

**Planning Commission
Thursday, July 7, 2022
6:30 PM Regular Meeting**

HYBRID Meeting

IN PERSON – McMinnville Civic Hall, 200 NE Second Street, or ZOOM Online Meeting

Please note that this is a hybrid meeting that you can join in person at 200 NE Second Street or online via Zoom

ZOOM Meeting: You may join online via the following link:

<https://mcminnvilleoregon.zoom.us/j/89988818793?pwd=MIRhQ2hCZTBsM05ieGg4V0VkbFNZQT09>

Meeting ID: 899 8881 8793

Meeting Password: 423628

Or you can call in and listen via zoom: 1 253 215 8782

ID: 814 2502 7098

Public Participation:

Citizen Comments: If you wish to address the Planning Commission on any item not on the agenda, you may respond as the Planning Commission Chair calls for "Citizen Comments."

Public Hearing: To participate in the public hearings, please choose one of the following.

- 1) **Email in advance of the meeting** – Email at any time up to 12 p.m. the day before the meeting to heather.richards@mcminnvilleoregon.gov, that email will be provided to the planning commissioners, lead planning staff and entered into the record at the meeting.
- 2) **By ZOOM at the meeting** - Join the zoom meeting and send a chat directly to Planning Director, Heather Richards, to request to speak indicating which public hearing, and/or use the raise hand feature in zoom to request to speak once called upon by the Planning Commission chairperson. Once your turn is up, we will announce your name and unmute your mic.
- 3) **By telephone at the meeting** – If appearing via telephone only please sign up prior to the meeting by emailing the Planning Director, Heather.Richards@mcminnvilleoregon.gov as the chat function is not available when calling in zoom.

----- MEETING AGENDA ON NEXT PAGE -----

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.

*Please note that these documents are also on the City's website, www.mcminnvilleoregon.gov. You may also request a copy from the Planning Department.

| Commission Members | Agenda Items |
|--|--|
| <p>Sidonie Winfield, Chair</p> <p>Gary Langenwalter Vice - Chair</p> <p>Robert Banagay</p> <p>Matthew Deppe</p> <p>Sylla McClellan</p> <p>Brian Randall</p> <p>Beth Rankin</p> <p>Lori Schanche</p> <p>Dan Tucholsky</p> | <p>6:30 PM – REGULAR MEETING</p> <ol style="list-style-type: none"> 1. Call to Order 2. Citizen Comments 3. Minutes: <p>April 21, 2022 (<i>Exhibit 1</i>)</p> <p>May 19, 2022 (<i>Exhibit 2</i>)</p> 4. Action Item: <p>A. <u>Oak Ridge Meadows Land Use Extension Request (S 3-18)</u>– (<i>Exhibit 3</i>)</p> <p>Request: This is the second request for a land-use decision extension for Oak Ridge Meadows Development, Docket S 3-18, a Tentative Subdivision. The applicant is now requesting an additional year extension to August 22, 2023.</p> <p>Location: Generally north of Baker Creek Road and the multi-phased Oak Ridge residential development, and south of Baker Creek (Tax Lot 1300, Section 17, T. 4 S., R 4 W., W.M. and Tax Lot 602, Section 7, T. 4 S., R 4 W., W.M.)</p> <p>Applicant: Lori Zumwalt, Premier Development, LLC</p> 5. Commissioner/Committee Member Comments 6. Staff Comments 7. Adjournment |

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MINUTES

**April 21, 2022
Planning Commission**

**6:30 pm
Hybrid Meeting
McMinnville, Oregon**

Members Present: Robert Banagay, Brian Randall, Beth Rankin, Dan Tucholsky, Sidonie Winfield, Matt Deppe, and Sylla McClellan

Members Absent: Lori Schanche and Gary Langenwalter

Staff Present: Heather Richards – Planning Director, Monica Bilodeau – Senior Planner, Tom Schauer – Senior Planner, and Isaak Staats – Planning Analyst

1. Call to Order

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

2. Citizen Comments

None

3. Minutes

• March 17, 2022

Commissioner Tucholsky moved to approve the March 17, 2022 minutes. The motion was seconded by Commissioner McClellan and passed unanimously.

4. Public Hearing:

A. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 2-20) and Zone Change, including Planned Development Overlay Designation (ZC 3-20)

(Continued from March 17, 2022 PC Meeting)

Applicant has requested a continuance to June 2, 2022

Request: Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for approximately 37.7 acres of a 90.4-acre property.

The 37.7 acres includes 4.25 acres intended for right-of-way dedication for a future frontage road. The application also shows a portion of the area subject to the map amendment intended for a north-south extension of Cumulus Avenue and future east-west street connectivity.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at 3310 SE Three Mile Lane, more specifically described at Tax Lot 700, Section 26, T.4S., R 4 W., W.M.

Applicant: Kimco McMinnville LLC, c/o Michael Strahs

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Commissioner Tucholsky MOVED to CONTINUE the hearing for CPA 2-20/ZC 3-20 to June 2, 2022. The motion was seconded by Commissioner McClellan and PASSED unanimously.

B. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 1-21) and Zone Change, including Planned Development Overlay Designation (ZC 2-21)

(Continued from March 17, 2022, PC Meeting)

Applicant has requested a continuance to June 2, 2022

Request: Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for a property of approximately 8 acres.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at 3330 SE Three Mile Lane, more specifically described at Tax Lot 600, Section 26, T.4S., R 4 W., W.M.

Applicant: Ken Sandblast, Westlake Consultants, Inc. representing property owner 3330 TML, c/o Bryan Hays

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Commissioner McClellan MOVED to CONTINUE the hearing for CPA 1-21/ZC 2-21 to June 2, 2022. The motion was seconded by Commissioner Tucholsky and PASSED unanimously.

C. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 2-21) and Zone Change, including Planned Development Overlay Designation (ZC 3-21)

(Continued from March 17, 2022, PC Meeting)

Applicant has requested a continuance to June 2, 2022

Request: Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-L (Limited Light Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for approximately 21.1 acres of an 89.9-acre property, plus an additional 1.5 acres of the 89.9-acre property proposed to be dedicated for right-of-way at the time of development.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at Three Mile Lane and Cumulus Avenue, more specifically described at Tax Lot 100, Section 27, T.4S., R 4 W., W.M.

Applicant: Ken Sandblast, Westlake Consultants, Inc. representing property owner DRS Land, LLC c/o Dan Bansen

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Commissioner Tucholsky MOVED to CONTINUE the hearing for CPA 2-21/ZC 3-21 to June 2, 2022. The motion was seconded by Commissioner McClellan and PASSED unanimously.

D. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 1-20) and Zone Change (ZC 1-20)

Applicant has requested a continuance to May 19, 2022

Request: An application for a Comprehensive Plan Map Amendment from Residential to Commercial and a Zone Change from County EF-80 to City C-3 (General Commercial) for approximately 1.2 acres of a 50.15-acre property.

The 50.15 acre parcel is within McMinnville's Urban Growth Boundary (UGB), and it is split by City limits, with approximately 9.5 acres inside City limits and approximately 40.5 acres outside City limits. The proposed map amendment would apply to the northerly 1.2-acre portion of the 9.5 acres within City limits.

The 9.5-acre portion of the property inside City limits has a combination of Comprehensive Plan Map designations and zoning designations: Commercial/C-3 on the front (approximately 7.3 acres), Residential/County EF-80 on the rear (approximately 1.2 acres), and a portion of Floodplain/F-P along the east and north boundaries (approximately 1 acre). The proposed amendment would change the 1.2 acres from Residential/County EF-80 to Commercial/C-3, so all of the nonfloodplain portion inside City limits would then be Commercial/C-3.

The unincorporated portion of the property within the UGB and outside City limits is approximately 40.5 acres. It is within the Floodplain Comprehensive Plan Map designation. It has County EF-80 zoning, with the entirety also being within the County's Floodplain Overlay Districts. The proposal would not change the Comprehensive Plan designation or county zoning of this unincorporated portion of the parcel.

Location: The subject site is located at 3225 NE Highway 99 West, more specifically described at Tax Lot 1500, Section 10, T.4S., R 4W., W.M.

Applicant: Cascade Steel Rolling Mills, c/o Jennifer Hudson representing property owner White Top Properties LLC

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Winfield 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. She asked if any Commissioners had visited the site. There was none.

Commissioner McClellan MOVED to CONTINUE the hearing for CPA 1-20/ZC 1-20 to May 19, 2022. The motion was seconded by Commissioner Tucholsky and PASSED unanimously.

E. Quasi-Judicial Hearing: Zone Change (ZC 1-22), Planned Development (PD 1-21), and Subdivision Tentative Plan (S 1-21)

Request: Proposed Zone Change from R-1 to R-3, Planned Development, and 18-lot Subdivision Tentative Plan for a 3.79-acre parcel.

Location: The subject site is located on Meadows Drive, more specifically described at Tax Lot 204, Section 18, T.4S., R 4 W., W.M.

Applicant: Westech Engineering, c/o Josh Wells representing property owner VJ2 Developers
c/o Don Jones

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Winfield 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. She asked if any Commissioner had visited the site. Every Commissioner had, but did not wish to discuss their visits.

Staff Presentation: Senior Planner Bilodeau said this was a request to approve the zone change, planned development, and subdivision for the Elysian Subdivision project. She reviewed the subject site, project summary, site plan, rezone from R-1 to R-3, applicable review criteria, planned development overlay, Great Neighborhood Principles, and comments received from Commissioner Rankin. The concerns from Commissioner Rankin were in regard to the wetlands, setbacks, allowing 25% of the subdivision to be purchased by other entities, specific instructions about the trees, lot size, 20 foot minimum setback for the garage, and zone change. Staff recommended approval of the application subject to the proposed conditions.

Commission Questions: Commissioner Rankin said the driveways were 20 feet, however 10 feet was taken up by the planter strip and sidewalk. That made the driveways 10 feet, and only one vehicle could park there. In a cul-de-sac there would probably be no curb side parking. Senior Planner Bilodeau said the property line started behind the curbs, so the sidewalk and planter strip were in the public right-of-way. The property line was behind those and that was where the 20 feet would start.

Commissioner Rankin said curb side parking for the cul-de-sac might not be available, and she wanted to recognize that parking deficit. She asked if the Fire Department realized parking would be on both sides of the street. Senior Planner Bilodeau said yes, the street section for Fendle Way met the complete streets requirements. She clarified there would be three curb cuts on the cul-de-sac.

Commissioner Rankin asked about the purpose of the zone change, especially with the new missing middle provisions. Senior Planner Bilodeau said the applicant could explain it.

Commissioner McClellan asked about the driveway between lots 7 and 18. Would it also be access to the park? Senior Planner Bilodeau said it would be a private driveway with a public access easement. The public would have access to it, but it would be maintained by the homeowners.

Commissioner McClellan asked about the parking for these two lots. Senior Planner Bilodeau said they would have parking on site. The driveway was more of an access drive.

Commissioner McClellan asked how the property owners would be aware of their responsibility to maintain the driveway. Senior Planner Bilodeau said there would be a clear public access easement and a realtor or the City could provide that information.

Commissioner McClellan asked about the minimum lot size for a duplex. Planning Director Richards said it was less than 6,000 square feet.

Commissioner McClellan said potentially these lots could have duplexes built on them. Could the City require a duplex? Planning Director Richards did not think they could require duplexes. She explained the zone change allowed for more density through a reduction in the side yard setbacks. Fire separation was a building code issue which allowed 6 feet of separation.

Commissioner Randall suggested changing it to a minimum of 25% of the lots would be sold and to eliminate the plastic inserts proposed for the fence.

Commissioner Tucholsky preferred not to have a chain link fence and the irrigation pipe should not be bright white. He wanted to know the percentage of the wetlands that would be preserved. He wanted to make sure the wetlands were being retained for stormwater runoff and wildlife. Senior Planner Bilodeau said the applicant would know that.

Commissioner Tucholsky asked about lighting requirements for the pedestrian access on Fendle Way. Senior Planner Bilodeau said no lighting was proposed, but it could be added to the conditions.

Commissioner Tucholsky thought they should amend the condition for trees to include the applicant would replace trees that were damaged unintentionally.

Applicant's Testimony: Josh Wells, representing the applicant, and Don Jones, applicant, concurred with the conditions. They explained the fence was not intended to have slats in it. They intended to sell the lots off individually and would sell them to both builders and individuals. The wetlands that would be preserved would be a small sliver at the end of the wetlands and a small piece in the park. The rest would be filled in order for the lots to drain properly and to build the streets, lots, and utilities. They explained the new stormwater drainage plan and the areas that would be replanted. They could put in a black irrigation pipe. They described the proposed lighting along the streets and sidewalks. There would be "no parking" signs on the driveway.

Proponents: None

Opponents: Charlene Dolan, McMinnville resident, lived in this area. They had very wet backyards and she was concerned about the fill creating more flooding or other water issues. She did not see the need for this development when there were many houses being built on the other side of Baker Creek Road. This development was being placed on top of Cozine Creek and she did not think mitigation would compensate for losing this water area. Traffic signals along Baker Creek would be needed for the traffic trying to get on Baker from the adjacent streets.

Planning Director Richards explained the plans for a signal at the intersection of Baker Creek and Michaelbook.

Sherry Belding, McMinnville resident, was concerned about the parking on the cul-de-sac and the small lots. She thought this would add more of what they already had in the City. She did not think there was any variety. She was not in favor of the zone change, which she thought would cause a lot of congestion.

Dominique Marcelli, McMinnville resident, was concerned about Meadows Drive going through Baker Creek to Wallace, particularly the traffic and negotiating the left turn off of Meadows Drive onto Wallace. He suggested that those living in this development could exit onto Baker Creek and the barrier that was there now could remain to make Meadows safer. Putting stop signs on Wallace would also help. He collected 25 signatures from neighbors who agreed with these suggestions.

Preston Probasco, McMinnville resident, was concerned about speeding, lowering property values, effects of reducing the wetlands, and safety of the left hand turn from Meadows onto Wallace.

Planning Director Richards explained the Transportation System Plan model for this area. She was aware of the concerns about Wallace, however she thought more people would use Baker Creek than Wallace.

Rebuttal: Mr. Wells said regarding traffic on Meadows, it was part of the TSP as a minor arterial and they would follow that plan. Regarding the stormwater and drainage, they would be meeting the City's stormwater design standards as well as DEQ's and national standards. He explained how they proposed to take care of the stormwater drainage so it would not affect any of the neighboring lots. Regarding lot size, there were lots nearby that were smaller than what they were proposing. This application provided a mixture of lot sizes for variety. The only way they could get to the preferred lot sizes with some flexibility on side yards was the zone change to R-3.

Chair Winfield closed the public hearing.

The applicant waived the 7 day period for submitting final written arguments in support of the application.

Deliberation: Commissioner Banagay asked about flooding in the neighborhood and if this application would exacerbate the issue. Planning Director Richards said part of the review process was the applicant would have to show how they were going to handle the stormwater runoff. The changes the developer was going to make to the existing drainage occurring on the site and wetland, they would need to show where that water would go and be held. It would be reviewed and approved by the Engineering Department.

Commissioner Tucholsky thought the applicant had done their due diligence and the Engineering Department would follow the requirements, however there was a significant amount of water in this area already and he was concerned that this project would enhance the problem. He suggested the drainage be looked at again by the Engineering Department. Planning Director Richards suggested continuing the deliberation to the next meeting for staff to come back with additional conditions of approval. During that time, they could also ask Engineering staff about another review.

Commissioner Rankin MOVED to CONTINUE the hearing for ZC 1-22/PD 1-21/S 1-21 to May 19, 2022. The motion was seconded by Commissioner Tucholsky and PASSED unanimously.

5. Action Items

One Year Land-Use Decision Extension for Partition MP 1-20

Request: One year land use decision extension for Partition MP 1-20

Location: The subject site is located on Riverside Dr. between Miller St. and Colvin Ct., more specifically described as Parcel 3, Partition Plat 2001-35; Tax Lot 3402, Section 15, T.4S., R 4 W., W.M.

Applicant: Bryce Roberts on behalf of Trumpt LLC

Planning Director Richards said staff approved administratively a minor partition in 2020. Minor partition approvals were only good for a year. The code allowed for staff to administratively approve a one year extension, but if the applicant needed additional time it had to come to the Planning Commission. The applicant had already received a one year extension in 2021 and was requesting another extension. Staff recommended approval.

There was discussion regarding the reasons for the expiration and why the extension was being requested.

Dan Domicic, representing the applicant, explained how they were making progress on the project.

Commissioner McClellan MOVED to APPROVE the one year land-use decision extension for Partition MP 1-20 to April 25, 2023. The motion was seconded by Commissioner Rankin and PASSED unanimously.

6. Commissioner Comments

None

7. Staff Comments

Planning Director Richards said the current City Attorney would be resigning and going to the City of Wilsonville and Spencer Parsons would be filling in.

8. Adjournment

Chair Winfield adjourned the meeting at 8:41 p.m.

Heather Richards
Secretary

MINUTES

**May 19, 2022
Planning Commission
Work Session Meeting**

**6:30 pm
Hybrid Meeting
McMinnville, Oregon**

Members Present: Robert Banagay, Lori Schanche, Gary Langenwaller, Brian Randall, Beth Rankin, Dan Tucholsky, Sidonie Winfield, Matt Deppe, and Sylla McClellan

Members Absent:

Staff Present: Heather Richards – Planning Director, Monica Bilodeau – Senior Planner, and Amanda Guile-Hinman – City Attorney

- **Call to Order**

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

- 1. **Citizen Comments**

None

- 2. **Minutes**

- 3. **April 1, 2021**
- 4. **January 20, 2022**
- 5. **February 17, 2022**

Commissioner Banagay moved to approve the April 1, 2021, January 20 and February 17, 2022 minutes. The motion was seconded by Commissioner Schanche and passed unanimously.

- **Public Hearing:**

- 4. **Quasi-Judicial Hearing: Zone Change (ZC 1-22), Planned Development (PD 1-21), and Subdivision Tentative Plan (S 1-21)**

Request: Proposed Zone Change from R-1 to R-3, Planned Development, and 18-lot Subdivision Tentative Plan for a 3.79- acre parcel.

Location: The subject site is located on Meadows Drive, more specifically described as Tax Lot 204, Section 18, T.4S., R 4 W., W.M.

Applicant: Westech Engineering, c/o Josh Wells representing property owner VJ2 Developers c/o Don Jones

Chair Winfield said the Planning Commission heard public testimony on this item on April 21, 2022 and closed the hearing. They were reopening the hearing due to a noticing error.

Disclosures: Chair Winfield reopened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Winfield 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.

Staff Presentation: Senior Planner Bilodeau reviewed the subject site, project summary, and continued items. Staff was directed to revise the conditions and bring back the Stormwater Report. Staff was informed after the hearing that the Zoom link provided on the neighborhood mailing was incorrect. Staff requested the Commission reopen the public testimony to allow any additional testimony. She summarized the revised conditions and the concerns raised about stormwater. The applicant had to conform with McMinnville's Stormwater Master Plan and State DEQ stormwater regulations which ensured all water was directed to storm detention and City facilities. There were also some concerns about transportation. She discussed the traffic calming program that could be used for the Meadows Drive connection if more traffic resulted from the connection. Staff recommended approval, subject to the conditions specified in the decision documents.

Project Engineer Gooden discussed the review of the application's compliance with the Stormwater Master Plan. They were satisfied that it met all of the requirements.

Commission Questions: Commissioner Langenwaller asked about Condition 5b that required black fencing. Senior Planner Bilodeau said it was commonly used in stormwater facilities to blend in. It matched the adjacent areas and kept consistency in the neighborhood.

Commissioner Tucholsky asked if the consultant that reviewed the Stormwater Report visited the site. Project Engineer Gooden said they did not. The review was to the requirements from DEQ and the Stormwater Master Plan.

Commissioner Tucholsky asked if the original plan had been revised. Project Engineer Gooden said the consultant did make comments and there were some revisions. Those revisions satisfied the requirements.

Applicant's Testimony: Josh Wells, representing the applicant, explained the process the consultant used to review the Stormwater Report as well as the stormwater plan for the site. The lots would not drain onto someone else's property. He gave an update on the wetland fill permit process. The Meadows Drive connection met City code and the TSP. A gate would not be allowed across it.

Questions: Commissioner Tucholsky asked about the drainage on lot 13. Mr. Wells explained it was at the lowest elevation on the lot.

Commissioner Schanche asked if the sidewalk went all around the cul-de-sac. Mr. Wells said yes, it did.

Public Testimony:

Proponents: None

Opponents: Charlene Doland??, McMinnville resident, said there was already a water issue in this area where the backyards were swamps. The last FEMA update was done in 2010 and since then there had been a lot of development. She was concerned it was out of date. It should be updated to reflect the current possibilities of flooding.

Preston Povasco??, McMinnville resident, was concerned about reactive traffic control as opposed to proactive. His backyard was always saturated and he hoped this development would have an advantageous effect on the surrounding properties. He would like to see evidence of that documented. He suggested putting in a traffic gate when the new school was built in this area. He also thought a stop sign should be installed somewhere between Cottonwood and 23rd.

Rebuttal: Mr. Wells said regarding the drainage that went towards the east, when they built the stormdrain for this development, at least half of it would no longer go to the neighboring properties. This development would not make the runoff worse. That fact could be included in the Stormwater Report. Traffic gates should be brought up when the TSP was updated.

Chair Winfield closed the public hearing.

The applicant waived the 7 day period for submitting final written arguments in support of the application.

Deliberation: Commissioner Rankin asked why the zone change was required. Planning Director Richards said it was the request of the applicant.

Commissioner Rankin thought a multi-family structure would fit in better with the neighborhood as opposed to a narrow lot development. Planning Director Richards said the applicant still had the opportunity to do any missing middle housing products on the lots. The City could not tell them what to build. Senior Planner Bilodeau thought there was sufficient width for the lots that the narrow lots would not be necessary.

Based on the findings of fact, conclusionary findings for approval, materials submitted by the applicant, and evidence in the record, Commissioner Langenwelter MOVED to RECOMMEND the City Council APPROVE ZC 1-22, PD 1-21, and S 1-21 subject to the conditions of approval; SECONDED by Commissioner McClellan. The motion PASSED unanimously.

Planning Director Richards said they were working on updating the FEMA maps.

A. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 1-20) and Zone Change (ZC 1-20)

Applicant has requested a continuance to June 16, 2022

Request: An application for a Comprehensive Plan Map Amendment from Residential to Commercial and a Zone Change from County EF-80 to City C-3 (General Commercial) for approximately 1.2 acres of a 50.15-acre property..

The 50.15 acre parcel is within McMinnville's Urban Growth Boundary (UGB), and it is split by City limits, with approximately 9.5 acres inside City limits and approximately 40.5 acres outside City limits. The proposed map amendment would apply to the northerly 1.2-acre portion of the 9.5 acres within City limits.

The 9.5-acre portion of the property inside City limits has a combination of Comprehensive Plan Map designations and zoning designations: Commercial/C-3 on the front (approximately 7.3 acres), Residential/County EF-80 on the rear (approximately 1.2 acres), and a portion of Floodplain/F-P along the east and north boundaries (approximately 1 acre).

The proposed amendment would change the 1.2 acres from Residential/County EF-80 to Commercial/C-3, so all of the nonfloodplain portion inside City limits would then be Commercial/C-3.

The unincorporated portion of the property within the UGB and outside City limits is approximately 40.5 acres. It is within the Floodplain Comprehensive Plan Map designation. It has County EF-80 zoning, with the entirety also being within the County's Floodplain Overlay Districts. The proposal would not change the Comprehensive Plan designation or county zoning of this unincorporated portion of the parcel.

Location: The subject site is located at 3225 NE Highway 99 West, more specifically described at Tax Lot 1500, Section 10, T.4S., R 4 W., W.M.

Application: Cascade Steel Rolling Mills, c/o Jennifer Hudson representing property owner White Top Properties LLC

Commissioner McClellan MOVED to CONTINUE the hearing for CPA 1-20/ZC 1-20 to June 16, 2022. The motion was seconded by Commissioner Schanche and PASSED unanimously.

B. Commissioner Comments

None

C. Staff Comments

Planning Director Richards gave calendar updates.

D. Adjournment

Chair Winfield adjourned the meeting at 7:39 p.m.

Heather Richards
Secretary

EXHIBIT 3 - STAFF REPORT

DATE: June 30, 2022
TO: Planning Commission Members
FROM: Monica Bilodeau, Senior Planner
SUBJECT: S 3-18, Land-Use Extension Request

STRATEGIC PRIORITY & GOAL:



ECONOMIC PROSPERITY

Provide economic opportunity for all residents through sustainable growth across a balanced array of traditional and innovative industry sectors.

Report in Brief:

This is the second request for a land-use decision extension of one year for Oak Ridge Meadows Development, Docket S 3-18, a Tentative Subdivision. The Planning Director issued a land-use extension on December 15, 2020, extending the decision expiration from August 22, 2021 to August 22, 2022.

The applicant is now requesting an additional year extension to August 22, 2023.

Background:

Tentative Subdivision decisions are good for one year. Per section 17.53.075 of the McMinnville Municipal Code, applicants can request a one-year extension that the Planning Director may approve, and any additional extension requests need to be approved by the Planning Commission.

The City Council passed Ordinance No. 5070 on July 23, 2019. The Ordinance was written to take effect 30 days after its passage, August 22, 2019.

Per Conditions of Approval #6 and 32 of S 3-18, Ordinance 5070, the subdivision tentative plan Phase One approval is scheduled to expire two (2) years from the date the decision is final without appeal, August 22, 2021.

The Planning Director issued a land-use extension on December 15, 2020, extending the decision expiration to August 22, 2022.

Attachments:

- A: Land Use Extension Request Letter and Conditions
- B: Great Neighborhood Principles for Oak Ridge Meadows Subdivision
- C: December 15, 2020 Land Use Extension – Planning Director's Decision

The applicant requested a second land-use extension on May 10, 2022. The reason for the request is delays experienced by both contractors and consultants due to pandemic related staffing challenges. In addition, wetland permitting and excessive wet weather this year did not allow work in the wetland areas. There were also supply chain and goods needed for construction of infrastructure that were delayed.

Discussion:

Below are figures representing the subdivision. The applicant needs to complete all of the conditions of approval prior to recording the plat and has been working on those over the course of the past three years. The applicant has provided a summary table of the conditions and the status of each to demonstrate what they have completed to date. See Attachment A.

The Oak Ridge Meadows Subdivision was originally approved in August 22, 2019 and prior to the adoption of the Great Neighborhood Principles. Staff asked the applicant to prepare a summary how the approved project meets the Great Neighborhood Principles. See Attachment B.

Figure 1. Vicinity Map

Attachments:

A: Land Use Extension Request Letter and Conditions

B: Great Neighborhood Principles for Oak Ridge Meadows Subdivision


C: December 15, 2020 Land Use Extension – Planning Director’s Decision



Figure 2. Subdivision Plan Summary

Attachments:

- A: Land Use Extension Request Letter and Conditions
- B: Great Neighborhood Principles for Oak Ridge Meadows Subdivision
- C: December 15, 2020 Land Use Extension – Planning Director’s Decision



Oak Ridge Meadows PD (PDA 4-18)

- 35.47 total acres

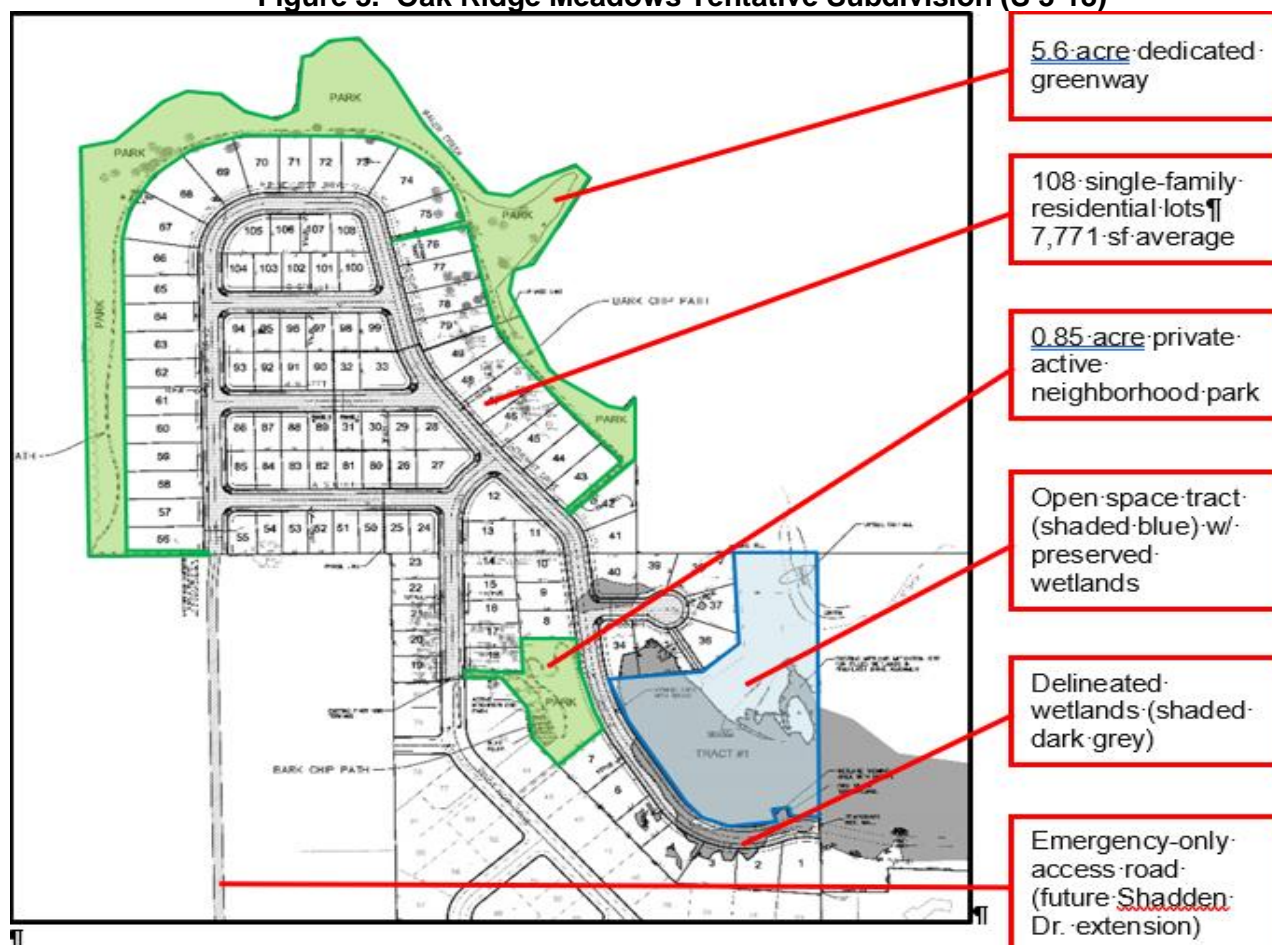
Request:

- 108 lot single-family residential subdivision
- Public & private open space amenities

Criteria:

- Ch. 17.53 Land Division Standards

Figure 3. Oak Ridge Meadows Tentative Subdivision (S 3-18)



Attachments:

- A: Land Use Extension Request Letter and Conditions
- B: Great Neighborhood Principles for Oak Ridge Meadows Subdivision
- C: December 15, 2020 Land Use Extension – Planning Director’s Decision

Attachments:

A: Land Use Extension Request Letter and Conditions
B: Great Neighborhood Principles for Oak Ridge Meadows Subdivision
C: December 15, 2020 Land Use Extension – Planning Director’s Decision

Recommendation:

Staff recommends approving the land-use extension to August 22, 2023.

Attachments:

A: Land Use Extension Request Letter and Conditions
B: Great Neighborhood Principles for Oak Ridge Meadows Subdivision
C: December 15, 2020 Land Use Extension – Planning Director’s Decision

Oak Ridge Meadows, LLC

May 10, 2022

City of McMinnville Planning
231 NE 5th Street
McMinnville, OR. 97128

RE: Land Use Extension S 3-18 (Ord. 5070)
Oak Ridge Meadows Subdivision, Tax Lots R4417 01300 and R4407 00602

This is a formal written request for a one year Land Use Extension for Oak Ridge Meadows Subdivision to be presented to the Planning Commission for approval.

On December 15, 2020, Premier Development, LLC received an approval letter from Heather Richards, PCED, Planning Director extending the tentative subdivision land-use decision from August 22, 2021 to August 22, 2022.

In the last letter to request an extension, we was anticipating getting the final federal and state permits by June 2021 so we could work in the wetland area while it was dry. The Army Corp Permit was finally issued September 8, 2021. The construction began in October with the initial cut-out of the streets and clearing, along with the ordering and purchasing of available pipe and supplies. An extensive amount of gravel for the surcharge to compact the wetland area on the lower Pinehurst Dr was layed and completed by end of January 2022. At the end of April 2022, the GeoEngineer concluded the compaction was complete. The plan, as of this date, is to restart construction May 23, 2022, with the expectation all needed supplies will be available by then. We are extremely motivated to complete the subdivision, as quickly as possible, however, there are still unusual circumstances and challenges to be dealt with in regard to available workforce, availability of needed supplies, and the lack of dry weather to work in the wetlands area. We are expecting to have completion to be by the end of this year, 2022. The completion of the construction, surveying and recording the plat will likely not be complete by August 22, 2022, therefore, we are requesting a one year extension from the Planning Commission.

We are looking forward to drier weather, a better response from the supply chain, enough workers to do the job and a good economy!

Respectfully submitted,



Lori Zumwalt, Owner/Member
Oak Ridge Meadows, LLC
Premier Development, LLC

S 3-18 Conditions of Approval Timeline Completed

| S 3-18 | Condition of Approval item | Notes | Complete date |
|-------------------------------------|---|--|--------------------|
| #1 | N/A | | |
| #2 | Street Tree Landscape plan approved L 31-21 | Street Trees to be installed Fall/Winter 2022 as needed | 4/20/2022 |
| #3 | Private Active Park | Landscape Plan approved | 4/26/22 |
| #4 #5 | CCR's/HOA | CCR and Bylaws submitted to City | 5/19/22 |
| #6 | Both phases will be built at one time | | — |
| #7 | Developer is selling lots | | — |
| #8 | Private Active Park Construction | Landscape Plan approved 4/26/2022 | TBD |
| #9 10 | Greenway trail system has been redesigned and approved by City | Minor Amendment Approval PDA 1-22 | 3/10/22 |
| #10 | Ped/Bike pathway | Part of construction plans/updated PDA 1-22 | 3/10/22 |
| #11 | Revocable License Agreement for maintenance of greenway trail and benches | Working with City | Current |
| #12 | N/A | 108 lot subdivision | — |
| #13 | Subdivision design | Complete | — |
| #14 | Storm Drain Plan Approved | | 9/22/21 |
| #15,16,18,19,20,21, 22 25, 26,27,37 | Final Construction Plans - City permits obtained | | 9/22/21 |
| #17, 23 | State and Federal Agency Permits | Permitted | |
| | | DEQ 1200C | 7/21/21 |
| | | DEQ 401 Water Quality Certificate | 6/9/21 |
| | | DSL Removal-Fill Permit | 7/6/21 |
| | | Army Corp of Engineers Nationwide Permit | 9/8/21 |
| #24 | Construction of Pinehurst Dr through wetland | Rock placed on roadway 10/21 - 1/22. Per Geotech monitoring, compaction complete 4/30/22, no other work could be done on subdivision due to needing to install very deep sewer pipe first and needed to wait until compaction complete to determine height levels as well as weather permitting. Currently, waiting for very delayed manholes, supplies and subs. Plan is to start on sewer line by end of May 2022. | 4/30/2022- current |
| #28 | Signage | To be done at end of project | TBD |
| #29 | Final Plat | To be done at end of project | TBD |
| #30 | City Construction Permit | After Army Corp Permit obtained | 9/22/2021 |
| #31 | Mylars, Final Plat review | To be done at end of project | TBD |
| #32, 33 | Tentative Subdivision Plan Extension | 1st extension per Planning Director is to Aug, 22, 2022, Developer requesting 2nd extension due to supply chain issues, delayed agency permits prior to wet weather, time required for Geotech surcharge compaction. Contractor will be working through this summer however, it is doubtful all conditions including recording of final plat will be complete by Aug 22, 2022. | Current |
| #34 | Mailbox clusters | Developer has coordinated with Postmaster for placement of mailboxes | Complete |
| #35, 36 | Architectural Pattern Book | Architectural details added to CCR's | In review |
| #38 | Certified Hydrology Report | Submitted with construction plans | 9/22/2021 |
| | | | |
| | Pertinent PDA 4-18 items | | |

| S 3-18 | Condition of Approval item | Notes | Complete date |
|--------|-------------------------------------|---|---------------|
| #9 | Public greenway park min. 5.6 acres | Upon clearing some of the brush, surveying and getting a better view of the slopes down to Baker Creek. It was determined that the chip path is some areas needed to be moved away from the steep bank and moved to protect mature fir trees. This change was finalized with Minor Plan Amendment. PDA 1-22 In doing so the park area was increased to 7.04 acres | 3/10/22 |
| #11 | Final Wetland Delineation | Concurrence by DLS | 10/23/2019 |

Great Neighborhood Principles for Oak Ridge Meadows Subdivision
Land Use Approval Extension S 3-18 (Ord. 5070)
Tax Lots R4417 01300 and R4407 00602
June 10, 2022

The Oak Ridge Meadows Subdivision was originally approved in August 22, 2019 and prior to the Great Neighborhood Principles being adopted by the City of McMinnville. In a request for the Planning Commission to extend the subdivision's completion time, the Planning Department has asked that the developer show how Oak Ridge Meadows Subdivision meets the Great Neighborhood Principles. Below are the satisfied findings of the Great Neighborhood Principles.

Great Neighborhood Principles

187.50 The McMinnville Great Neighborhood Principles are provided below. Each Great Neighborhood Principle is identified by number below (numbers 1 – 13), and is followed by more specific direction on how to achieve each individual principle.

1. Natural Feature Preservation. Great Neighborhoods are sensitive to the natural conditions and features of the land.
 - a. Neighborhoods shall be designed to preserve significant natural features including, but not limited to, watercourses, sensitive lands, steep slopes, wetlands, wooded areas, and landmark trees.

Findings: Oak Ridge Meadows has obtained the necessary permits from the Department of State Lands and Army Corp of Engineers for care and handling of the wetlands and installation of a sewer main line and road. Some clearing of brush has uncovered steep slopes along the north end of the property requiring moving the chip path up hill and away from the steep bank and to preserve large trees. Developer has addressed these issues and obtained approval with a Minor Plan Amendment. The principle of Natural Feature Preservation is satisfied by designing the overall subdivision with sensitivity to the wetlands, watercourse (Baker Creek), steep slopes by the banks of the creek, and large mature trees.

2. Scenic Views. Great Neighborhoods preserve scenic views in areas that everyone can access.
 - a. Public and private open spaces and streets shall be located and oriented to capture and preserve scenic views, including, but not limited to, views of significant natural features, landscapes, vistas, skylines, and other important features.

Findings: Oak Ridge Meadows subdivision (PDA 4-18) conditions of approval, numbers 9 requires dedication of a minimum of 5.6 acres of public open space greenway. Upon construction plans being finalized 6.42 acres of public open space (City Park greenway) was designed to be dedicated to the City. After clearing some of the area, the chip path's original design needed to be moved off some steep slopes and away from Baker Creek's bank. In making

these adjustments through a Minor Plan Amendment, 0.62 acres of more City Park land was added to the dedicated City Park greenway. This change also helped to better preserve the large fir and oak trees along the north end of the subdivision. This principle is satisfied as there are great scenic views walking along the chip path, including large mature trees, nature and Baker Creek in the dedicated City Park. There are also two wetland viewing benches to be installed along the wetland area.

3. Parks and Open Spaces. Great Neighborhoods have open and recreational spaces to walk, play, gather, and commune as a neighborhood.
 - a. Parks, trails, and open spaces shall be provided at a size and scale that is variable based on the size of the proposed development and the number of dwelling units.
 - b. Central parks and plazas shall be used to create public gathering spaces where appropriate.
 - c. Neighborhood and community parks shall be developed in appropriate locations consistent with the policies in the Parks Master Plan.

Findings: Oak Ridge Meadows Subdivision has City approved plans for a Private Active Neighborhood Park with a play structure and bench to benefit the residents of the subdivision. In addition, the developer has added an additional 0.62 acres to the 6.42 acres originally planned City Park, making the total dedication 7.04 acres to the City for park land with a chip path that follows Baker Creek and satisfies the McMinnville Park and Recreation Master plan. This principle is satisfied.

4. Pedestrian Friendly. Great Neighborhoods are pedestrian friendly for people of all ages and abilities.
 - a. Neighborhoods shall include a pedestrian network that provides for a safe and enjoyable pedestrian experience, and that encourages walking for a variety of reasons including, but not limited to, health, transportation, recreation, and social interaction.
 - b. Pedestrian connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces, and shall also be provided between streets that are disconnected (such as cul-de-sacs or blocks with lengths greater than 400 feet).

Findings: The subdivision has streets that are designed to include planter strips and sidewalks for an enjoyable pedestrian experience. There is chip path that meanders throughout the perimeter of the site with views of Baker Creek and large fir and oak trees, it also connects to the Private Active Neighborhood Park that has play equipment and large oak trees. These amenities encourage pedestrian walking with connections to parks, trails and open spaces, therefore this principle is satisfied.

5. Bike Friendly. Great Neighborhoods are bike friendly for people of all ages and abilities.
 - a. Neighborhoods shall include a bike network that provides for a safe and enjoyable biking experience, and that encourages an increased use of bikes by people of all abilities for a variety of reasons, including, but not limited to, health, transportation, and recreation.

- b. Bike connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces.

Findings: The new local streets satisfy this principle as they will provide for a safe and enjoyable biking experience for all ages. The chip path will connect with Baker Creek North's chip path and connect to the established north/south bike/pedestrian pathway, south to Jay Pearson Neighborhood Park and on to W 2nd Street.

- 6. Connected Streets. Great Neighborhoods have interconnected streets that provide safe travel route options, increased connectivity between places and destinations, and easy pedestrian and bike use.
 - a. Streets shall be designed to function and connect with the surrounding built environment and the existing and future street network, and shall incorporate human scale elements including, but not limited to, Complete Streets features as defined in the Comprehensive Plan, grid street networks, neighborhood traffic management techniques, traffic calming, and safety enhancements.
 - b. Streets shall be designed to encourage more bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility.

Findings: This principle is satisfied in that the Oak Ridge Meadows Subdivision is designed to connect with the surrounding built environment. It provides street connectivity and safe travel routes that are built to City standards with a 28 foot pavement width, plant strips and sidewalks. On the southeast side of the property, in the existing Oak Ridge Subdivision, Pinot Noir Drive, at the north end, will be widened to 28 feet and connected to the new Oak Ridge Meadows Subdivision. On the southwest side, the existing Shadden Drive will be connected, and provides an alternative route to Baker Creek Road through the Baker Creek North Subdivision.

- 7. Accessibility. Great Neighborhoods are designed to be accessible and allow for ease of use for people of all ages and abilities.
 - a. To the best extent possible all features within a neighborhood shall be designed to be accessible and feature elements and principles of Universal Design.
 - b. Design practices should strive for best practices and not minimum practices.

Findings: Oak Ridge Meadows streets are designed to be accessible and allow for ease of use for people of all ages and abilities, therefore this principle is satisfied. It offers elements such as a chip path meandering around the perimeter of the subdivision, a public park, a private active park and streets with sidewalks with ADA truncated domes.

- 8. Human Scale Design. Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built environment.
 - a. The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.

- b. Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle oriented uses in less prominent locations.
- c. Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).

Findings: This principle #8 is satisfied as the Oak Ridge Meadows lot lay out is designed to function and be balanced with the existing built environment. Building lots are oriented toward the streets promoting integration with public spaces. The area will have street lights, trees lining the streets and street tree landscape plan has been reviewed and approved by the City.

- 9. Mix of Activities. Great Neighborhoods provide easy and convenient access to many of the destinations, activities, and local services that residents use on a daily basis.
 - a. Neighborhood destinations including, but not limited to, neighborhood serving commercial uses, schools, parks, and other community services, shall be provided in locations that are easily accessible to surrounding residential uses.
 - b. Neighborhood-serving commercial uses are integrated into the built environment at a scale that is appropriate with the surrounding area.
 - c. Neighborhoods are designed such that owning a vehicle can be optional.

Findings: The Oak Ridge Meadows Subdivision satisfies the Mix of Activities principle as it has two routes of ingress and egress that will be completed and will allow residents easy access to Baker Creek Road which is a minor arterial leading to Highway 99W commercial uses, local schools, parks (Jay Pearson Neighborhood Park) and community services. The completion of the subdivision will provide easy access to neighboring streets and amenities that can be accessed by vehicle, bike or walking.

- 10. Urban-Rural Interface. Great Neighborhoods complement adjacent rural areas and transition between urban and rural uses.
 - a. Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.

Findings: Oak Ridge Meadows transitions from smaller lots in the center of the subdivision to larger lots bordering the exterior of the land and is compatible with neighboring subdivisions (Oak Ridge and Baker Creek North). This principle is satisfied.

- 11. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.
 - a. A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.

Findings: This principle is satisfied as the range in the size of the lots throughout the subdivision is from 3793 square feet to 13,165 square feet. This range provides housing opportunities for different income levels and different generations. The larger sized lots allow for the potential of Middle Housing options.

12. Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.
 - a. Neighborhoods shall have several different housing types.
 - b. Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.

Findings: This principle is satisfied as the developer intends to sell the lots to citizens and builders. This variety of owners will provide a variety of architecture. The CCR's have identified building material expectations per Conditions of Approval #17 and #18, for submission to the City for building permits to include the following:

“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. Front elevations will need to be clearly defined with at least two material types, driveways should be adjacent to each other to enhance opportunities for front yards and landscaping, and a variety of color schemes should be used throughout the development that are distinctly different from each other but enhance each other. At a minimum, the submitted building plan shall contain sections addressing:

- a). Style and Massing
- b). Quality and Type of Exterior Materials
- c). Front Porches/Entry Areas
- d). Roof Design and Materials
- e). Exterior Doors and Windows
- f). Garage Door Types
- g). Exterior Lighting
- h). Sample Exterior Colors”.

13. Unique and Integrated Design Elements. Great Neighborhoods have unique features, designs, and focal points to create neighborhood character and identity. Neighborhoods shall be encouraged to have:
 - a. Environmentally friendly construction techniques, green infrastructure systems, and energy efficiency incorporated into the built environment.
 - b. Opportunities for public art provided in private and public spaces.
 - c. Neighborhood elements and features including, but not limited to, signs, benches, park shelters, street lights, bike racks, banners, landscaping, paved surfaces, and fences, with a consistent and integrated design that are unique to and define the neighborhood. (Ord 5066 §2, April 9, 2019)

Findings: The Oak Ridge Meadows subdivision has been designed to provide an efficient, ecologically friendly environment with protected wetlands, storm water management system, completed paved streets with lights, plant strips with street trees, a public park with chip path, a

private park with play structure and 2 wetland viewing benches. With these elements this principle is satisfied.

Summary: Oak Ridge Meadows has completed many items necessary to build the subdivision, such as, designing and engineering plans, surveying and a hydrology analysis report of Baker Creek, designing a storm water management detention system, working with Army Corp of Engineers and Department of State Lands for mitigating wetlands in order to obtain federal (Army Corp), and state (OHA-401 Cert., DEQ1200C and Dept. of State Lands removal/fill) permits. Additionally, we have worked with McMinnville Water and Light and City Planning and Engineering to obtain construction permits. This was all done during the Covid Pandemic with many delays.

Once Army Corp and DSL permits were obtained mid-September 2021, the contractor was able to do some clearing, cut out and rock the streets and prepare the lower Pinehurst Road (wetland area) for surcharging. The surcharge (gravel), once fully applied, was to sit undisturbed for 8 -12 weeks. Due to the extensive amount of time it took to obtain the necessary federal and state permits and with winter wet weather upon us, working in the wetlands area was delayed until the Geotechnical Engineer could approve the compaction and soil conditions.

During the winter, the redesigning of part of the chip path location was approved, as a result, we were able to preserve trees and provide a safer location for the chip path, away from the steep slopes by Baker Creek. The wet weather, saturated soils, Covid related delays and now supply chain/Covid delays for manholes have been some of the obstacles the developer and contractor have faced. The developer has preordered and received most all of the materials needed such as, pipe and fittings. Currently, the sewer and storm pipe is being install in the northern section of the property and continued evaluation of the dryness of the wetland area is being done in order to safely install manholes and pipe in that area.

The contractor is moving full steam ahead, however, it is unlikely the plat will be recorded by the expiration date of August 22, 2022. Therefore, Oak Ridge Meadows is requesting a one year extension to August 22, 2023 for the Oak Ridge Meadows Subdivision Conditions of Approval S 3-18. The overall plan is to record both phases of the plat by the end of the year or early 2023.



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

December 15, 2020

Lori Zumwalt
Premier Development, LLC
2470 SW West Wind Drive
McMinnville, OR 97128

Re: Land Use Approval Extension S 3-18 (Ord. 5070)
Oak Ridge Meadows Subdivision, Tax Lots R4417 01300 and R4407 00602

Dear Ms. Zumwalt:

This is a letter extending your tentative subdivision land-use decision from August 22, 2021 to August 22, 2022.

On November 17, 2020, the McMinnville Planning Department received a letter dated November 17, 2020 from you requesting a one-year extension of the City Council's approval of the above-referenced land use application.

The City Council passed Ordinance No. 5070 on July 23, 2019. The Ordinance was written to take effect 30 days after its passage, August 22, 2019.

Per Conditions of Approval #6 and 32 of S 3-18, Ordinance 5070, the subdivision tentative plan Phase One approval is scheduled to expire two (2) years from the date the decision is final without appeal, August 22, 2021.

Per Section 17.53.060(D) of the McMinnville Zoning Ordinance, a one-year extension of the tentative subdivision plan approval (S 3-18, Ordinance 5070) may be granted, upon request. After reviewing your request, the expiration date of S 3-18 is being extended through 5:00 p.m., **August 22, 2022**, allowing you to complete the subdivision process subject to the same conditions as granted in the original approval, as provided below: (Please note the new expiration date is one year from the original expiration date, and any additional extension request would require a resubmittal to the Planning Commission for review, "making any revisions considered necessary to meet changed conditions," as specified in Section 17.53.075 of the Zoning Ordinance.

Subdivision Tentative Plan (S 3-18) Conditions of Approval:

1. That the decision for approval of Oak Ridge Meadows Tentative Subdivision (S 3-18) is not rendered, and does not take effect, until and unless the Planned Development Amendment requests (PDA 3-18 and PDA 4-18) are approved by the City Council.

2. 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 October 1 to April 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.
 - C. It shall be the applicant's responsibility to relocate street 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.
3. That a landscape plan, including landscaping and improvements in common area tracts, shall be submitted to the McMinnville Landscape Review Committee for their review and approval. Improvements in the Private Active Neighborhood Park shall include, at a minimum, commercial grade play equipment featuring at least ten different play elements for ages 2-12 and appropriate seating and trash/recycling collection. Improvements in the wetland viewing areas in Tract 1 shall include, at a minimum, appropriate seating and trash/recycling collection.
4. 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 prior to final plat approval.
5. That documents creating a Homeowner's Association for the subdivision and assigning to it maintenance responsibilities of any common ownership features must be submitted to and approved by the Planning Director. Additionally, the Homeowner's Association shall be assigned maintenance responsibilities of the dedicated public open space greenway until 2032, at which point maintenance responsibilities shall be transferred to the City in perpetuity. In order to assure that the Homeowner's Association maintains and repairs any needed improvements, the Covenants, Conditions, and Restrictions (CC&Rs) shall

explicitly require the Homeowner's Association to provide notice to the City prior to amending the CC&Rs, and that all such amendments shall be subject to approval by the Planning Director. Additionally, the CC&Rs shall prohibit the Homeowner's Association from disbanding without the consent of the Planning Director. The CC&Rs shall be reviewed by and subject to City approval prior to final plat approval.

6. That plat phasing is approved as depicted in the applicant's submittal listed as Exhibit 6ALT in the applicant's submittal and generally described as:
 - a. Phase 1 – Lots 1 through 49, the northerly extension of Pinot Noir Drive, Pinehurst Drive generally south of "B" Street, "A" Court, and the easterly portions of "A" and "B" Streets.
 - b. Phase 2 – The balance of Oak Ridge Meadows inclusive of the temporary emergency only access.

Both Phase 1 and Phase 2 shall be recorded for final plat within (5) years (two years for Phase 1 and a subsequent 3 years for Phase 2) from the date this approval decision is final without appeal and the decisions of PDA 3-18 and PDA 4-18 are final without appeal. The developer shall be responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

7. That the applicant shall provide twenty-five percent (25%) of the single family lots (27 of the proposed 108 single family lots) for sale to the general public for a period of six months following recording of the final plat. The applicant shall provide information detailing the number of lots that will be made available for individual sale to builders for review and approval by the Planning Director prior to recording of the final plat. Upon approval, the referenced lots will be made available for sale to the general public for a minimum of one hundred eighty (180) days prior to building permit issuance for said lots.
8. That the Private Active Neighborhood Park shall be constructed at the time the fifteenth building permit has been issued for Phase 1. Per Section 17.53.075(D) of the Zoning Ordinance, prior to final plat of Phase 1, the applicant shall enter into a construction agreement with the City for the improvements in the Private Active Neighborhood Park. A bond or other assurance for the greenway improvements shall be filed with the agreement for improvement.
9. That the dedicated greenway trail system and access ways shall be constructed prior to the issuance of building permits for Phase 2 per Section 17.53.075(D) of the McMinnville Municipal Code.
10. That a pedestrian/bicycle way be provided between Lot 56 and Lot 75 such that the distance between pedestrian ways along Pinehurst Drive from its temporary southwest terminus and "A" Court does not exceed 800 feet. This pedestrian/bicycle way shall be constructed per the specifications outlined the conditions of approval for PDA 4-18.

11. That the developer and the Homeowner's Association shall enter into a Revocable License Agreement with the City to establish and maintain a minimum of two (2) wetland viewing areas in the right-of-way that are accessible, meet city specifications and are maintained by the developer and Homeowner's Association.
12. That the proposed subdivision be limited to 108 dwelling units until such time that a second permanent improved street connection provides access to the proposed subdivision.
13. The applicant shall remove Lots 34, 35, 41, 42 and 43 as they are depicted on the application site plan Exhibit 6, and replace them elsewhere within the subdivision in substantial conformance with the site plan shown on Exhibit 6ALT. The average lot size within the subdivision is authorized to be approximately 7,302 square feet and the minimum lot size within the subdivision is authorized to be approximately 3,793 square feet.
14. That a detailed storm drainage plan, which incorporates the requirements of the City's Storm Drainage Master Plan must be submitted to, and approved by, the City Engineering Department. Any utility easements needed to comply with the approved plan must be reflected on the final plat. If the final storm drainage plan incorporates the use of backyard collection systems and easements, such must be private rather than public and private maintenance agreements must be approved by the City for them.
15. Prior to the construction of any private storm facilities, the applicant shall obtain the necessary permits from the City's Building Division.
16. That a detailed sanitary sewage collection plan which incorporates the requirements of the City's Collection System Facilities 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.
17. That the applicant secures from the Oregon Department of Environmental Quality (DEQ) 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.
18. That all fill placed in the areas where building sites are expected shall be engineered and shall meet with the approval of the City Building Division and the City Engineering Department.
19. That 10-foot utility easements shall be provided along both sides of all public rights-of-way for the placement and maintenance of required utilities.
20. That cross sections for the entire street system shall be prepared which show utility location, street improvement elevation and grade, park strips, sidewalk location, and sidewalk elevation and grade.
21. Said cross sections shall be submitted to the Community Development Director for review and approval prior to submittal of the final plat. If the submitted information so indicates, the Planning Director may require the tentative subdivision plan be revised in order to provide for a more practical configuration of lots, utilities, and streets. All such submittals

must comply with the requirements of 13A of the Land Division Ordinance and must meet with the approval of the City Engineer.

22. That all streets within the proposed subdivision shall be improved with a 28-foot-wide paved section, 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. Additionally, the applicant shall widen the existing cross-section of NW Pinot Drive north of Blake Street to 28-feet to be consistent with the local residential street standard.
23. That prior to construction of the proposed subdivision, the applicant shall secure all required state and federal permits, including, if applicable, those related to the federal Endangered Species Act (if applicable), Federal Emergency Management Act, and those required by the Oregon Division of State Lands, and U.S. Army Corps of Engineers. Copies of the approved permits shall be submitted to the City.
24. That the construction of Pinehurst Drive through the wetland fill area shall be done under the direction of, and per the requirements of a licensed geotechnical engineer.
25. That barricades shall be installed by the applicant at the terminus of all public streets, consistent with City standards. The barricades shall include text stating: "This street is planned for extension in the future to serve proposed development."
26. That the applicant provide information to the City Engineer as to the design capacity of the existing downstream sanitary sewer pump station located in the Crestbrook subdivision, First Addition. If the information and studies provided by the applicant indicate that adequate capacity does not exist to support the proposed development of the Oak Ridge Meadows subdivision, then the applicant shall make improvements to the system as may be necessary and required by the City Engineer. Such improvements shall be at the expense of the applicant and shall be completed prior to release of the final plat.
27. On-street parking will not be permitted within a 30-foot distance of street intersections measured from the terminus of the curb returns.
28. 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.
29. The final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.
30. 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.
31. 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.

32. That the Tentative Subdivision Plan, described as Exhibit 6ALT, Phase One shall expire two (2) years from the date this decision is final without appeal and the decisions of PDA 3-18 and PDA 4-18 are final without appeal. 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.
33. That the Tentative Subdivision Plan, described as Exhibit 6ALT, Phase Two shall expire five (5) years 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.
34. 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.
35. 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 the Oak Ridge Meadows development. 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 two material types will need to be used on the front elevations, driveways should be adjacent to each other to enhance opportunities for front yards and landscaping, and a variety of color schemes should be used throughout the development that are distinctly different from each other but enhance each other.

At a minimum, the Architectural Pattern Book shall contain sections addressing:

- a) Style and Massing
 - b) Quality and Type of Exterior Materials
 - c) Front Porches / Entry Areas
 - d) Roof Design and Materials
 - e) Exterior Doors and Windows
 - f) Garage Door Types
 - g) Exterior Lighting
 - h) Sample Exterior Colors
36. 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.

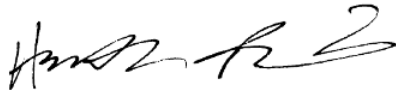
37. Public pedestrian/bicycle access paths ways, from the public right-of-way to the rear lot line of adjacent lots, shall be 20 feet in width, with a 10 foot wide multi-use path built to City specifications to be provided by the City to the developer/property owner with a five foot buffer on each side, and minimum of (1) public pedestrian/bicycle access path to the greenway trail shall be improved to accommodate maintenance vehicles. The temporary pedestrian/bicycle access way adjacent to Lot 56 shall be developed with a path consistent with the greenway trail.

38. The applicant will provide a professionally engineered and certified hydrologic and hydraulic evaluation of Baker Creek in the immediate vicinity of the Subject Property that complies with FEMA standards for a detailed flood study to ensure that the proposed lots as depicted in the application site plan, (Exhibit 6ALT) will not be subject to flooding during the 1-percent annual chance (100-year) flood. The applicant shall also provide a professionally engineered and certified report that the proposed development will not increase the flood risk of adjacent and downstream properties.

If the conditions cannot be completed by August 22, 2022, then you would need to request an extension to be reviewed by the Planning Commission in accordance with the Zoning Ordinance, or the application will expire and a new application would need to be submitted at the time when the process can be completed in a timely manner.

If you have any questions concerning this matter, please contact me at (503) 434-7311.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Richards", written in a cursive style.

Heather Richards, PCED
Planning Director

HR:jf