

ORDINANCE NO. 5116

AN ORDINANCE APPROVING A ZONE CHANGE FROM R-1 TO R-3, PLANNED DEVELOPMENT OVERLAY, AND 18 LOT SUBDIVISION, KNOWN AS THE ELYSIAN SUBDIVISION

RECITALS:

WHEREAS, the Planning Department received application ZC 1-22 (Zone Change), PD 1-21 (Planned Development), S 1-21 (Subdivision) from Don Jones property owner, requesting approval of a zone change from R-1 to R-3, planned development overlay, and 18-lot subdivision for the subject property; and

WHEREAS, the subject site is 3.79 acres, located generally east of Meadows Drive and south of 23rd Street and Fendle Way (R4418 00204); and

WHEREAS, a public hearing before the McMinnville Planning Commission was held on April 21, 2022 and continued to May 19, 2022 after due notice had been provided in the local newspaper on April 15, 2022 and May 13, 2022, and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing, the application materials and a staff report were presented, and applicant and public testimony was received.

WHEREAS, the Planning Commission, being fully informed about said request, found that the requested Zone Change, Planned Development, and Subdivision conformed to the applicable Comprehensive Plan goals and policies and review criteria based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

WHEREAS, the Planning Commission, by a vote of 8-0, recommended approval of said Zone Change, Planned Development, and Subdivision to the Council; and

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

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

1. That the Council adopts the Decision, Conditions, Findings of Fact and Conclusionary Findings as documented in Exhibit A approving ZC 1-22, PD 1-21, S 1-21 and
2. The Elysian Subdivision plan shall be placed on file with the Planning Department and become a part of this planned development zone and binding on the developer. The developer will be responsible for requesting approval of the Planning Commission for any major change in the details of the adopted site 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 Planning Commission. Review of the Planning

Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

3. The following standards shall be recorded with the planned development overlay.

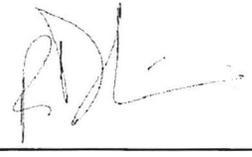
Planned Development Overlay	Proposed Standards
Average Lot Size	6,000 sf
Minimum Lot Width	50 ft.
Minimum Setbacks	
- Front	15 ft.
- Street side	15 ft.
- Side	5 ft.
- Rear	20 ft.
- Garage	20 ft.
Maximum Height	35 ft.
Maximum Lot Coverage	80%
Minimum Landscape Area	20%

4. The majority of delineated wetland be preserved, and a minimum of two (2) wetland viewing areas that are accessible with seating be provided adjacent to the wetlands adjacent to the common open space Tract A. The developer and the Homeowner's Association shall enter into a Revocable License Agreement with the City to establish and maintain wetland viewing areas in the public access easement that are accessible, meet city specifications and are maintained by the developer and Homeowner's Association.
5. The City of McMinnville shall require evidence of compliance with all applicable local, state, and federal standards and regulations for wetland mitigation.
6. The following public amenities shall be included in the 20 foot public access easement connecting Fendle Way to Meadows Drive as approved by the Planning Director.:
- a. Two benches as shown, or other public amenities such as art or stormwater and wetland educational components,
 - b. Split rail open black fencing or other fencing style aesthetically pleasing
 - c. Any exposed irrigation lines shall be black or camouflaged from the public view.
 - d. Walkway lighting shielded down as not to impact adjacent residents.
7. A direct Pedestrian connection to the Jay Pearson Park and the trail corridor is required. This connection shall connect Meadows Drive west to the existing trail corridor along the projects frontage. Approval by the Directors of Planning and Parks and Recreation is required prior to construction.
8. That this Ordinance shall take effect 30 days after its passage by the City Council.

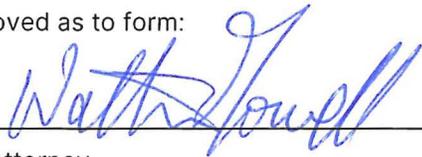
Passed by the McMinnville City Council this 28th day of June 2022, by the following votes:

Ayes: Geary, Menke, Chenoweth, Payne, Peralta, Garvin

Nays: _____



MAYOR

Approved as to form: 

City Attorney

Attest: 

City Recorder

EXHIBITS:

- A. Decision Document for Dockets ZC 1-22, PD 1-21, S-21



City of McMinnville

PLANNING

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

www.mcminnvilleoregon.gov

DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A ZONE CHANGE FROM R-1 TO R-3, PLANNED DEVELOPMENT OVERLAY, AND 18 LOT SUBDIVISION, KNOWN AS THE ELYSIAN SUBDIVISION.

DOCKET: ZC 1-22 (Zone Change), PD 1-21 (Planned Development), S 1-21 (Subdivision)

REQUEST: Application for a zone change from R-1 to R-3, planned development overlay, and 18-lot subdivision.

LOCATION: The subject site is 3.79 acres, located generally east of Meadows Drive and south of 23rd Street and Fendle Way (R4418 00204)

ZONING: R-1

APPLICANT: Don Jones, VJ-2 Development, Inc

STAFF: Monica Bilodeau, Senior Planner

DATE DEEMED COMPLETE: February 25, 2022

HEARINGS BODY & ACTION: The McMinnville Planning Commission makes a recommendation to the City Council, and the City Council makes the final decision, per MMC 17.72.070

HEARING DATE & LOCATION: April 21, 2022, Civic Hall, 200 NE 2nd Street, McMinnville, Oregon. Continued to May 19, 2022.

DECISION MAKING BODY & ACTION: The McMinnville City Council makes the final decision, per MMC 17.72.070

DECISION DATE & LOCATION: June 28, 2022, Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

PROCEDURE: The application is processed in accordance with the procedures in Section 17.72.120 of the Zoning Ordinance. The application is reviewed by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the Zoning Ordinance. The City's final decision is subject to the 120 day processing timeline, including resolution of any local appeal. On June 2, 2022, the applicant request that the processing timeline for a decision be extended to 150 days – July 25, 2022.

Attachments :

Attachment 1 - Application
Attachment 2 - Approved Plans
Attachment 3 - Agency Comments

CRITERIA: The applicable criteria for a Zone Change, Planned Development, and Subdivision are specified in McMinnville’s Municipal Code (MMC), Chapter 17.51, 17.53 and Section 17.74.020.

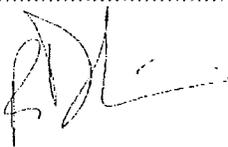
APPEAL: As specified in MMC 17.72.130, a Planning Commission recommendation of approval of the application (or approval of the application in a different form) is transmitted to the City Council to make a final decision. However, a Planning Commission recommendation of denial is a final decision unless the decision is appealed to the City Council. Such an appeal must be filed within 15 calendar days of the date the written notice of decision is mailed. The City Council’s final decision may be appealed to the Oregon Land Use Board of Appeals as specified in State Statute.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Comments were received from the McMinnville Engineering Department and Oregon Department of State Lands. Their comments are provided in this document.

DECISION

Based on the findings and conclusions, the McMinnville City Council **APPROVES** of the zone change, planned development and tentative subdivision plan (Dockets ZC 1-22, PD 1-21 and S 1-21).

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DECISION: APPROVAL
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City Council: _____
Remy Drabkin, Interim Mayor of McMinnville

Date: 06/28/2022

Planning Commission:  _____
Sidonie Winfield, Chair of the McMinnville Planning Commission

Date: 7/5/22

Planning Department:  _____
Heather Richards, Planning Director

Date: 7/5/22

SECTION I. APPLICATION SUMMARY:

Subject Property & Request

The proposal is an application for a Zone Change (ZC 1-22) to rezone the property from R-1 to R-3, Planned Development (PD 1-21), and phased 18-lot subdivision (S 1-21) for the property. The zone change will allow the lot size to be reduced from 9,000 square feet to 6,000 square feet. The planned development overlay would allow for the side setbacks to be reduced from seven and a half feet to five feet, all other setbacks would conform to the R-3 standards.

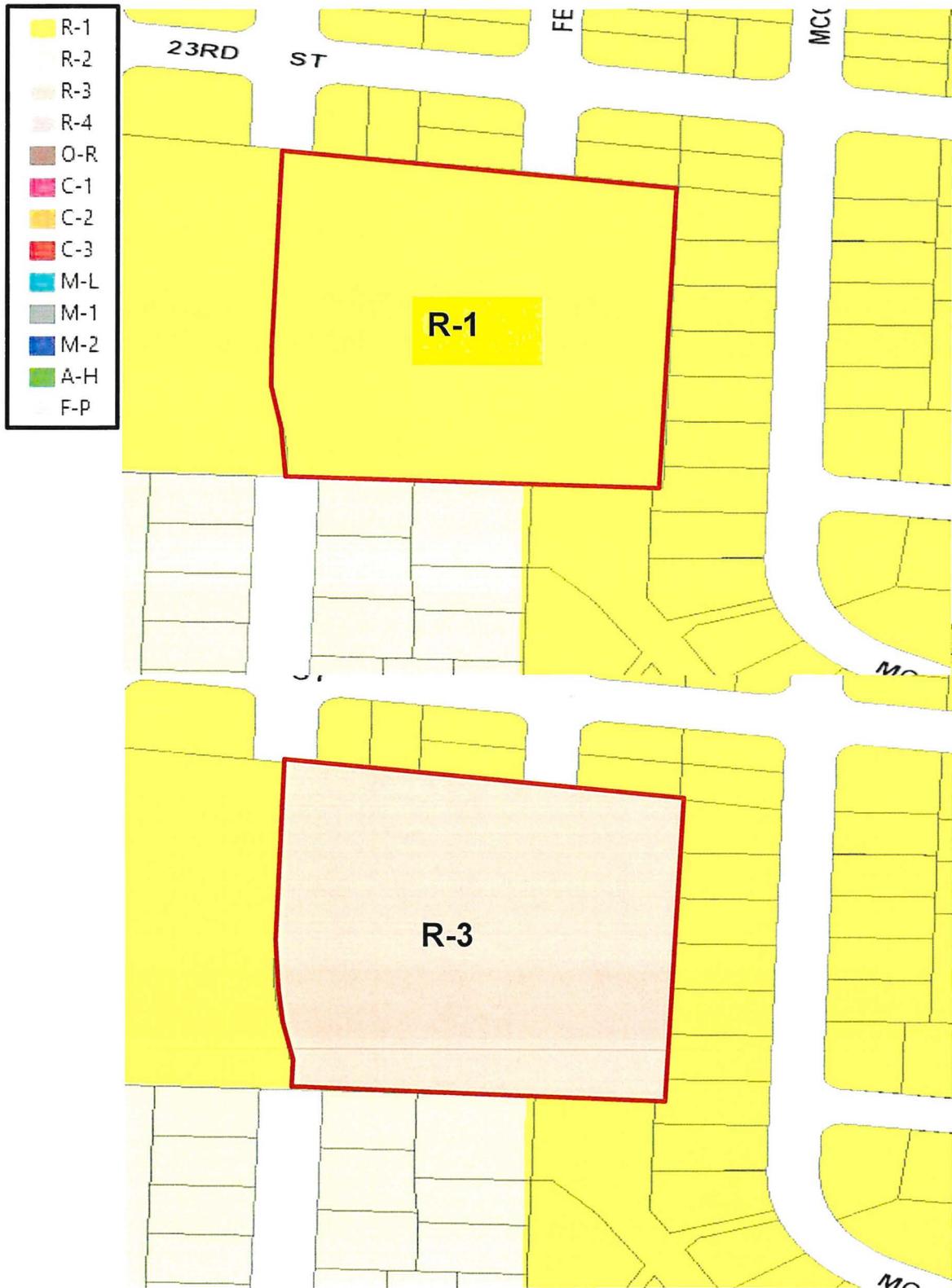
The subject property is a 3.79 acre parcel located generally east of Meadows Drive and south of 23rd Street and Fendle Way. The proposed subdivision will extend Meadows drive, creating a finished through street, and Fendle Way is proposed to be continued into the subdivision and terminated with a cul-de-sac. There is also a 16,925 SF open space tract along the southern property line which will contain stormwater facility and adjacent will be a 20-foot wide pedestrian access easement and 10 foot wide paved connection from Fendle to Meadows Drive. **See Exhibit 1 and 3.**

The subject property and properties to the north, east, and west, are zoned R-1, and property to the south is zoned R-2. Although the actual sizes of adjacent lots in the R-1 zone range from 4,600 to 6,400 square feet. The average lots proposed in this subdivision range between 5,436 at the smallest and 8,363 square feet at the largest. The proposed lot sizes are similar to the adjacent lots. **See Exhibit 2.** The predominant surrounding uses are single-family homes and duplexes to the north, single-family homes to the east and south, and Jay Pearson Neighborhood Park to the west. The subject property is currently vacant with a natural drainageway generally running north to south on the property. Most lots would access off the proposed extension of Fendle Way, and six of the lots would access directly off of Meadows Drive.

Exhibit 1. Vicinity Map & Aerial Photo



Exhibit 2. Current and proposed Zoning



such extension must be filed in writing with the Planning Department a minimum of 30 days prior to the expiration date of this approval.

Planned Development Overlay Requirements

9. The Elysian Subdivision plan shall be placed on file with the Planning Department and become a part of this planned development zone and binding on the developer. The developer will be responsible for requesting approval of the Planning Commission for any major change in the details of the adopted site 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 Planning Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.
10. The following standards shall be recorded with the planned development overlay.

Planned Development Overlay	Proposed Standards
Average Lot Size	6,000 sf
Minimum Lot Width	50 ft.
Minimum Setbacks	
- Front	15 ft.
- Street side	15 ft.
- Side	5 ft.
- Rear	20 ft.
- Garage	20 ft.
Maximum Height	35 ft.
Maximum Lot Coverage	80%
Minimum Landscape Area	20%

11. The majority of delineated wetland be preserved, and a minimum of two (2) wetland viewing areas that are accessible with seating be provided adjacent to the wetlands adjacent to the common open space Tract A. The developer and the Homeowner's Association shall enter into a Revocable License Agreement with the City to establish and maintain wetland viewing areas in the public access easement that are accessible, meet city specifications and are maintained by the developer and Homeowner's Association.
12. The City of McMinnville shall require evidence of compliance with all applicable local, state, and federal standards and regulations for wetland mitigation.
13. The following public amenities shall be included in the 20 foot public access easement connecting Fendle Way to Meadows Drive as approved by the Planning Director.:
 - a. Two benches as shown, or other public amenities such as art or stormwater and wetland educational components,
 - b. Split rail open black fencing or other fencing style aesthetically pleasing
 - c. Any exposed irrigation lines shall be black or camouflaged from the public view.
 - d. Walkway lighting shielded down as not to impact adjacent residents.

14. A direct Pedestrian connection to the Jay Pearson Park and the trail corridor is required. This connection shall connect Meadows Drive west to the existing trail corridor along the projects frontage. Approval by the Directors of Planning and Parks and Recreation is required prior to construction.

Subdivision Conditions

PRIOR TO COMMENCING SITE IMPROVEMENTS

15. The Applicant must submit plans showing the following required street improvements to Engineering for review and approval:

NW Meadows Drive (Minor Collector)

- 60' right-of-way dedication
- 36' paved width
- 0.5' curb
- 6' planter strip
- 5' sidewalk 1' from property line
- 10' public utility easement across road frontage, outside of right-of-way (on both sides of road.)

NW Fendle Way (Local Residential)

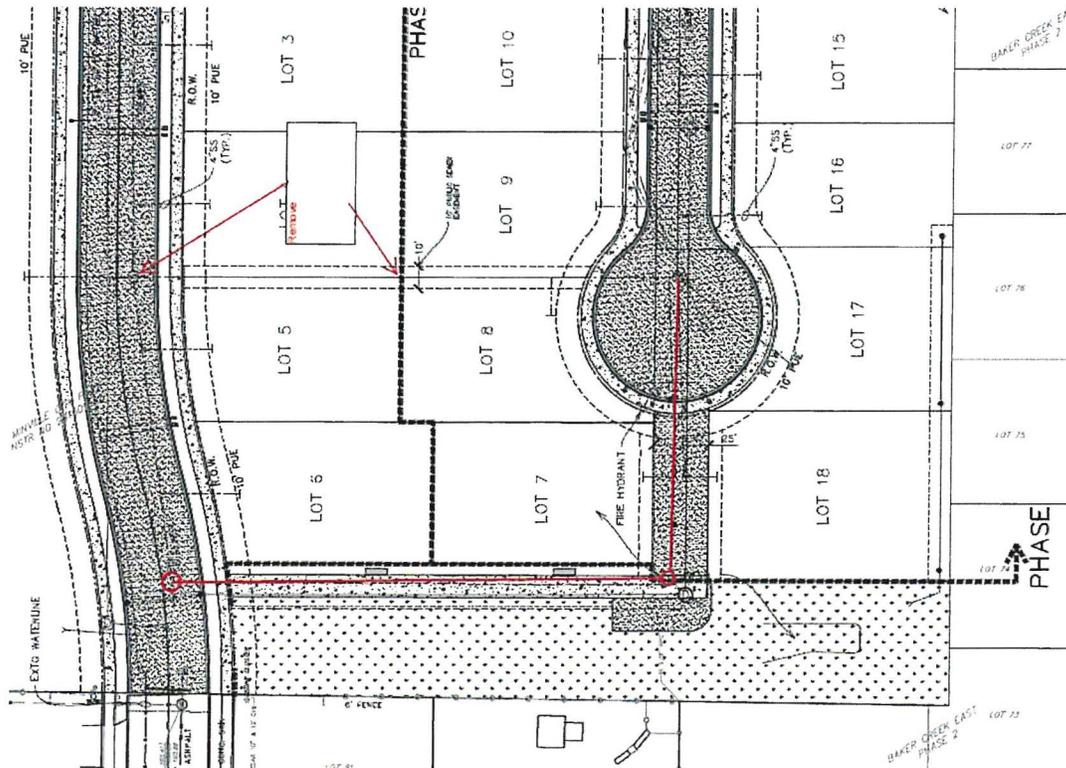
- 50' right-of-way dedication
- 28' paved width
- 0.5' curb
- 5' planter strip
- 5' sidewalk 1' from property line
- 10' public utility easement across road frontage, outside of right-of-way (on both sides of road.)
- The sidewalk shall be curb tight through the bulb of the cul-de-sac with the ROW extending 5' behind the sidewalk to place water utilities behind the sidewalk in the cul-de-sac.

16. The access to the storm pond will have a driveway approach with an 8" section of concrete or 6" section with #4 rebar and be PROWAG compliant. The access will be paved to city standards with 10" of 1 ½" – 0 crushed rock under 2" of ¾" – 0 crushed rock and a 3" level 2 WMAC paved section to accommodate maintenance vehicles.
17. The pedestrian access off the end of Fendle Way shall be an improved 10-foot-wide concrete sidewalk connecting to the sidewalk on Meadows Drive. The pedestrian access will be located within a 20 foot wide continuous public access easement.
18. Within the 20 foot public access easement it shall include public amenities such as two benches as shown, walkway lighting, split rail fencing, and upgraded landscaping, or other amenities as approved by the Planning Director.
19. Prior to site work the Developer shall work with Planning and Parks and Recreation staff to site and design a direct Pedestrian connection to the Jay Pearson Park and trail corridor.
20. On-street parking will not be permitted within a 30-foot distance of street intersections measured from the terminus of the curb returns.

21. 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.
22. The applicant shall submit cross sections for the public street system to be constructed. Cross sections shall depict utility location, street improvement elevation and grade, park strips, sidewalk location, and sidewalk elevation and grade. Said cross sections shall be submitted to the City Engineer for review and approval prior to submittal of the final plat. 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.
23. Street grades and profiles shall be designed and constructed to meet the adopted Land Division Ordinance standards and the requirements contained in the Public Right-of-Way Accessibility Guidelines (PROWAG). Additionally, corner curb ramps shall be constructed to meet PROWAG requirements.
24. That the street improvements shall have the City's typical "teepee" section.
25. The applicant shall secure from the Oregon Department of Environmental Quality (DEQ) any applicable storm runoff and site development permits prior to construction of the required site improvements. Evidence of such permits shall be submitted to the City Engineer.
26. The applicant shall secure all required state and federal permits, including, if applicable, those related to construction of the storm drain outfalls, the federal Endangered Species Act, Federal Emergency Management Act, and those required by the Oregon Division of State Lands, and U.S. Army Corp of Engineers. Copies of the approved permits shall be submitted to the City.
27. That the applicant submit evidence that all fill placed in the areas where building sites are expected is engineered. Evidence shall meet with the approval of the City Building Division and the City Engineering Division.

SANITARY SEWER

28. A detailed, engineered sanitary sewage collection plan, which incorporates the requirements of the City's adopted Conveyance System Master Plan, must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved sanitary sewage plan must be reflected on the final plat.
29. The City is proposing an alternate route for the sewer main as it prefers to avoid side lot sanitary sewer mains. Developers Engineer to determine if the proposed route is feasible.



STORM DRAINAGE

- 30. Prior to site work a detailed, engineered storm drainage plan, which satisfies the requirements of the City's Storm Drainage Master Plan, and that demonstrates that the existing downstream storm drainage system has adequate capacity, 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.
- 31. No additional storm drainage runoff shall be conveyed onto any adjacent property without the appropriate public and/or private storm drainage easements. Copies of recorded private easements must be provided to the City prior to the City's approval of the final plat. Any offsite public easements must be dedicated to and accepted by the City prior to the City's approval of the final plat. The HOA will be responsible for the maintenance for the wetland plantings and fencing.

PRIOR TO FINAL PLAT

- 32. Submit 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. 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.

33. Prior to final plat the restrictive Covenants, Conditions, and Restrictions (CC&Rs) shall be prepared for the development and approved by the Planning Director.
34. The final plat shall reflect that access to the detention pond will be granted to the City for maintenance of the structures.
35. The final plat shall reflect that Tract A will be private.
36. The final plat shall reflect that the pedestrian pathway within tract A will be privately maintained but have a public access easement over its entirety.. The tract shall have private maintenance agreements which must be approved by the City prior to the City's approval of the final plat.
37. The final plat shall reflect that the sanitary line between Fendle Way and Meadows Dr shall be public.
38. Street names shall be submitted to the Planning Director for review and approval prior to submittal of the final plat.
39. The final plat shall include 10-foot public utility easements along both sides of all public rights-of-way for the placement and maintenance of required utilities.
40. The final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.
41. The final plat shall include a public access easement from the terminus of Fendle Way to Meadows Drive.
42. 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.
43. Prior to final plat 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.
44. The City will not maintain the proposed enhanced wetland facility or proposed bioswale along the south boundary of the subject property. The City will maintain the structures (inlets, outfalls, WQ manholes, flow control MH's, etc).
45. All of Tract A, including the proposed wetland and associated pedestrian path should remain private.
46. Prior to final plat the applicant shall submit an application for a street tree plan and landscaping for Tract A and the pedestrian path to the Landscape Review Committee for review and approval prior to final plat submittal in accordance with Section 17.58. 100 of the Zoning Ordinance. The plan shall provide sufficient detail about location of utility services to

the lots, locations of street lights, pedestals, and meter boxes, to evaluate the suitability of proposed street tree planting locations.

47. Prior to final plat all street trees shall be installed or security in place. All trees shall be 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.
48. Submit a Subdivision Design Application form to McMinnville Water and Light. The project will require the developer to enter into a Line Extension Agreement (contract) with McMinnville Water and Light (MW&L). The public water system will need to be designed by the Developer's engineer and reviewed/approved by MW&L.
49. Submit a Subdivision Design Application form to McMinnville Water and Light. The project will require the developer to enter into a Line Extension Agreement (contract) with McMinnville Water and Light. The portion of the PUE included in the Drainage Improvements abutting NW Meadows needs to be constructed with an elevation and profile that ensures utilities can be extended through it in a typical manner.

PRIOR TO ISSUANCE OF BUILDING PERMITS

50. 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.
51. The applicant shall install fire hydrants to serve this development as may be required by the McMinnville Fire Department. Also, if fire hydrants are required, they shall be in working order prior to the issuance of building permits.
52. On-street parking will be restricted at all street intersections, in conformance with the requirements of the City's Land Development Ordinance.
53. The applicant shall provide a minimum of twenty-five percent (25%) of the single-family lots for sale to the general public. 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.
54. Prior to issuance of building permits all applicable SDCs, including Parks SDCs shall be paid.
55. Prior to issuance of building permits Housing Variety shall be ensured. The neighborhood shall have a variety of building forms and architectural variety to avoid monoculture design.
56. If a security was provided prior to final plat for installation of street trees, the applicant shall complete installation of street trees, per the timing described in Subsection (B) below. The applicant shall plant street trees within curbside planting strips in accordance with the approved street tree plan. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1). The Planning Director reserves the right to reject any plant material which does not meet this standard.
 - A. Trees shall be provided with root barrier protection in order to minimize infrastructure and tree root conflicts. The barrier shall be placed on the building side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths,

centered on the tree, and to a depth of eighteen (18) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth.

- B. Each year the applicant shall install street trees, from November 1 to March 1, adjacent to those properties on which a structure has been constructed and received final occupancy. This planting schedule shall continue until all platted lots have been planted with street trees.
- C. It shall be the applicant's responsibility to relocate trees as may be necessary to accommodate individual building plans. The applicant shall also be responsible for the maintenance of the street trees, and for the replacement of any trees which may die, for one year from the date of planting

57. Any improvements which were secured prior to final plat approval shall be completed in accordance with the construction permit agreement.

SECTION III. COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. Comments were received from the Engineering Department, McMinnville Water and Light, Comcast and the Oregon Department of State Lands

Public Comments

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Friday April 1, 2022. The Planning Commission hosted a public hearing on April 21, 2022, and May 19, 2022. Although oral testimony was provided at both public hearing dates, no written testimony was received.

SECTION IV. FINDINGS OF FACT

1. The applicant held a neighborhood meeting in accordance with Section 17.72.095 of the Zoning Ordinance on July 20, 2021.
2. The application was submitted on September 1, 2021
3. The application was deemed complete on February 25, 2022.
4. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. Notice was also provided to the Oregon Department of State Lands.

Comments received from agencies are addressed in the Decision Document. The letter from the Department of State Lands (DSL) was submitted as part of the application by the applicant, and DSL copied the City on the letter.

5. Notice of the application and the April 21, 2022 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance.
6. Notice of the application and the April 21, 2022 Planning Commission public hearing was published in the News Register on Friday, April 1, 2021, in accordance with Section 17.72.120 of the Zoning Ordinance.

No public testimony was submitted to the Planning Department prior to the Planning Commission public hearing.
7. On April 21, 2022 the Planning Commission held a duly noticed public hearing to consider the request.
8. On April 22, 2022, the City received notification that the zoom meeting link in the first property owner notice did not work. The city emailed out a second property owner notice on April 27, 2022 with a new zoom meeting link for the Planning Commission meeting on May 19, 2022, and requested that the Planning Commission open up the public hearing again.
9. No public testimony was submitted to the Planning Department prior to the Planning Commission public hearing on May 19, 2022.
10. On May 19, 2022, the Planning Commission held a duly noticed public hearing to consider the request.
11. On May 19, 2022, the Planning Commission closed the public hearing and deliberated, voting to recommend approval of Dockets ZC 1-22, PD 1-21 and S 1-21 to the City Council.
12. On June 2, 2022, the applicant provided a letter to the City requesting a thirty-day extension of the application deadline for consideration.
13. On June 28, the City Council considered the Planning Commission's recommendation and voted to adopt Ordinance No.

SECTION V. SUMMARY OF APPLICABLE REVIEW CRITERIA

The following summarizes the review criteria applicable to this decision, in the order in which they are addressed:

Applicable Review Criteria

17.18 Residential Zones

17.51 Planned Development Overlay

17.53 Land Divisions Standards

17.74 Review Criteria

Comprehensive Plan

Great Neighborhood Principles

SECTION VI. CONCLUSIONARY FINDINGS:

The following subsections address only the approval criteria applicable to this decision.

Chapter 17.18. R-3 Two-Family Residential Zone

17.18.010. Permitted Uses.

17.18.030. Lot Size.

17.18.040. Yard Requirements.

17.18.060. Density Requirements

FINDING: SATISFIED WITH CONDITIONS. The applicant's proposed tentative plan demonstrates compliance with the applicable standards of the sections listed above.

17.18.010. Permitted Uses. The proposed use of the lots is 18 detached dwellings. These are permitted uses in the R-3 zone.

17.18.030. Lot Size. The minimum lot size for the R-3 zone is 6,000 square feet. Lots proposed range from 5,436 at the smallest and 8,363 square feet at the largest. The average being 6,294 SF.

17.18.040. Yard Requirements. With the proposed lot sizes and shapes, there is no foreseeable difficulty in meeting setback requirements.

17.18.060. Density Requirements. Based on the proposed uses and lot sizes, the proposal complies with the applicable density requirements of this section.

17.51 PLANNED DEVELOPMENT OVERLAY

17.51.020 Standards and requirements. The following standards and requirements shall govern the application of a planned development in a zone in which it is permitted:

- A. The principal use of land in a planned development shall reflect the type of use indicated on the comprehensive plan or zoning map for the area. Accessory uses within the development may include uses permitted in any zone, except uses permitted only in the M-2 zone are excluded from all other zones. Accessory uses shall not occupy more than twenty-five percent of the lot area of the principal use;
- B. Density for residential planned development shall be determined by the underlying zone designations. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

FINDING: SATISFIED. The subject property has a residential designation on the comprehensive plan. The proposed development is a residential development; therefore this objective has been met. The proposed development with concurrent zone change to R-3, subdivision and Planned Development, the proposed lot size ranges in size from 5,436 SF to 8,363 SF, and lot density of 4.8 dwelling units/acre. Therefore, these standards are met.

17.51.030 Procedure

- C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:
 - 1. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;

The special physical conditions of the site include the infill nature of the development (surrounded by residential development with a neighborhood park to the west) and the manmade drainages onsite limit the configurations of development. In addition, the manmade wetlands under the Meadows Drive

connection and along the phase line are proposed to be filled. However, the applicant is proposing to enhance the manmade wetland ditch along the south property line to ensure proper drainage and provide enhanced physical conditions of the site.

The objective by the applicant is to provide a diversity of lot sizes and setback flexibility that will contribute to variety in the development pattern of the community housing, and varied housing sizes and styles. The applicant is also proposing a concurrent zone change from R-1 to R-3 to provide lot sizes ranging from rezoning from 5436 SF to 8363 SF and reduced side yard setbacks from 7ft to 5ft, which would not be allowed without a Planned Development Overlay and/or Zone Change. The applicant is proposing to sell the lots to several different builders to further provide variety in housing types and styles to home consumers in McMinnville. The reduced side yard setback provides the builders more flexibility in housing types and styles. The planned development overlay will establish the lot sizes and setbacks for all future development on this site.

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

The application is consistent with the Comprehensive Plan. Comprehensive findings are found below.

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

The proposed development is an infill development. The applicant is proposing to extend Fendle Way (a local street) and terminate it in a cul-de-sac. In addition, the applicant is proposing to connect Meadows Drive (a minor collector) and match the existing street width of the existing portion, north and south. In addition, a 10ft wide concrete multiuse path is proposed along the 15,086 square feet of open space to connect the cul-de-sac to Meadows Drive which will border the east side of Jay Pearson Neighborhood Park. Therefore, access to the existing surrounding streets will provide efficient access to services to adjoining parcels.

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

The applicant is proposing to construct the improvements in the summer of 2022 for lots to be sold in the fall and winter of 2022. This development is typical in the industry. Therefore, this objective has been met.

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

The proposed development is an infill development. The applicant is proposing to extend Fendle Way (a local street) and terminate it in a cul-de-sac. In addition, the applicant is proposing to connect Meadows Drive (a minor collector) and match the existing street width of the existing portion, north and south. In addition, a 10ft wide concrete multiuse path. The density of units is consistent with the City's TSP and therefore will not overload the streets outside the planned area.

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

As shown the civil plans, the applicant is proposing to extend existing sewer and water systems to service the development. The proposed density (4.8 units/acre) is less than the 6 units/acre utilized in the City Sanitary Sewer Conveyance System Master Plan to size the sewer mains. The applicant is proposing to provide stormwater detention in accordance with the City's Storm Drainage Master Plan, which accounts for lot density. All utility design will be in accordance with City standards. Therefore, this standard is met.

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

The proposed development will not create a land use that will cause noise incompatibility with surrounding uses. The proposed development will not facilitate any use generating major air emissions beyond what is expected for residential development. The proposed development plans to capture, detain and treat stormwater runoff in a combination swale and detention facility, therefore typical stormwater pollutants and will not have an adverse effect on surrounding areas. The public utilities are all sized to be consistent with the City's Sewer Conveyance and Storm Drainage Master Plans, and therefore will not have an adverse effect on public utilities or the City as a whole.

FINDING: SATISFIED. As demonstrated by the findings above the proposed development is consistent with the existing land use pattern in the area and final connection piece NW Meadows Road. The density of units is consistent with the City's TSP and therefore will not overload the streets outside the planned area. Overall, the development is compatible with the surrounding uses.

17.53 LAND DIVISION STANDARDS

Approval of Streets and Ways

- 17.53.100. Creation of Streets.**
- 17.53.101. Streets.**
- 17.53.103. Blocks.**
- 17.53.105. Lots.**
- 17.53.110. Lot Grading.**
- 17.53.120. Building Lines.**
- 17.53.130. Large Lot Subdivision.**
- 17.53.140. Left-Over Land.**

FINDING: SATISFIED WITH CONDITIONS. The applicant's proposed tentative plan demonstrates compliance with the applicable standards of the sections listed above, subject to conditions of approval.

17.53.100. Creation of Streets. All streets within the subdivision are proposed as public streets, to be dedicated on the plat, except that access to Lot 7 and Lot 18 will be via private street at the terminus of the Fendle Way cul-de-sac.

- 17.53.101. Streets.**
- A. General** The proposal complies with the street standards of 17.53.101. The street layout provides for the continuation of the alignment of Meadows Drive and Fendle Way with no offset intersections.
 - B. Right-of-Way and steet widths.** The proposed new streets right-of-way widths and street width are in conformance with the widths specified in the City's Complete Street Design Standards for a minor collector and local residential streets.
 - C. Reserve strips.** No reserve strips are proposed.
 - D. Alignment.** The proposed new streets are in alignment with existing streets.
 - E. Future extension of streets.** Surrounding properties are developed, so there isn't a need for street plugs for future street extensions.
 - F. Intersection angles.** No intersections are proposed.
 - G. Existing Streets.** The proposed street will be designed to match the existing streets.
 - H. Half streets.** No half streets are proposed.

- I. **Cul-de-sacs.** A cul-de-sac is proposed at the end of Fendle Way. The length does not exceed 400 feet and only serves 16 lots including the two lots off the end of cul-de-sac that are accessed by private street.
- J. **Eyebrows.** No eyebrows are proposed.
- K. **Street Names.** No new street names are proposed.
- L. **Grades and curves.** No excessive grades are required for the proposed street.
- M. **Streets adjacent to railroad.** There are no proposed streets adjacent to railroads, no frontage roads, and no alleys.
- N. **Frontage roads.** No frontage roads are proposed or required with the proposed layout.
- O. **Alleys.** No alleys proposed.
- P. **Private way/drive.** As a condition of approval, the proposed private drive will need to be constructed to the same structural standards that would apply to a public street, and a storm drainage plan will be required.
- Q. **Bikeways.** Meadows drive is a minor collector and bikeways are designed to share the roadway with cars.
- R. **Residential Collector Spacing.** Not applicable.
- S. **Sidewalks.** Sidewalks are consistent with 17.53.101(S) and (T) and the Complete Street Design Standards, except that cul-de-sac will be curbside without a 5' planter strip.
- T. **Park strips.** Five foot planter strips are proposed along all proposed streets, except around the cul-de-sac bulb.
- U. **Gates.** No gates are proposed within the public right-of-way or for the private way serving Lot 7 and 18.

17.53.103. Blocks. Due to the existing development, street patterns, and drainage resource outside the block length and perimeter standards will be met with the use of a pedestrian connection. With that is will not exceed the 400 foot block length and 1,600 foot block perimeter. Measuring from the street centerline the perimeter is approximately 1,490 feet. This is authorized when "topography or location of adjoining streets justifies an exception."

17.53.105. Lots. The proposed lots are suitable shapes for development, generally rectangular with side lot lines perpendicular to the right-of-way. Lots are not excessively deep, and lot depth doesn't exceed two times the width on lots. There will be six lots that will access Meadows drive a minor collector. Consistent with the community meadows drive has been designed and intended to have homes front and have driveway access off this street. There are no through lots are proposed, and no flag lots are proposed.

17.53.110. Lot Grading. No excessive slopes are proposed. Grading and fill associated with the proposal, including piping of the open drainageway will be subject to review by the appropriate departments and permitting agencies as a condition of approval.

17.53.120. Building Lines. Special building setback lines are proposed with the planned development overlay.

17.53.130 Large Lot Subdivision is not applicable because this is not a large lot subdivision.

17.53.140 Left-Over Land is not applicable because the proposed subdivision doesn't result in left-over land.

Improvements

17.53.150. Improvement Procedures.

17.53.151. Specifications for Improvements.

17.53.153. Improvement Requirements.

17.53.150. Improvement Procedures. The applicant will be required to comply with the improvement procedures as a condition of approval.

17.53.151. Specifications for Improvements. As a condition of approval, the applicant will be required to provide civil drawings that comply with all City specifications.

17.53.153. Improvement Requirements. The applicant's proposal includes improvements necessary to serve lots consistent with the requirements of this section. As a condition of approval, the applicant will be required to provide civil drawings that comply with all City specifications of this section.

FINDING: SATISFIED WITH CONDITIONS. The applicant's proposed tentative plan demonstrates compliance with the applicable standards of the sections listed above.

17.74 REVIEW CRITERIA

17.74.020. Comprehensive Plan Map Amendment and Zone Change - Review Criteria.

An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

A. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan;

FINDING: SATISFIED. See responses to applicable Comprehensive Plan policies below.

B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;

FINDING: SATISFIED. The proposed development is located in an area with available services, with a mix of zoning and residential development, in proximity to shopping, services, parks, and transit. The city's Buildable Land Inventory identifies a deficit of residential land.

C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.

FINDING: SATISFIED. The proposed development is located in an area with available services to serve the property.

When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statute), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

FINDING: SATISFIED. Criterion B is satisfied; however, the proposed amendment relates to needed housing, so this application is not required to meet Criterion B.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

FINDING: Satisfied. As addressed below, the housing policies of the Comprehensive Plan are addressed, and the effect of this decision doesn't exclude needed housing, decrease densities, or discourage needed housing through unreasonable cost or delay.

Comprehensive Plan Volume II:

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to a development proposal at the time of application.

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

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

FINDING: SATISFIED. The proposed development lots sizes will vary, rezoning from R-1 to R-3 will create lot sizes in the range of 5436 SF to 8363 SF, which would not be allowed under current zoning. In addition, the R-3 zone allows dual family living in addition to single dwellings. This coupled with HB 2001, which allows multi-dwelling development on residential zoned property creates the option for numerous housing types for diverse incomes spanning different generations.

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

71.09 **Medium and High-Density Residential (R-3 and R-4) - The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 dwelling units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes and triplexes, and townhouses. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments:**

1. **Areas that are not committed to low density development;**
2. **Areas that have direct access from collector or arterial streets;**

3. Areas that are not subject to development limitations such as topography, flooding, or poor drainage;
4. Areas where the existing facilities have the capacity for additional development;
5. Areas within one-quarter mile of existing or planned public transportation; and
6. Areas that can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas

FINDING: SATISFIED. The proposed development is located in an area with available services, with a mix of zoning and residential development, in proximity to shopping, services, parks, and transit as documented in the application submittal. The proposed density is at 4.8 dwelling units/acre with the proposed R-1 to R-3 zone change, therefore this is at the low end of the medium density range which is consistent with the standard.

The site is relatively flat and is not located within a mapped flood plain. The applicant is proposing to enhance the wetlands onsite and provide drainage improvements.

There is public transportation located along Baker Creek Road. The proposed project is 755 ft from Baker Creek Road with is within ¼ mile of the existing public transportation.

71.10 The following factors should be used to define appropriate density ranges allowed through zoning in the medium density residential areas:

1. The density of development in areas historically zoned for medium and high density development;
2. The topography and natural features of the area and the degree of possible buffering from established low density residential areas;
3. The capacity of the services;
4. The distance to existing or planned public transit;
5. The distance to neighborhood or general commercial centers; and
6. The distance from public open space. (Ord. 4796, October 14, 2003)

FINDING: SATISFIED. The proposed development is located in an area with available services, with a mix of zoning and residential development, in proximity to shopping, services, parks, and transit. The location allows for a development plan that can be designed to be compatible with nearby development and densities.

Planned Development Policies:

72.00 Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.

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

74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.

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

- 76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.
- 77.00 The internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways.
- 78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.

FINDING: SATISFIED WITH CONDITIONS. The proposal will provide for single family residential homes on individual lots of various sizes, ranging from 5,436 SF to 8,363 SF. It will provide for homes that will be affordable to the residents of the City with moderate incomes.

As shown on the survey there are a couple of man made drainage ditches that were intended to be temporary with the Shadden Claim development to the north. There are two ditches, one that drains the park and the other that drains Meadows Drive. These ditches are considered wetlands by the most recent standards. The drainage ditch under Meadows Drive will be filled and widen and enhance the existing drainage ditch/wetlands that drains the park and flows along the southern property boundary. This ditch is proposed to be retained and enhanced.

The dedicated open space is proposed to be owned by a homeowners association and will thereby benefit the future residents of the development. The open space and associated multiuse path with benches is connected to all lots of the proposed development by a sidewalk in accordance with ADA standards and therefore is readily accessible to all applicants.

The applicant is proposing to extend Fendle Way (a local street) and terminate it in a cul-de-sac. In addition, the applicant is proposing to connect Meadows Drive (a minor collector) and match the existing street width of the existing portion, north and south. Per the TSP a local street and minor collectors have shared street access with bikes and vehicle's. In addition, a 10ft wide concrete multiuse path is proposed along the 15,086 square feet of open space to connect the cul-de-sac to Meadows Drive which will border the east side of Jay Pearson Neighborhood Park.

Residential Design Policies:

- 79.00 The density allowed for residential developments shall be contingent on the zoning classification, the topographical features of the property, and the capacities and availability of public services including but not limited to sewer and water. Where densities are determined to be less than that allowed under the zoning classification, the allowed density shall be set through adopted clear and objective code standards enumerating the reason for the limitations, or shall be applied to the specific area through a planned development overlay. Densities greater than those allowed by the zoning classification may be allowed through the planned development process or where specifically provided in the zoning ordinance or by plan policy. (Ord. 4796, October 14, 2003)
- 80.00 In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.

- 81.00 Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as schools, commercial facilities, parks, and other residential areas, shall be encouraged.
- 82.00 The layout of streets in residential areas shall be designed in a manner that preserves the development potential of adjacent properties if such properties are recognized for development on the McMinnville Comprehensive Plan Map.
- 83.00 The City of McMinnville shall review the design of residential developments to insure site orientation that preserves the potential for future utilization of solar energy.

FINDING: SATISFIED. The proposed development is consistent with the density authorized by the zoning, topography, and availability of services.

There is a man made drainage ditch that was intended to be temporary with the Shadden Claim development to the north. The two ditches, one that drains the park and the other that drains Meadows Drive. These ditches are considered wetlands by the most recent standards. The proposal intends to fill the drainage ditch under Meadows Drive and widen and enhance the existing drainage ditch/wetlands that drains the park and flows along the southern property boundary. This ditch is proposed to be retained and enhanced located in Tract A.

The proposed development will provide necessary street improvements including the provision of curbs, gutter, sidewalks and planter strips on all of the streets within the proposed development. The necessary connection for pedestrians in this area to the school property, park, commercial area and the private open spaces has been met.

The lots have been as designed for detached dwelling units, therefore they can have windows on all four sides of each building allowing for solar passive gains. Upon development of the lots the contractor could install solar panel on structures.

Urban Policies:

- 99.00 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:
1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.
 2. Storm sewer and drainage facilities (as required).
 3. Streets within the development and providing access to the development, improved to city standards (as required).
 4. Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)

FINDING: SATISFIED WITH CONDITIONS. As conditioned all public improvements will be constructed or bonded for prior to final plat.

Lot Sales Policy:

- 99.10 The City of McMinnville recognizes the value to the City of encouraging the sale of lots to persons who desire to build their own homes. Therefore, the City Planning staff shall develop a formula to be applied to medium and large size subdivisions, that will require

a reasonable proportion of lots be set aside for owner-developer purchase for a reasonable amount of time which shall be made a part of the subdivision ordinance.

FINDING: SATISFIED WITH CONDITION. This requirement is addressed with a condition of approval requiring the applicant to make lots available for sale.

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

Streets

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

5. Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist

121.00 The City of McMinnville shall discourage the direct access of small-scale residential developments onto major or minor arterial streets and major collector streets.

FINDING: SATISFIED. The proposed development is an infill development. The applicant is proposing to extend Fendle Way (a local street) and terminate it in a cul-de-sac. In addition, the applicant is proposing to connect Meadows Drive (a minor collector) and match the existing street width of the existing portion, north and south.

Parking

126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

FINDING: SATISFIED. The lots are large enough to accommodate off-street parking. The required two off-street parking spaces will be confirmed at building permit application for each residential home proposed.

Connectivity and Circulation

132.26.05 New street connections, complete with appropriately planned pedestrian and bicycle features, shall be incorporated in all new developments consistent with the Local Street Connectivity map. (Ord. 4922, February 23, 2010)

FINDING: SATISFIED WITH CONDITIONS. A 10ft wide concrete multiuse path is proposed along the 15,086 square feet of open space to connect the cul-de-sac to Meadows Drive which will border the east side of Jay Pearson Neighborhood Park. Additionally the project will be conditioned to improve a direct connection to the Jay Pearson park, from Meadows drive west to the multi-use trail. Therefore, access to the existing surrounding streets will provide efficient pedestrian and bike access to adjoining parcels.

Circulation

- 132.41.05 Cul-de-sac streets in new development should only be allowed when connecting neighborhood streets are not feasible due to existing land uses, topography, or other natural and physical constraints. (Ord. 4922, February 23, 2010)
- 132.41.30 Promote Street Connectivity – The City shall require street systems in subdivisions and development that promote street connectivity between neighborhoods. (Ord. 4922, February 23, 2010)

FINDING: SATISFIED WITH CONDITIONS. The applicant is proposing to extend Fendle Way (a local street) and terminate it in a cul-de-sac. Due to the existing wetland constraints a through street for Fendle Drive is not feasible. In addition, the applicant is proposing to connect Meadows Drive (a minor collector) and match the existing street width of the existing portion, north and south.

GREAT NEIGHBORHOOD PRINCIPLES

- 187.10 The City of McMinnville shall establish Great Neighborhood Principles to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value, whether that place is a completely new development or a redevelopment or infill project within an existing built area.
- 187.20 The Great Neighborhood Principles shall encompass a wide range of characteristics and elements, but those characteristics and elements will not function independently. The Great Neighborhood Principles shall be applied together as an integrated and assembled approach to neighborhood design and development to create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood, and to create a neighborhood that supports today’s technology and infrastructure, and can accommodate future technology and infrastructure.
- 187.30 The Great Neighborhood Principles shall be applied in all areas of the city to ensure equitable access to a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood for all McMinnville citizens.
- 187.40 The Great Neighborhood Principles shall guide long range planning efforts including, but not limited to, master plans, small area plans, and annexation requests. The Great Neighborhood Principles shall also guide applicable current land use and development applications.

FINDING: SATISFIED. The applicant’s proposal is subject to the great neighborhood principles and findings for each are found below.

- 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.

FINDING: SATISFIED. The proposed subdivision is proposing to relocate the man-made ditches and wetlands associated with the construction of the Shadden Claim development. A portion of the existing man-made wetlands will be preserved and enhanced along the southern section of the development (refer to the Drainage Rehabilitation Plan). The existing man-made ditch and associated wetlands are proposed to be filled in order to connect Meadows Drive and provide lots along the street to border the neighborhood park, while the wetlands along the southern boundary of the subject property are proposed to be enhanced. The enhanced drainage ditch allows drainage from the parks property to the west to match the existing flow path to the east, connecting to the existing ditch. The existing ditch/wetlands will be enhanced with landscaping as shown the wetland-fill landscape restoration plan (refer to the Drainage Rehabilitation Plan).

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.**

FINDING: SATISFIED. The proposed subdivision is located near a park and provides approximately 15,086 square feet of open space to preserve the scenic views that currently exist. The proposed development will also construct a multiuse path to connect NW Fendle Way and Meadows Drive which will include two benches. This will allow residents a space to view the wetland area and adjacent park to the west.

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.**

FINDING: SATISFIED AS CONDITIONED. The proposed subdivision is located across the street from the Jay Pearson Neighborhood Park. A public access is proposed along the 15,086 square feet of open space to connect the cul-de-sac to Meadows Drive which will border the east side of Jay Pearson Neighborhood Park. Additionally, the project will be conditioned to improve a direct connection to the Jay Pearson park, from Meadows drive west to the multi-use trail.

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).**

FINDING: SATISFIED. Sidewalks are proposed along the Meadows Drive connection as well as the proposed cul-de-sac extension of NW Fendle Way. A 10 foot wide multiuse public access sidewalk is proposed along the 15,086 square feet of open space to connect the cul-de-sac to Meadows Drive which will border the east side of Jay Pearson Neighborhood Park. Additionally, the project will be conditioned to improve a direct connection to the Jay Pearson park, from Meadows drive west to the multi-use trail.

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.**

FINDING: SATISFIED. The applicant is proposing to extend Fendle Way (a local street) and terminate it in a cul-de-sac. Meadows Drive (a minor collector) will also be improved to match the existing street width of the existing portion, north and south. Per the TSP a local street and minor collectors have shared street access with bikes and vehicles. In addition, a 10 foot wide concrete multiuse path is proposed along the 15,086 square feet of open space to connect the cul-de-sac to Meadows Drive which will border the east side of Jay Pearson Neighborhood Park. A direct connection to the Jay Pearson Park, from Meadows Drive west to the multi-use trail is also conditioned as a required improvement

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.**

FINDING: SATISFIED. The proposed subdivision will connect the north and south dead-end street of Meadows Drive and extend Fendle Way to terminate in a cul-de-sac. The proposed development will also be constructed with sidewalks and a multiuse path to connect NW Fendle Way and Meadows Drive. This connection will provide multiuse access from the neighborhood to the city park located west of the 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.**

FINDING: SATISFIED. The proposed subdivision street, sidewalk and pedestrian access grades are relatively flat and will be designed to meet all public works design standards and ADA Standards. Therefore, the development will allow ease of use for people of all ages.

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).**

FINDING: SATISFIED. The proposed development is an infill development. The proposed lots will face either the extension of Fendle Way or the connection of Meadows Drive or a public use area. The building will have garages so the vehicles could be stored out of view. The allowable building sizes based on the setbacks will balance with the proposed street extensions and be compatible with the surrounding neighborhood. Meadows Drive and Fendle Way will all have landscaping, streetlights, and street trees to promote a comfortable and ease of use throughout the built environment. In addition, the 10-foot-wide multiuse path to connect the public built environment of Fendle Way and NW Meadows Drive. These design elements promote comfort, ease of use and the principles of Crime Prevention through Environmental Design.

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.**

FINDING: SATISFIED. The proposed subdivision provides public access along the 15,086 square feet of open space to connect the cul-de-sac to Meadows Drive which will border the east side of Jay Pearson Neighborhood Park. The project will be conditioned to improve a direct connection to the Jay Pearson Park, from Meadows drive west to the multi-use trail. These connections will provide efficient pedestrian access for the residents.

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.**

FINDING: SATISFIED. The proposed subdivision is designed in accordance to blend with the surrounding neighborhood with lot sizes and building design that is consistent with the existing surrounding neighborhood.

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.**

FINDING: SATISFIED. The proposed development provides housing for diverse incomes and different generations by the combination of varying lots sizes, rezoning from R-1 to R-3 and HB 2001. As shown on the subdivision plan the lot sizes vary from 5436 SF to 8363 SF, which would not be allowed under current zoning. In addition, the R-3 zone allows dual family living in addition to single dwellings. This coupled with HB 2001, which allows multi-dwelling development on residential zoned property creates the option for numerous housing types for diverse incomes spanning different generations.

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.**

FINDING: SATISFIED AS CONDITIONED. The applicant is proposing to sell the lots to multiple buyers, therefore, building types will be varied by each buyer. A condition at the time of building permits will ensure housing variety is met.

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)**

FINDING: SATISFIED. The proposed infill development will have unique features, designs, and focal points to create neighborhood character and identity. As shown on the Grading Plan, the development utilizes green infrastructure system known as a bioswale to treat stormwater prior to entering the existing drainage way. Another unique feature will be the relocated and enhanced wetland that will be adjacent to the multiuse path connecting Fendle Way and Meadows. The proposed homes will all be constructed per the new building and energy codes, this will ensure energy efficiency into the built environment. The development does not preclude opportunities for public art provided in private and public spaces. As shown on the subdivision plan there are two benches located along the concrete multiuse path, with enhanced landscaping in the relocated wetland and the green stormwater system, a fence along the wetland and green stormwater system. All building permits for the future homes will also be subject to the new residential design standards, that will ensure unique and integrated design elements are included on each of the new homes. All these components provide a consistent and integrated design that are unique to define the neighborhood