multi-family. Staff also recommended reducing the height to 45 feet because it was nestled into a residential area.

Chair Hall was in favor of staff's recommendation because he did not want too much commercial on this site as it needed to fit with the neighborhood.

Commissioner Butler said they needed more affordable housing and the only place to build multi-family affordable housing options was in the portion that was being suggested to be reduced. They would not approve a big box commercial here and it seemed like they were stealing from Peter to pay Paul.

Planning Director Richards explained the applicant made the request, and the Commission could approve it with conditions or deny it. If denied, it would remain as it was today that would prohibit multi-family on all 11.3 commercial acres. They had not come in with a request to rezone the 11.3 acres to C-3 with the removal of the multi-family prohibition, but had come in with a request to rezone the 6.62 acres to C-3.

Commissioner Dirks suggested adding a condition that would not allow the use of temporary flag signs. Senior Planner Darnell said the Commission could determine if it was more in line with the location of the site to limit the number of temporary signs or something that was measurable. A blanket prohibition on temporary signs would be a heavy lift.

Planning Director Richards said if the concern was the flag signs and that they were not appropriate in a neighborhood serving commercial situation, then they could discuss that. If it was a complete prohibition on temporary signs it would be difficult to write a finding for that.

There was not consensus to create a condition on temporary signs.

Commissioner Schanche thought they should discuss the porch façade situation.

Commissioner Dirks said the way staff wrote the revised Condition #20 looked good to her. She thought they should support staff's revised wording. Commissioner Schanche agreed.

Commissioner Butler said the developer had a point about the lots in the back. Chair Hall said those lots would be the most expensive and probably most able to afford it.

Commissioner Schanche thought the issue was those on the trail looking up to a lot of windowless walls if the facades were not changed.

Commissioner Dirks asked about timing and holding two public hearings on these applications. Senior Planner Darnell clarified that an extra Planning Commission meeting was scheduled in December, in case two hearings needed to be scheduled this month on these applications. But they had only sent out property owner notice for the first meeting as the public hearing date. They did not send out notices for a second hearing because it was not yet known whether the Planning Commission would continue the public hearing. They had received less public comment on this hearing than they typically did for these types of applications.

Commissioner Dirks did not think people knew about the applications. Planning Director Richards said there was an article in the paper about this development as well.

Commissioner Butler was disappointed that there was nothing more that could be done to expedite the Shadden Drive extension.

10:07 Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to RECOMMEND APPROVAL to the City Council of CPA 1-19 per the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Chroust-Masin. The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to RECOMMEND APPROVAL to the City Council of ZC 1-19 subject to the conditions of approval provided in the decision document. SECONDED by Commissioner Lizut. The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to RECOMMEND APPROVAL to the City Council of PDA 2-19 subject to the conditions of approval provided in the decision document and the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Chroust-Masin. The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to RECOMMEND APPROVAL to the City Council of PD 1-19 subject to the conditions of approval provided in the decision document and the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Butler.

Commissioner Dirks asked if they wanted to add a condition regarding the bathrooms in Tract F near the shelter. Planning Director Richards said the Parks and Recreation Director had been

involved in the discussions regarding the park land amenities. She did not encourage them to move forward with that condition at this time without having the opportunity to discuss it with the Director.

The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Lizut MOVED to RECOMMEND APPROVAL to the City Council of S 1-19 subject to the conditions of approval provided in the decision document and the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Butler. The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Perron MOVED to RECOMMEND APPROVAL to the City Council of L 12-19 subject to the conditions of approval provided in the decision document and the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Chroust-Masin. The motion PASSED 7-0.

4. Commissioner Comments

10:18 Commissioner Chroust-Masin announced this was his last meeting.

5. Staff Comments

10:19 Planning Director Richards said there was a public hearing scheduled for December 19.

6. Adjournment

Chair Hall adjourned the meeting at 10:21 p.m.



Heather Richards
Secretary