

**City Council Meeting Agenda****Tuesday, November 26, 2024****6:15 p.m. – Executive Sessions (CLOSED TO THE PUBLIC)****7:00 p.m. – City Council Regular Meeting****REVISED 11/22/2024**

*Welcome! The public is strongly encouraged to participate remotely but there is seating at Civic Hall for those who are not able to participate remotely. However, if you are not feeling well, please stay home and take care of yourself.*

*The public is strongly encouraged to relay concerns and comments to the Council in one of four ways:*

- *Attend in person and fill out a public comment card.*
- *Email at any time up to **noon on Monday, November 25th** to [CityRecorderTeam@mcminnvilleoregon.gov](mailto:CityRecorderTeam@mcminnvilleoregon.gov)*
- *If appearing via telephone only please sign up prior by **noon on Monday, November 25th** by emailing the City Recorder at [CityRecorderTeam@mcminnvilleoregon.gov](mailto:CityRecorderTeam@mcminnvilleoregon.gov) as the chat function is not available when calling in Zoom;*
- *Join the Zoom meeting use the raise hand feature in Zoom to request to speak, once your turn is up we will announce your name and unmute your mic. **You will need to provide the City Recorder with your First and Last name, Address, and contact information (email or phone) for a public comment card.***

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*You can live broadcast the City Council Meeting on cable channels Xfinity 11 and 331,  
Frontier 29 or webstream here:*

[mcm11.org/live](http://mcm11.org/live)

*Download the "Cablecast" app on iOS, Android, Roku, Apple TV or  
Amazon Firestick and watch McMinnville City Council on all your devices.*

**CITY COUNCIL REGULAR MEETING:**

*You may join online via Zoom Meeting:*

<https://mcminnvilleoregon.zoom.us/j/89840496226?pwd=OtpbYnatST2kiweM1MBD2lFXwHnFca.1>

*Zoom ID: 898 4049 6226*

*Zoom Password: 555445*

*Or you can call in and listen via Zoom: 1-253- 215- 8782*

*ID: 898 4049 6226*

**6:15 PM – EXECUTIVE SESSIONS – VIA ZOOM AND SEATING AT CIVIC HALL CONFERENCE ROOM (NOT OPEN TO THE PUBLIC) (Added on 11.22.2024)**

1. CALL TO ORDER
2. **EXECUTIVE SESSION pursuant to ORS 192.660 (2)(h):** To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
3. ADJOURNMENT

**7:00 PM – REGULAR COUNCIL MEETING – VIA ZOOM AND SEATING AT CIVIC HALL**

1. CALL TO ORDER & ROLL CALL
2. PLEDGE OF ALLEGIANCE

3. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT –

*The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit comments to 3 minutes per person for a total of 30 minutes. The Mayor will read comments emailed to City Recorded and then any citizen participating via Zoom.*

4. ADVICE/ INFORMATION ITEMS

- a. Reports from Councilors on Committee & Board Assignments
- b. Department Head Reports
  1. Consider authorizing the City Manager to enter into a Settlement Agreement with Fackler Construction Company with regard to disputes over construction of AnyDoor Place, McMinnville Navigation Center. **(Added on 11.22.2024)**
- c. September 2024 Cash and Investment Report (in packet)

5. ORDINANCES

- a. Consider the first reading with a possible second reading of **Ordinance No. 5154**: An Ordinance Approving a Zone Change From R-3 (Medium-Density, 6000 SF Lot Residential) To R-4 (Medium, High Density, 5000 SF Lot Residential Zone) for Property of Approximately 2.93 Acre Located West of NE Newby Street and NE Hoffman Drive Intersection (Tax Lot R4409DC 01100), Docket ZC 3 - 24.

6. ADJOURNMENT OF REGULAR MEETING

### **Term Sheet – Fackler Construction Mediation (AnyDoor Place)**

The City's offer, accepted by Fackler Construction on Friday, November 22, 2024, subject to City Council approval contains terms as follows:

1. City has offered to pay Fackler an additional sum of \$75,000 to discharge any rejected claims related to the fire suppression claim, the sewer lateral claim, and the electrical claim within 30 days of final approval of settlement from the City. The City further will waive and release any claim for liquidated damages, and it will waive any further close out requirements in the contract for a final accounting and/or audit and for final reporting on efficiencies/savings/etc. This offer is in addition to payment of final amounts otherwise due under the contract and authorized changes, including retention, and including another c/o #5 that the City already has indicated it has accepted;
2. Each party will pay its share of the mediation expenses;
3. Further conditions (all to be completed by end of business December 6, 2024; otherwise liquidated damages will be assessed as described below):
  - a. Fackler will produce all contractual warranties and close out documents;
  - b. Fackler will produce all conditional and unconditional lien releases for itself and from subcontractors;
  - c. Fackler will provide and install white wire cages on the fire suppression values;
  - d. Fackler will provide repair and completion of downspout work—two downspouts on the front of the Project will be completed, with one having a trench completed and tied into the drain system;
  - e. Fackler will provide 10 percent extra stock items as required by the contract, including the ceiling tiles needed to correct what the City and its agents choose to replace;
  - f. Fackler will resolve all pending subcontractor liens and otherwise discharge payment to subs as required by the contract.
4. The parties will execute a release of all claims known or reasonably should be known related to payment on the Project. All warranty issues and latent defect issues expressly reserved and not released. A note in the procore software related to a \$1,875 re-pipe charge is not related to the payment issues between the City and Fackler, and no claim is being asserted by either related to this circumstance.
5. Mediator Loiselle will be the final arbiter and czar of any/all disputes related to the terms and/or enforcement of this settlement. Loiselle will prepare a more formal agreement once the City approves this term sheet on November 26. As noted above, if the items noted in #a-f are not completed at the end of business December 6, 2024, the City is authorized to seek a \$300/day assessment for delay as a reasonable approximation of the damages to the City for such delay; Loiselle to be the sole and final arbiter of any disputes related to responsibility for or assessment of liquidated damages.



# City of McMinnville

September 2024

## CASH AND INVESTMENT BY FUND

FUND #	FUND NAME	GENERAL OPERATING		
		CASH IN BANK	INVESTMENT	TOTAL
01	General	\$3,649,040.49	\$4,304,711.84	\$7,953,752.33
05	Grants & Special Assessment	\$727.82	\$644,057.52	\$644,785.34
07	Transient Lodging Tax	\$463.01	(\$11,000.00)	(\$10,536.99)
08	Affordable Housing	\$265.80	\$929,000.00	\$929,265.80
10	Telecommunications	\$127.93	\$2,030.00	\$2,157.93
15	Emergency Communications	\$147.93	\$146,094.81	\$146,242.74
20	Street (State Tax)	\$788.14	\$1,856,946.32	\$1,857,734.46
25	Airport Maintenance	\$803.46	\$1,111,749.03	\$1,112,552.49
45	Transportation	\$329.40	\$5,881,494.92	\$5,881,824.32
50	Park Development	\$338.56	\$3,588,441.49	\$3,588,780.05
58	Urban Renewal	\$512.68	(\$50,000.00)	(\$49,487.32)
59	Urban Renewal Debt Service	\$470.10	\$1,245,419.12	\$1,245,889.22
60	Debt Service	\$424.00	\$5,888.47	\$6,312.47
70	Building	\$385.61	\$2,403,240.37	\$2,403,625.98
75	Wastewater Services	\$856.88	\$1,294,970.15	\$1,295,827.03
77	Wastewater Capital	\$671.90	\$36,794,103.65	\$36,794,775.55
80	Information Systems & Services	\$704.93	\$224,742.38	\$225,447.31
85	Insurance Reserve	\$972.74	\$378,290.54	\$379,263.28
99	Fire District Transition Fund	\$717.22	(\$15,000.00)	(\$14,282.78)
CITY TOTALS		3,658,748.60	60,735,180.61	64,393,929.21

MATURITY DATE	INSTITUTION	TYPE OF INVESTMENT	INTEREST RATE	CASH VALUE
N/A	Key Bank of Oregon	Checking & Repurchase Sweep Account	0.81%	\$3,658,748.60
N/A	Key Bank of Oregon	Money Market Savings Account		\$0.00
N/A	State of Oregon	Local Government Investment Pool (LGIP)	5.30%	\$39,352,837.36
N/A	Umpqua Bank	Money Market Savings Account	5.55%	\$10,671,881.84
Dec-24	Umpqua Bank	Certificate of Deposit	5.25%	\$10,710,461.41
				<u>\$64,393,929.21</u>





# STAFF REPORT

**DATE:** November 26, 2024  
**TO:** Mayor and City Councilors  
**FROM:** Taylor Graybehl,  
**SUBJECT:** Ordinance No. 5154: Zone Change (ZC 3-24)

### STRATEGIC PRIORITY & GOAL:



## GROWTH & DEVELOPMENT CHARACTER

Guide growth and development strategically, responsibly, and responsibly to enhance our unique character

**OBJECTIVE: Strategically plan for short and long-term growth and development that will create enduring value for the community.**

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### **Report in Brief:**

This agenda item is the consideration of a Planning Commission recommendation to approve the Zone Change application for property located west of the NE Newby Street and NE Hoffman Drive intersection, identified as Tax Lot R4409DC 01100.

**Zone Change Application (ZC 3-24)** – The application requests approval to change the zoning designation of Tax Lot R4409DC 01100 from R-3 (Medium-Density, 6000 SF Lot Residential) to R-4 (Medium, High-Density, 5000 SF Lot Residential). The subject parcel is approximately 2.93 acres in size. This application only requests a zone change. Any future development will require a separate development application. A Zone Change proposal must satisfy all relevant requirements of the review criteria set forth in McMinnville Municipal Code (MMC) 17.74.020.

This is a quasi-judicial application subject to the procedures of Section 17.72.130 of the Zoning Ordinance. Per Section 17.72.130 (5) and (6) of the Zoning Ordinance, the Planning Commission makes a recommendation to the City Council to approve or deny the application. Per Section 17.72.130(C)(5) and (6) of the McMinnville Municipal Code:

- 5) *Following the public hearing for all other quasi-judicial applications listed in Section 17.72.120, the Planning Commission shall make a recommendation to the City Council to approve or deny the application, or that the proposal be adopted or rejected, or that the application or proposal be approved in a different form.*
  - a. *If the decision of the Planning Commission recommends that an application be granted or that the proposal be adopted, or that the application be approved in a different form, the Planning Commission shall transmit to the City Council, a copy of*

*the application, a scale drawing of the site, the minutes of the public hearing, the decision and findings of the Planning Commission, and any other materials deemed necessary for decision by the City Council*

- b. If the decision of the Planning Commission recommends that the application be denied, or the proposal rejected, no further proceedings shall be held by either the Planning Commission or City Council, unless an appeal of the Commission's decision is filed.*
- 6) Upon receipt of the decision of the Planning Commission to recommend approval the Council shall:*
- a. Based on the material in the record and the findings adopted by Commission and transmitted to the City Council, adopt an ordinance effecting the proposed change, or;*
  - b. Call for a public hearing on the proposal subject to the notice requirements stated in Section 17.72.120(D)-(F).*

The Planning Commission held a public hearing on November 7, 2024 and voted 6 – 2 to recommend **approval with conditions** of the zone map amendment to City Council based on the findings provided in Exhibit A to Ordinance No. 5154, the Decision Document, Findings of Fact and Conclusionary Findings for Docket ZC 3-24.

**Background:**

The applicant and property owner submitted a Zone Change application to the Community Development Department on August 5, 2024. The application was deemed incomplete on August 27, 2024. On August 30, 2024 the applicant submitted additional materials, including a written notice that no other information will be provided. The application was deemed complete on August 30, 2024. A Notice of public hearing was mailed to all property owners within 300 feet of the exterior boundary of the subject property on October 16, 2024. Notice of the public hearing was published in the News-Register on November 1, 2024.

Figure 1: Vicinity Map (Property lines approximate)

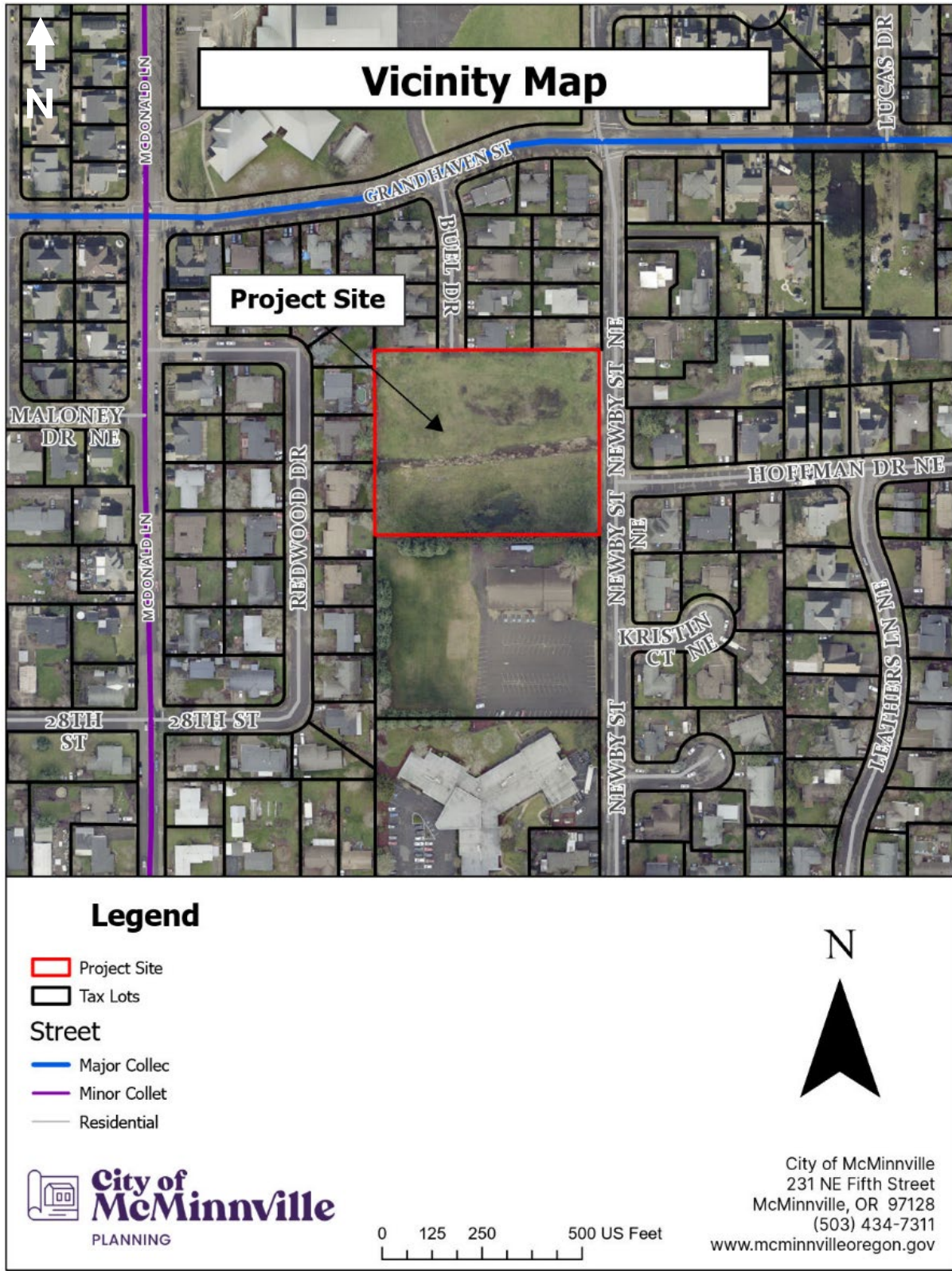
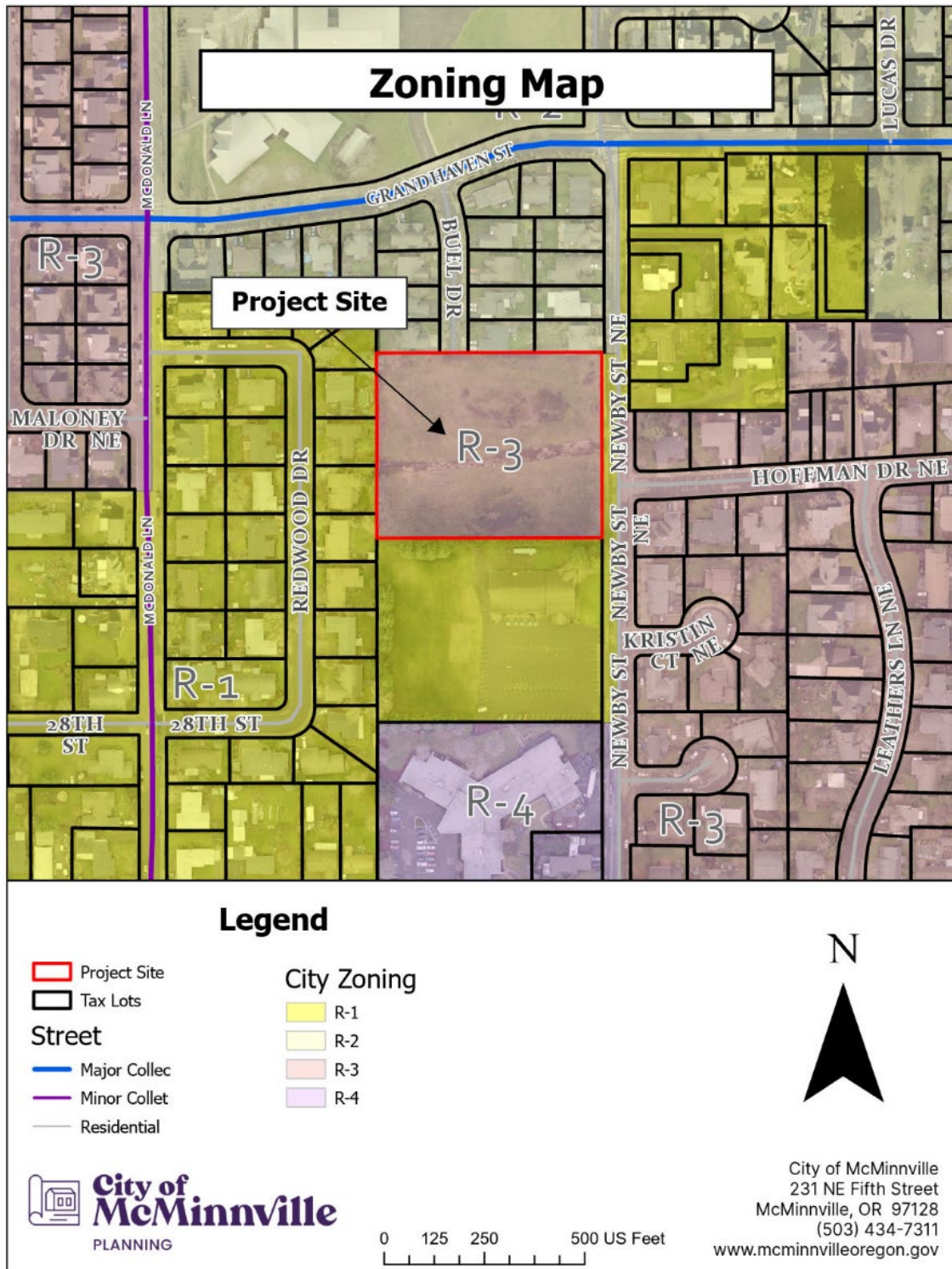
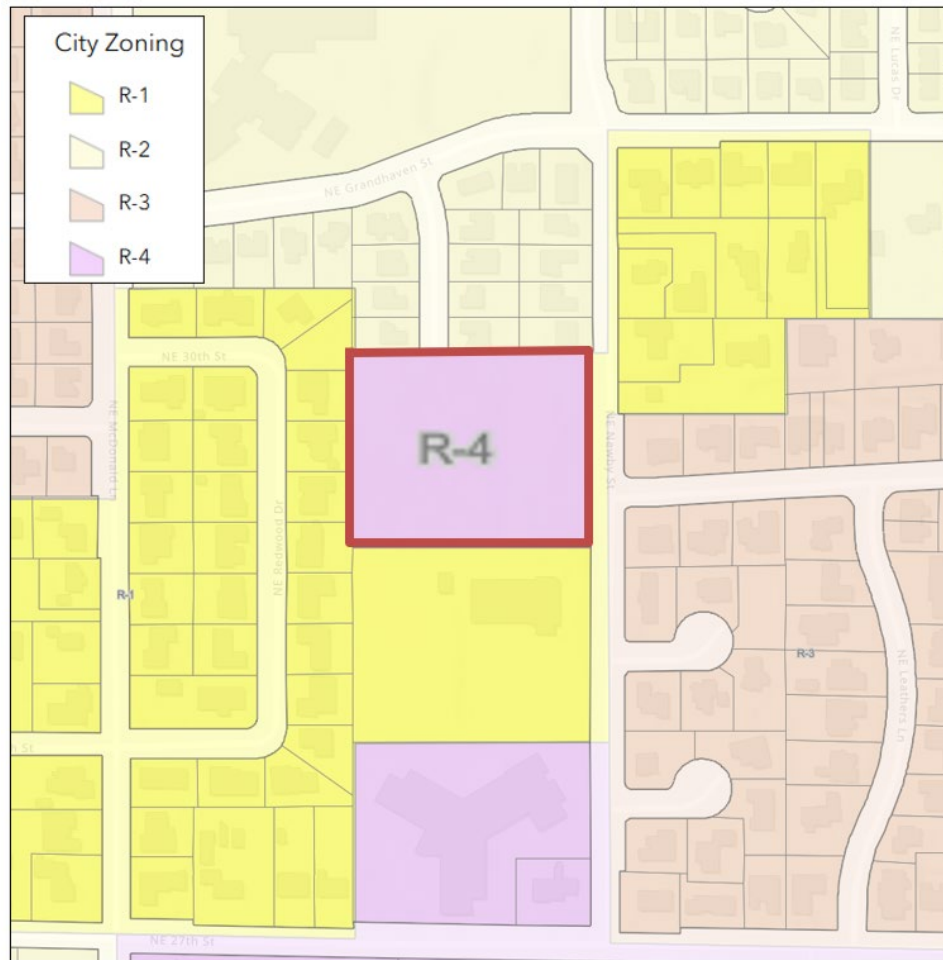




Figure 2: Current Zoning Map



**Figure 3: Proposed Zoning Map**



**Discussion**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria and standards for a Zone Change are in the McMinnville Municipal Code (MMC), Title 17, Chapter 17.74 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of a proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II.

Amendments to the City’s adopted and acknowledged planning documents, including amendments to the Zoning Map, are also subject to certain Statewide Planning Goals and associated statutes and administrative rules.

The application is for a rezone only, with no proposed development or alterations to the subject site or adjacent lands. Future development will require additional application(s) and will be subject to review to ensure compliance with the City of McMinnville, local, state, and federal regulations, which may include building and safety, fire, traffic and parking, architectural

standards, building size, landscaping, street trees, stormwater management, and wetlands/stream alteration.

During deliberation, the Planning Commission made the recommendation to modify the proposed Decision, Findings of Fact, and Conclusionary Findings to address Comprehensive Plan Policy 187.50(8)(a).

*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.*

*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.*

The Planning Commission found that potential apartment development, now permitted by the R-4 zone, would be out of scale with the neighboring single-family detached residential structures to the west and north of the subject site. To ensure the size, form, and proportion of future development are consistent with the existing built environment, the Planning Commission recommends the condition of approval to require yard setbacks to be established at fifteen (15) feet along the west and north property lines. The Planning Commission found that zone change application ZC 3-24, with a condition of approval, satisfied all zone change criteria, applicable Comprehensive Plan Goals and Polices, and applicable Statewide Planning Goals.

#### **Attachments:**

- Ordinance No. 5154.
  - Exhibit A to Ordinance No. 5154. – Docket ZC 3-24 Decision Document
- ZC 3-24 Application
- November 7, 2024 Planning Commission Minutes (Added on 11.22 revised packet)

#### **Fiscal Impact:**

There are no costs to the City of McMinnville relative to this land-use decision. The proposed amendment will allow for needed housing and tax base added with the development.

#### **City Council Options:**

1. **ADOPT THE ORDINANCE** approving ZC 3-24 and adopting the Decision, Findings of Fact, and Conclusionary Findings per the decision document provided.
2. **CALL FOR A PUBLIC HEARING**, date-specific to a future City Council meeting.
3. **DO NOT ADOPT THE ORDINANCE**, providing findings of fact and conclusionary findings based upon specific criteria to deny the application in the motion to not approve Ordinance No. 5154

**Recommendation:**

The Planning Commission reviewed the proposal for consistency with the applicable criteria. The Planning Commission found that the applicable criteria were satisfied, as provided in the decision document, and **RECOMMENDED APPROVAL** of the applications.

Staff **RECOMMENDS ADOPTION OF THE ORDINANCE** approving the application as recommended by the Planning Commission.

**Suggested Motion:**

**“BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, THE MATERIALS SUBMITTED BY THE APPLICANT, AND EVIDENCE IN THE RECORD, I MOVE THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 5154.”**

**ORDINANCE NO. 5154**

**AN ORDINANCE APPROVING A ZONE CHANGE FROM R-3 (MEDIUM-DENSITY, 6000 SF LOT RESIDENTIAL) TO R-4 (MEDIUM, HIGH DENSITY, 5000 SF LOT RESIDENTIAL ZONE) FOR PROPERTY OF APPROXIMATELY 2.93 ACRE LOCATED WEST OF NE NEWBY STREET AND NE HOFFMAN DRIVE INTERSECTION (TAX LOT R4409DC 01100), DOCKET ZC 3 - 24.**

**RECITALS:**

**WHEREAS**, the Planning Department received a land-use application (Docket ZC 3-24) from applicant Monika Development LLC, on behalf of Monika Development LLC, requesting approval of a Zone Map amendment of a property from R-3 (Medium-Density, 6000 SF Lot Residential) to R-4 (Medium, High-Density, 5000 SF Lot Residential) for the subject property; and

**WHEREAS**, the subject property is approximately 2.93 acres, located West of NE Newby Street and NE Hoffman Drive Intersection, Tax Lot R4409DC 01100; and

**WHEREAS**, a duly noticed public hearing before the McMinnville Planning Commission was held on November 7, 2024 after due notice had been provided in the local newspaper on November 1, 2024 and written notice had been mailed to property owners within 300 feet of the affected property on October 16, 2024; 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 Map Amendment conformed to the applicable McMinnville 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 6-2, recommended approval of said Zone Change; 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 the Zone Change (ZC 3-24); and
2. That the property is hereby rezoned from R-3 (Medium-Density, 6000 SF Lot Residential) to R-4 (Medium, High-Density, 5000 SF Lot Residential) subject to the following conditions:



a. Yard setbacks shall be established at fifteen (15) feet along the west and north property lines;

3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the McMinnville City Council this 26th day of November, 2024 by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

Approved as to form:

Attest:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Recorder

EXHIBITS:

A. Decision Document for Docket ZC 1-24



**City of McMinnville**  
**Community Development**  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPLICATION FOR ZONG CHANGE FROM R-3 (MEDIUM-DENSITY, 6000 SF LOT RESIDENTIAL ZONE) TO R-4 (MEDIUM, HIGH-DENSITY, 5000 SF RESIDENTIAL ZONE) FOR A PROPERTY APPROXIMATELY 2.93 ACRES LOCATED AT TAX LOT R4409DC 01100.**

**DOCKET:** ZC 3-24 (Zone Change)

**REQUEST:** The application requests approval to change the zoning designation of Tax Lot R4409DC 01100 from R-3 (Medium-Density, 6000 SF Lot Residential) to R-4 (Medium, High-Density, 5000 SF Lot Residential). The subject parcel is approximately 2.93 acres in size. This application only requests a zone change. Any future development will require a separate development application.

**LOCATION:** West of NE Newby Street and NE Hoffman Drive Intersection  
(see attached map)

Map & Tax Lot: R4409DC 01100

**CURRENT ZONING:** R-3, Medium-Density, 6000 SF Lot Residential Zone

**APPLICANT:** Monika Development LLC c/o Wendi Kellington  
**PROPERTY**

**OWNER:** Monika Development LLC c/o Lori Zumwalt

**STAFF:** Taylor Graybehl, Senior Planner

**DATE DEEMED COMPLETE:** August 30, 2024

**HEARINGS BODY & ACTION:** The McMinnville Planning Commission makes a recommendation to the City Council. A Planning Commission recommendation of approval is transmitted to the City Council for a decision. A Planning Commission decision of denial becomes the final decision unless that decision is appealed to the City Council.

**PLANNING COMMISSION**

**HEARING DATE & LOCATION:**

November 7, 2024 at 6:30 P.M., 200 NE 2<sup>nd</sup> Street, McMinnville, OR 97128.  
Zoom meeting ID: 894 0886 2808, Passcode: 608036

**DECISION-MAKING**

**BODY:**

The McMinnville City Council makes the final decision, unless the Planning Commission decision is denial, in which case that is the final decision unless the Planning Commission decision is appealed to City Council.

**MEETING DATE & LOCATION:**

November 26, 2024, Kent Taylor Civic Hall, 200 NE Second Street and via Zoom.

**PROCEDURE:**

An application for a Zone Map amendment is processed in accordance with the procedures in Section 17.72.120 of the McMinnville Municipal Code. 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 McMinnville Municipal Code.

**CRITERIA:**

The applicable criteria for a Zone Map Amendment is specified in Section 17.74.020 of the McMinnville Municipal Code. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated but are to be undertaken in relation to all applicable land use requests. The proposal must also be consistent with applicable provisions of state law.

**APPEAL:**

As specified in Section 17.72.190 of the McMinnville Municipal Code, the City Council's decision may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of decision is mailed.

*Note: The City's final decision is usually subject to a 120-day processing timeline, including resolution of any local appeal. However, per ORS 227.178(7), the 120-day period does not apply to a decision of the city making a change to an acknowledged comprehensive plan or a land use regulation that is submitted to the Director of the Department of Land Conservation and Development under ORS 197.610.*

**COMMENTS:**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Ziplly Fiber (formerly Frontier Communications); Comcast; Recology; Northwest Natural Gas; Oregon Department of State Lands; and

Oregon Department of Transportation. Their comments are provided in Section IV of this document.

**II. DECISION**

Based on the findings and conclusions, the McMinnville City Council finds the applicable criteria are satisfied and **APPROVES** the Zone Change (ZC 3-24).

////////////////////////////////////  
**DECISION: APPROVAL**  
////////////////////////////////////

City Council: \_\_\_\_\_  
Remy Drabkin, Mayor of McMinnville

Date: \_\_\_\_\_

Planning Commission: \_\_\_\_\_  
Sidonie Winfield, Chair of the McMinnville Planning Commission

Date: \_\_\_\_\_

Planning Department: \_\_\_\_\_  
Heather Richards, Community Development Director

Date: \_\_\_\_\_

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## **I. APPLICATION SUMMARY:**

### ***Subject Property & Request***

The applicant requests an amendment to the Zone Map from R-3 (Medium-Density, 6000 SF Lot Residential) to R-4 (Medium, High-Density, 5000 SF Lot Residential) for a property approximately 2.93 acres in size located west of NE Newby Street and NE Hoffman Drive Intersection (Tax Lot: R4409DC 01100). **See Vicinity Map (Figure 1), Zoning Map (Figure 2).**

The subject property is vacant with sparse ground covering and one (1) street tree; a stream bisects the site from west to east, which has been identified with potential riverine wetlands under the Oregon Department of State Lands (DSL) jurisdiction. Future development will be subject to wetland regulations as implemented by the DSL.

The subject abuts two public rights-of-way, with frontage along the eastern property line (NE Newby Street) and the northern property line (where NE Nuel Drive terminates plugs). NE Newby Street has been improved with curb, gutter, sidewalk, and overhead wires. NE Nuel Drive terminates as a street plug, with the improved street (curb, gutter, sidewalk, and planter strip) butting into the property line. Future development may be responsible for improving public right-of-way abutting the site.

The Applicant has summarized the request as follows:

*The Applicant seeks land use approval from the City of McMinnville for a zone change from R-3 to R-4. The subject property is already planned residential. Therefore, no plan amendment is required. The purpose of the zone change is to allow higher residential density on the property. The intended use of the property is to allow for the development of multifamily units.*

As noted by the Applicant, the request is for a zone map amendment to allow for the future development of multi-family units. Although the application has identified the purpose of the amendment as to allow multi-family units, no development is proposed or reviewed as part of this application. Future development of the site, such as a multi-family development, will be subject to additional review to ensure compliance with local, state, and federal regulations, which may include building and safety, fire, traffic and parking, architectural standards, building size, landscaping, street trees, stormwater management, and wetlands/stream alteration.

In summary, the proposal is to change the subject site's zone from R-3 to R-4. The decision will be limited to the application and based only on the proposed Zone Map amendment's review criteria; a detailed analysis of the proposal's compliance with review criteria can be found in the Conclusionary Findings below.

Figure 1. Vicinity Map

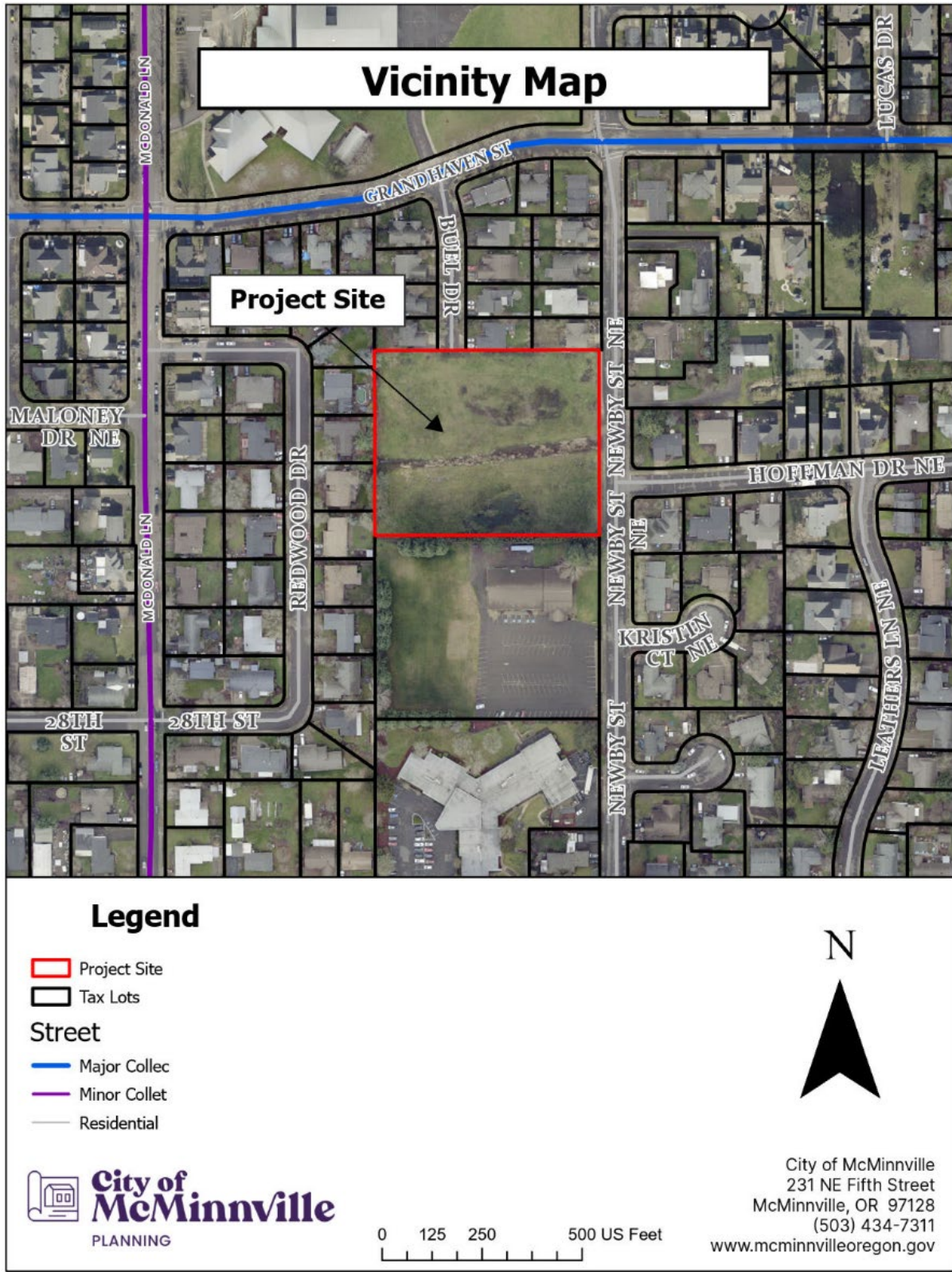




Figure 2. Current Zone Map

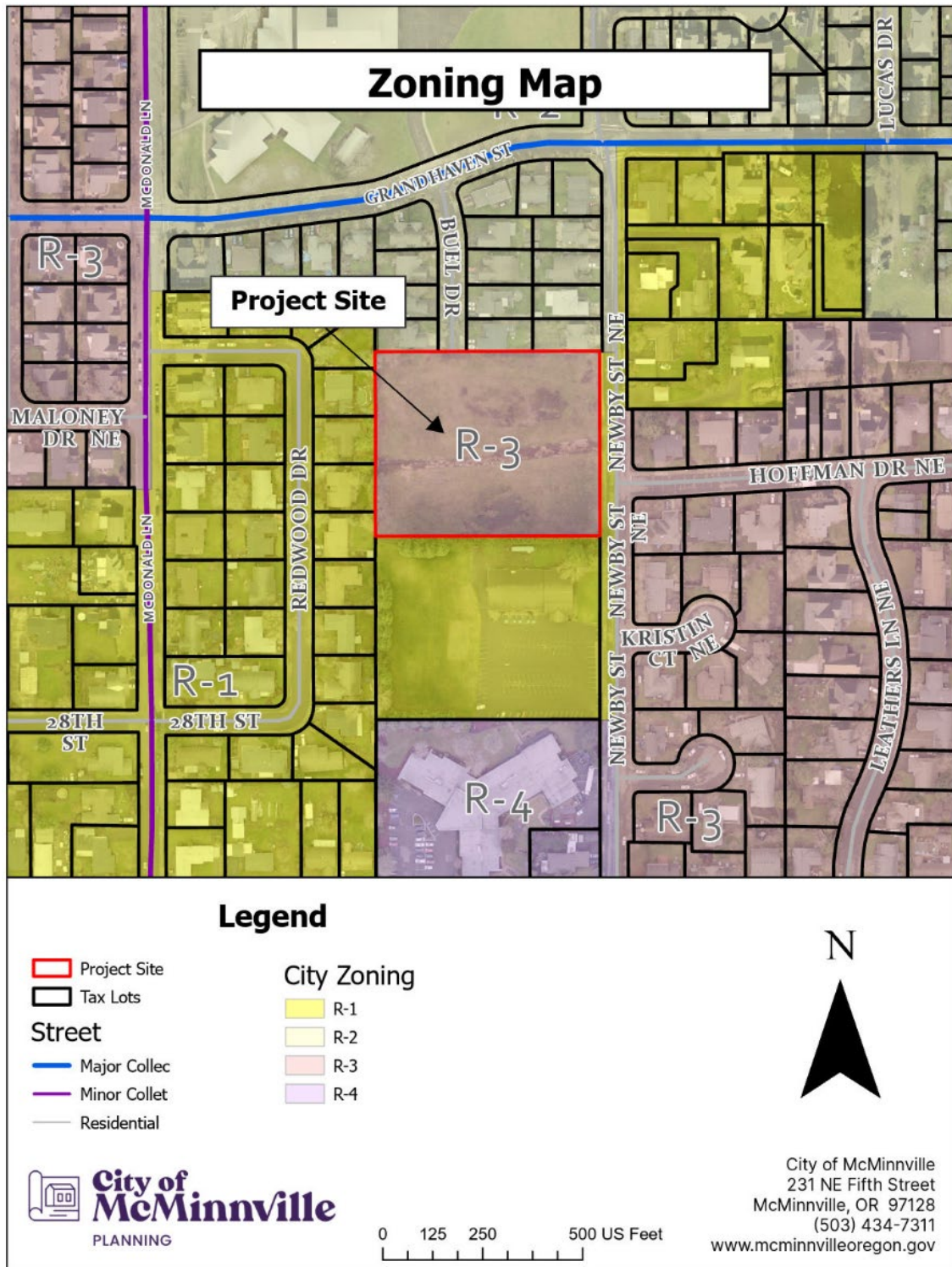
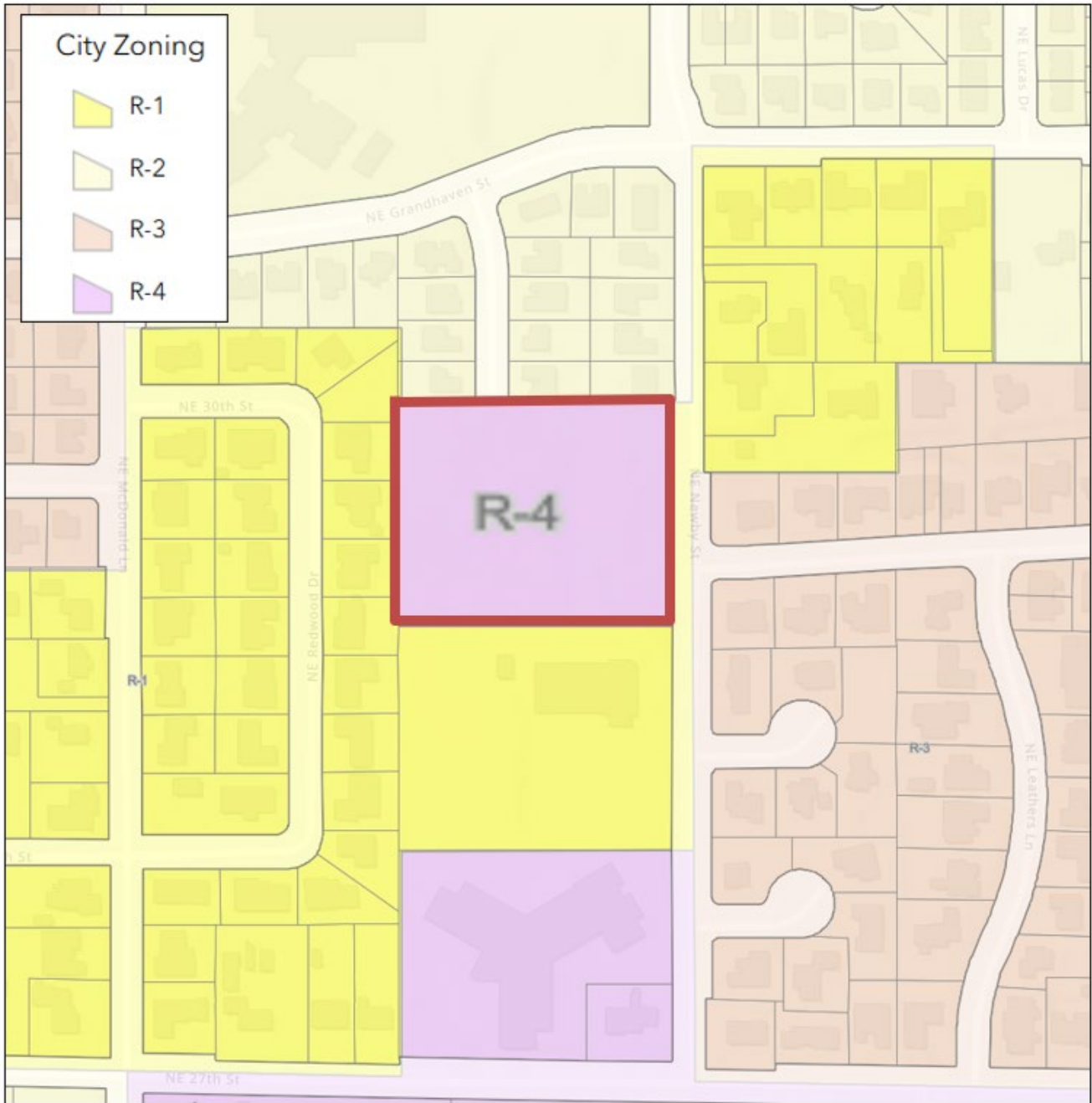




Figure 3. Proposed Zone Map



**II. CONDITIONS:**

1. Yard setbacks shall be established at fifteen (15) feet along the west and north property lines;

**III. ATTACHMENTS:**

1. ZC 3-24 Application and Attachments (on file with the Planning Division)

**IV. COMMENTS:**

*Agency Comments*

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Ziplly Fiber (formerly Frontier Communications); Comcast; Recology; Northwest Natural Gas; Oregon Department of Transportation; and Oregon Department of State Lands.

Responses were received from the following agencies, provided below:

- McMinnville Engineering Department
- McMinnville Water & Light
- Comcast

Most of the comments do not create conditions of approval for the Zone Map amendment land-use decision but are important comments for the applicant when developing on the property.

Comcast

After review, Comcast has no conflict or comment.

McMinnville Engineering Department

Future development may be responsible for entering into a reimbursement agreement with the City Engineering Department to analyze the capacity of the downstream Sanitary Sewer System. The future applicant will have the following options with this agreement:

- Pay for the City's Consultant to review the analysis provided. If the City's Consultant determines that the applicant's provided analysis is acceptable, no further analysis is needed. If the City's Consultant determines the provided analysis conflicts with the Wastewater Masterplan modeling results, the analysis provided by the applicant will not be deemed acceptable. If not acceptable, the analysis will either need to be revised by the applicant or the City's Consultant can provide an analysis to be paid for by the applicant.
- City's Consultant can provide an analysis at the expense of the applicant.

If the result of the analysis calls for capacity improvements the developer may be required to provide the capacity improvements as a condition of a development permit.

McMinnville Water & Light

Power: Please submit electrical loading information, in addition to design plans for MW&L. MW&L will look at system capacity, along with requests for proposed development and determine power supply path.

Water: No additional comments

***Public Comments***

Notice of this request was mailed to property owners located within 300 feet of the subject site on October 16, 2024. As of 9:40 A.M. on November 1, 2024, no public testimony was submitted.

**V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. The application was submitted with the fee on August 5, 2024.
2. The application was deemed incomplete on August 27, 2024. The letter informed the Applicant that the documentation provided did not adequately demonstrate that a neighborhood meeting had been held in accordance with the provisions of Section 17.72.095 of the Zoning Ordinance.
3. On August 30, 2024, the applicant submitted additional materials, including a written notice that no other information will be provided. The application was deemed complete on August 30, 2024.
4. On September 6, 2024, 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, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, and City Manager; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Ziplly Fiber (formerly Frontier Communications); Comcast; Recology; Northwest Natural Gas; Oregon Department of Transportation; and Oregon Department of State Lands.

Comments received from agencies are addressed in Section VI of this Decision Document.

5. On October 2, 2024, notice of the application was provided to the Oregon Department of Land Conservation and Development (DLCD).
6. On October 16, 2024, notice of the application and the November 7, 2024, 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.

7. On November 1, 2024, notice of the application and the November 7, 2024, Planning Commission public hearing was published in the newspaper in accordance with Section 17.72.120 of the Zoning Ordinance.
8. The Planning Commission held a public hearing on November 7, 2024 to consider the request and recommended approval with conditions.
9. The City Council met on November 7, 2024 to consider the request and the recommendation of the Planning Commission.

## **VI. FINDINGS OF FACT - GENERAL FINDINGS**

1. **Location:**
  - **Site Address:** No site address at this time.
  - **Map & Tax Lot:** R4409DC 01100
2. **Size:** 2.93 acres
3. **Comprehensive Plan Map Designation:** Residential
4. **Current Zoning:**
  - a. **Subject Property:** R-3 (Medium-Density, 6000 SF Lot Residential Zone)
  - b. **Surrounding Properties:**
    - i. **North:** R-2 (Low-Density, 7000 SF Lot Residential Zone)
    - ii. **West:** R-1 (Low-Density, 9000 SF Lot Residential Zone)
    - iii. **South:** R-1 (Low-Density, 9000 SF Lot Residential Zone)
    - iv. **East:**
      1. R-1 (Low-Density, 9000 SF Lot Residential Zone)
      2. R-3 (Medium-Density, 6000 SF Lot Residential Zone)
5. **Overlay Zones/Special Districts:** None
6. **Current Development:** The subject property is vacant with sparse ground covering and one (1) street tree; a stream bisects the site from west to east, identified with potential riverine wetlands under the Oregon Department of State Lands (DSL) jurisdiction.
7. **Inventoried Significant Resources:** None
8. **Other Features:**
  - a. **Slopes:** The property is generally flat.
  - b. **Easements:** (E-236) 10' wide permanent pipeline and right-of-way easement to the City of McMinnville
  - c. **Trees:** There is one tree that is located along the front of the property adjacent to NE Newby Street.

9. **Utilities:**

- a. **Water:** McMinnville Water & Light has power facilities along NE Newby Street.
- b. **Sewer:** The development will not likely reach a point where sewer capacity improvements are warranted. If sewer capacity increases are required, the City may require improvements through applicable standards at the time of development.
- c. **Stormwater:** Adequate stormwater infrastructure will be required by the City's Engineering Division at the time of development. No concerns regarding stormwater facilities have been raised at this time.
- d. **Power:** McMinnville Water & Light has power facilities along NE Newby Street.

10. **Transportation and Access:** NE Buel Drive and NE Newby Street are classified as Local Streets in the Transportation System Plan (TSP). The Transportation System Plan (TSP) Future Local Street Connections (Exhibit 2-1) identifies the extension of Local Streets through the subject site.

**VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria and standards for a Zone Change are found in Chapter 17.74 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of a proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated but are to be undertaken in relation to all applicable land use requests.

Amendments to the City's adopted and acknowledged planning documents, including amendments to the Zoning Map, are also subject to certain Statewide Planning Goals and associated statutes and administrative rules.

**MCMINNVILLE ZONING ORDINANCE (TITLE 17 OF THE MUNICIPAL CODE)**

The following Sections of the Zoning Ordinance provide criteria applicable to the request:

**CHAPTER 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;*

**APPLICANT'S RESPONSE:** The proposal is consistent with the city comprehensive plan. See responses to IV Application Question 2 below.

**FINDING: SATISFIED.** The applicant responded to all applicable Comprehensive Plan Goals and Policies. Staff found that the application and all applicant responses satisfied the goals and policies. Findings for Comprehensive Plan Goals and Policies are provided 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;*

[...]

*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.*

**APPLICANT'S RESPONSE:** Per MDC 17.74.020, this standard does not apply. This is because MDC 17.74.020 expressly states that it does not apply where the applicant is seeking a zone change concerning needed housing. State law defines "needed housing" in ORS 197A.018 to include any type of housing that the City's Housing Needs Analysis indicates there is a deficiency of.

The City's Housing Needs Analysis describes "apartment buildings" as a needed housing type for the city. HNA p 93. The proposed zone change to R-4 will allow an apartment building on the subject property and, therefore, is for needed housing. That means that per its express terms, that this standard is inapplicable

**FINDING: NOT APPLICABLE.** The city concurs with the applicant's response that criterion B does not apply because the proposal concerns needed housing, and the subject site is land designated for residential use on the Comprehensive Plan Map. The proposal would change the subject site's zoning classification from R-3 to R-4, allowing for "apartment buildings," which have been identified as needed housing in the City's Housing Needs Analysis. The project sites' Comprehensive Plan Map designation is Residential. As the proposed rezoning would allow for needed housing and is land designated for residential use on the plan map, criterion B does not apply.

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

**APPLICANT'S RESPONSE:** The Applicant's engineer confirms that utilities can be efficiently provided to the subject property per Exhibit F to this application. See also IV Application Question 7 response.

The Applicant's request to change zoning from R-3 to R-4 is consistent with the housing policies of the McMinnville Comprehensive Plan. The application provides appropriate emphasis on City plan policies that support providing needed housing for all citizens of the city.

**FINDING: SATISFIED.** The subject property has access to all necessary public services, at a level needed for urban development. When given the opportunity to provide comments on the proposed zone change, McMinnville Water and Light and the City's Engineering Division did not identify any concerns for utility services. At time of future development, McMinnville Water and Light and the City's Engineering Division will analyze if the system capacity can handle the proposed development. If capacity increases are required, the McMinnville Water and Light or the City's

Engineering Division may require improvements through applicable standards at the time of development.

**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 many of the goals, policies, and proposals as they apply to quasi-judicial land use applications 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 certain applications, and are not addressed below

The following findings are made relating to specific Goals and Policies:

**CHAPTER II. NATURAL RESOURCES**

**GOAL II 1: TO PRESERVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES WITHIN THE PLANNING AREA.**

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The proposed zone change from R-3 to R-4 should not have significant impacts on the quality of air, water, and land resources. The proposed R-4 zoning allows higher densities of development in comparison to the existing R-3 zoning; however, any potential impacts will be mitigated or prevented through the enforcement of applicable standards at the time of development.

*Policies – Land*

2.00 *The City of McMinnville shall continue to enforce appropriate development controls on lands with identified building constraints, including, but not limited to, excessive slope, limiting soil characteristics, and natural hazards.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** A portion of the subject site has been identified as potential wetlands subject to the Oregon Department of State Lands (DSL) jurisdiction. Although the application has identified the potential future use of the subject site as multi-family housing, no development has been proposed or reviewed as part of this application. Future development, including multi-family housing, and its impacts on those potential wetlands will be forwarded to the Oregon Department of State Lands for review.

**CHAPTER V. HOUSING AND RESIDENTIAL DEVELOPMENT**



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

*General Housing Policies:*

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

59.00 *Opportunities for multiple dwelling and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.*

**APPLICANT'S RESPONSE:** None

**FINDING: SATISFIED.** The proposed zone change to R-4 allows for more housing types and increased densities than permitted in the R-3 zone. Multiple dwelling development is an allowed land use in R-4 while not in the R-3 zone. As noted in Policy 59.00, multiple dwelling developments may lead to lower-cost rentals or owner-occupied housing.

**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.**

70.00 *The City of McMinnville shall continue to update zoning and subdivision ordinances to include innovative land development techniques and incentives that provide for a variety of housing types, densities, and price ranges that will adequately meet the present and future needs of the community.*

**APPLICANT'S RESPONSE:** 70.00 is satisfied. The proposal provides for an efficient and intensive use of undeveloped urban land that is already planned and zoned for urban residential use. The proposal is to enable a greater residential density than is otherwise possible, thus promoting a residential development pattern that makes an efficient residential use of scarce urban land resources and promotes energy efficiency.

**FINDING: SATISFIED.** The application proposes changing the subject site's zoning designation from R-3 to R-4. The R-4 zone allows for more housing types and densities than the R-3 zone; specifically, the R-4 zone allows for multi-family housing (apartments), while the R-3 zone does not. The proposal would allow for a greater variety of housing types and densities in compliance with Policy 70.00.

71.00 *The City of McMinnville shall designate specific lands inside the urban growth boundary as residential to meet future projected housing needs. Lands so designated*

*may be developed for a variety of housing types. All residential zoning classifications shall be allowed in areas designated as residential on the Comprehensive Plan Map.*

**APPLICANT'S RESPONSE:** 71.00 is satisfied. The subject property is designated "Residential." This plan provision requires the city to allow the entire spectrum of residential zones in residentially designated areas, such as the subject property. The R-4 zone is a residential zone and the subject property is designated as Residential. Therefore, per this policy the proposal "shall be allowed."

**FINDING: SATISFIED.** The subject property is designated as "Residential" on the City of McMinnville Comprehensive Plan Map. The proposed R-4 zoning classification is identified as a residential zoning classification and is allowed per Policy 71.00.

71.05 *The City of McMinnville shall encourage annexations and rezoning which are consistent with the policies of the Comprehensive Plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types. (Ord.4840, January 11, 2006; Ord. 4243, April 5, 1983; Ord. 4218, November 23, 1982)*

**APPLICANT'S RESPONSE:** 71.05 is satisfied. The proposed zoned change to R-4 is consistent with the City's goals to increase the five-year supply of buildable land for the "apartment building" needed housing type identified in the City's HNA.

**FINDING: SATISFIED.** The proposed rezoning is consistent with the Comprehensive Plan Map (see Policy 77.00 above) and would allow for more needed housing types, including multi-family housing (apartment buildings) (see Policy 70.00 above).

The City of McMinnville's most recent Draft Housing Needs Analysis (HNA) estimates that the city will need to add 4,657 dwelling units by 2041 to accommodate its projected growth in population, with 33% of these new units being for multi-family development. Based on these estimates, the HNA projects that the City of McMinnville does not have enough land to accommodate the needed housing, with a deficit of 1,101 dwelling units. Approving the upzoning of the subject site from R-3 to R-4 will allow for additional density than otherwise permitted and potentially accommodate the needed housing in McMinnville, satisfying Policy 71.05.

71.09 *Medium and Medium-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 dwelling detached uses, single dwelling attached units, duplexes, triplexes, quadplexes, townhouses, and cottage clusters. 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; or a local collector street within 600' of a collector or arterial street;*

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. (Ord. 5098, December 8, 2020; Ord. 4961, January 8, 2013; Ord. 4796, October 14, 2003)*

**APPLICANT'S RESPONSE:** Plan 71.09 (1-5). This goal is satisfied by the proposal. Plan 71.09 characterizes R-3 and R-4 zones interchangeably and treats Medium and Medium High Density zoning the same. Because the subject property is already zoned R-3, it is prima facie appropriately zoned R-4 under this policy. The area is not "committed to low density development." Rather, the area includes a mix of R-1, R-2, R-3 and R-4 zones. Specifically, land designated R-1 is located to the west and northeast and is residentially developed with lots meeting R-1 requirements. Adjacent R-1 land to the south is developed with a conditional use for a Church property. Adjacent land to the north is zoned and residentially developed to R-2 standards and land to the east across Newby Street from the site is zoned and residentially developed commensurate with R-3 standards. Both R-4 and C-3 zoned lands are located across 27th Street further to the south and are developed with uses and densities appropriate to those zones.

Urban facilities are in place to serve the property. See Exhibit F. The natural storm drainage that bisects the property limits single family layout options and requires impacting wetlands to develop any reasonable number of SFDs. This application enables more flexible development options, while increasing the allowable density enabling the city to come closer to meeting its needs for housing over the planning period.

**FINDING: SATISFIED.** The proposed zone change from R-3 to R-4 complies with policies 71.09 as detailed below.

*Policy 71.09*

1. This subsection is satisfied as the subject site is not committed to low density. The subject site's existing zoning classification of R-3 Medium-Density 6000 SF Zone (underline added for emphasis) is identified as "Medium" and not "Low."
2. This subsection is satisfied as the subject site is within 600 feet (approximately 400 feet) of Grandhaven Street, identified as a Major Collector in the City of McMinnville Transportation Plan.
3. This subsection is satisfied as the majority of the site is developable, even with possible development limitations due to the potential presence of wetlands.
4. This subsection is satisfied as facilities exist in the surrounding area that support additional development.
5. This subsection is satisfied as public transit (bus stops) is within a quarter mile of the subject site, including a bus stop on 27<sup>th</sup> Street adjacent to Orchard Plaza, approximately 1/8 mile from the site.

*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.*

**APPLICANT'S RESPONSE:** Plan Policies 79.00 and 80.00 are satisfied by this proposal. The precise housing type and proposed residential density will be established upon submission of a site plan consistent with the R-4 Zone and Residential Design Standards for the housing type. The housing types allowed by the R-4 zone, such as, in the example of multi-family units, allows a concentrated housing density in one area and can better accommodate for the land constraint of the open storm drain. Therefore, the R-4 zone will better accommodate Plan Policy 80.0 because it enables the existing drainage swale to remain but allowing the concentration of housing in other areas that are not possible under the current R-3 zoning. Please note that a particular housing type, site plan or a Planned Development designation is not requested as part of this land use proposal.

**FINDING: SATISFIED.** A portion of the subject site has been identified as potential wetlands subject to the Oregon Department of State Lands (DSL) jurisdiction. Although the application has identified the potential future use of the subject site as multi-family housing, no development has been proposed or reviewed as part of this application. Future development, including multi-family housing, and its impacts on those potential wetlands will be forwarded to the Oregon Department of State Lands for review.

*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)*
5. *Deleted as per Ord. 4796, October 14, 2003.*

**APPLICANT'S RESPONSE:** Plan 99.00 is satisfied in that all utilities are available to the subject site and have adequate capacity. See Goal VII 1 Policy 151.00 answer.

[*STAFF NOTE:* The applicant's Goal VII 1 Policy 151.00 answer is provided below]

Water: There is currently a 6" water main present along the frontage of Newby Street and an 8" water main is present in Buel Drive.

Sewer: There is a 12" sewer main that crosses the subject property from west to east within a 10' wide City sewer easement. Additionally, there is a 15" sewer main present in Newby Street. Westech Engineer Josh Wells has prepared a report that is Exhibit F to this application that demonstrates that there is adequate capacity in the city sewer system to serve the property if it is zoned R-4. Additionally, please see answer to sewer capacity in response to Question #7,

Storm: There is an open drainage swale that traverses the site from west to east that collects storm water from adjacent residential development to the west. This open drainage ditch flows into a 30" wide pipe located at the subject property's east edge. From the east edge, the drainage flows in a culvert under Newby Street and continues piped for approximately 200' before daylighting again where it continues as a natural open drainage to the North Yamhill River. This open drainage has been identified by the National Wetland Inventory as a riverine wetland.

Electrical: There is electrical service at the Buel Drive entrance close to the site that can be extended to service the site. Also, the power supply could come from the overhead power line on the east side of Newby Street, according to McMinnville Water and Light.

**FINDING: SATISFIED.** The subject property has access to all necessary public services at a level needed for urban development. When given the opportunity to provide comments on the proposed zone change, McMinnville Water and Light and the City's Engineering Division did not identify any concerns for utility services. At the time of future development, McMinnville Water and Light and the City's Engineering Division will analyze if the system capacity can handle the proposed development. If capacity increases are required, the McMinnville Water and Light or the City's Engineering Division may require improvements through applicable standards at the time of development.

**CHAPTER VI. TRANSPORTATION SYSTEM**

**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.**

*Policies – Streets:*

117.00 *The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.*

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

1. *Minimal adverse effects on, and advantageous utilization of, natural features of the land.*
2. *Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.*
3. *Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.*
4. *Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)*
5. *Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist*

**APPLICANT'S RESPONSE:** Goal VI 1 and Policies 117.00, 118.00 are satisfied by this zone change. (117.00). The existing roadway network has a local residential street that connects to a Major Collector from Buel Drive to Grandhaven Drive and a connection of Newby Street, a local residential street, north to a Major Collector, Grandhaven Drive, and South to a Minor Collector 27th Street. This satisfies 117.00 as the street network will be the same and provide safe and easy access to the parcel. Policy 118.00: Applicant is not requesting approval for development of the site, but has included a traffic analysis for the "worst case" scenario for expected traffic volume when the subject property's zone is changed from R-3 to R-4. See answer to Question #8 concerning potential traffic impacts from the requested R-3 to R-4 zone change.

**FINDING: SATISFIED.** The applicant has adequately demonstrated that the proposed Zone Map Amendment satisfies policies 117.00 and 118.00. The subject site has safe and easy access from two rights-of-way. The development of roads is not included in this

application, and the applicant has demonstrated that potential “worse case” scenario traffic volumes under the R-4 zoning classification do not exceed applicable thresholds. Additional analysis is provided for Goal 11 of the Statewide Planning Goals below.

*Policies – Complete Streets:*

132.26.00 *The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping, and industrial areas, and McMinnville’s parks and schools.*

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)*

**APPLICANT’S RESPONSE:** Plan 132.26.00 and 132.26.05 are satisfied as the subject property is in an established neighborhood with established vehicle, pedestrian, transit and bicycle circulation systems that are designed to connect to major activity centers, i.e. Grandhaven Elementary School, Town Plaza, Anytime Fitness, Harbor Freight, McDonalds, and other food and banking needs, as well as Chegwyn Farms Neighborhood Park all within a 1/2 mile of the site. Further connections may be addressed upon a proposed future site plan.

**FINDING: SATISFIED.** No new streets, pedestrian, or bicycle facilities are proposed as part of the application or required for approval. Required improvements, including street connections or pedestrian and bicycle improvements, will be reviewed at the time of development application.

**CHAPTER VII. COMMUNITY FACILITIES AND SERVICES**

**GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMINNVILLE URBAN GROWTH BOUNDARY.**

*Policies Water and Sewer-Land Development Criteria*

151.00 *The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:*

1. *Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made*

*available, to fulfill peak demands and ensure fire flow requirements and to meet emergency situation needs.*

- 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 4. Federal, state, and local water and wastewater quality standards can be adhered to.*
- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

**APPLICANT'S RESPONSE:** Policy 99.00 (1-5) and Goal VII 1 Policy 151.00 are satisfied by this proposal as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply are available to the site, as explained in greater detail below.

**Utility Specifics:**

Water: There is currently a 6" water main present along the frontage of Newby Street and an 8" water main is present in Buel Drive.

Sewer: There is a 12" sewer main that crosses the subject property from west to east within a 10' wide City sewer easement. Additionally, there is a 15" sewer main present in Newby Street. Westech Engineer Josh Wells has prepared a report that is Exhibit F to this application that demonstrates that there is adequate capacity in the city sewer system to serve the property if it is zoned R-4. Additionally, please see answer to sewer capacity in response to Question #7,

Storm: There is an open drainage swale that traverses the site from west to east that collects storm water from adjacent residential development to the west. This open drainage ditch flows into a 30" wide pipe located at the subject property's east edge. From the east edge, the drainage flows in a culvert under Newby Street and continues piped for approximately 200' before daylighting again where it continues as a natural open drainage to the North Yamhill River. This open drainage has been identified by the National Wetland Inventory as a riverine wetland.

Electrical: There is electrical service at the Buel Drive entrance close to the site that can be extended to service the site. Also, the power supply could come from the overhead power line on the east side of Newby Street, according to McMinnville Water and Light.

**FINDING: SATISFIED.** The subject property has access to all necessary public services at a level needed for urban development. When given the opportunity to provide comments



on the proposed zone change, McMinnville Water and Light and the City's Engineering Division did not identify any concerns for utility services.

*Policies – Police and Fire Protection:*

153.00        *The City of McMinnville shall continue coordination between the planning and fire departments in evaluating major land use decisions.*

**APPLICANT'S RESPONSE** Policy 153.00 will be satisfied by the City sending agency notice to McMinnville Fire. Fire requirements will be met when a development application is submitted for the property per the McMinnville Fire District Fire Code. We note that to the extent required, that the proposal meets the McMinnville Fire District Fire Code Applications Guide page 5, Multiple Access Roads:

**"MULTIPLE ACCESS ROADS:** Developments of one- and two-family dwellings where the number of dwelling units exceeds 30, multiple-family residential projects having more than 100 dwelling units and where vehicle congestion, adverse terrain conditions or other factors that could limit access, as determined by the fire code official, shall be provided with not less than two approved means of fire department access. Exceptions may be allowed for approved automatic sprinkler system. The approval of fire sprinklers as an alternate, in lieu of adequate fire apparatus access, shall be accomplished in accordance with OFC 104.8. (OFC 503.1.2, D106 & D107)."

In a multi-family dwelling proposal, the Police and Fire Protection Policy 153.00 is satisfied by provision of two accesses to the property from Buel Drive and Newby Street providing required access, including fire department access.

**FINDING: SATISFIED.** The McMinnville Fire District was notified of the proposed application.

No development is reviewed or approved as part of this application. Future development and major land use decisions will be subject to applicable local, state, and federal standards, including fire code regulations. At the time of major land use decisions, McMinnville Fire will be notified and provided an opportunity to comment.

**CHAPTER VIII. ENERGY**

**GOAL VIII 2: TO CONSERVE ALL FORMS OF ENERGY THROUGH UTILIZATION OF LAND USE PLANNING TOOLS.**

178.00        *The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.*

**APPLICANT'S RESPONSE: None.**

**FINDING:** The proposed zone change to R-4 allows for a more compact development pattern by increasing the maximum density allowed. Locating higher-density

development near pedestrian facilities, access to public transit, and commercial land uses may reduce emissions caused by personal vehicles.

## **CHAPTER IX. URBANIZATION**

**GOAL IX 1: TO PROVIDE ADEQUATE LANDS TO SERVICE THE NEEDS OF THE PROJECTED POPULATION TO THE YEAR 2023, AND TO ENSURE THE CONVERSION OF THESE LANDS IN AN ORDERLY, TIMELY MANNER TO URBAN USES.**

**GOAL IX 2: TO ESTABLISH A LAND USE PLANNING FRAMEWORK FOR APPLICATION OF THE GOALS, POLICIES, AND PROPOSALS OF THE McMinnville Comprehensive Plan**

*181.10 When evaluating areas for future urbanization, the City shall consider the "7 Guiding Principles for Future Land Use" contained in the MGMUP:*

*[...]*

*Principle 5: Density. Adopt policies that allow the market to increase densities, and push it to do so in some instances.*

*[...]*

**APPLICANT'S RESPONSE:** Goal IX 1 and 181.10 are satisfied in that the site is located within both the McMinnville City boundary, as well as this site is already designated as residential and zoned R-3 on the Comprehensive Plan Map. Changing the zone from R-3 to R-4 will allow potential new residential development to increase residential density at the site and meet Principle 5 of the McMinnville Guiding Principles for Future Land Use, encouraging increased densities on the site and more efficient use of land and urban facilities and services.

**FINDING: SATISFIED.** Although no development proposal has been submitted, the applicant's submittal contemplates the development of multi-family housing in the future. For this reason, it is worth noting that the City's recently updated Housing Needs Analysis, adopted under Ordinance 5141 on February 27, 2024 outlined McMinnville's housing needs over a 20-year period of 2021 to 2041. It is forecasted that McMinnville will need 4,657 new dwelling units by 2041. Rezoning properties to medium- and high-density residential zoning (R-4/R-5) is one approach to reaching housing targets. Rezoning for increased density satisfies both Goal IX 1 and Policy 181.10.

### *Great Neighborhood Principles*

#### *Policies:*

*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.*

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.*

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.*

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.*
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).*
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.*
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.*
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.*
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).*
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.*
- 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.*
- 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.*
- 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.*
- 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, streetlights, 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)*

**APPLICANT’S RESPONSE:** Because no specific development is proposed, many of these policies do not apply. The following Great Neighborhood Principles are addressed as pertinent to the proposed zone change.

#1. There is a natural open storm drainage the flows through the property that can be preserved while at the same time offering the city efficient use of this urban residential land by allowing increased density in an area that is away from the natural resource.

# 2 The surrounding views are residential neighborhoods with the exception of a church to the south. There are no particular scenic views that are potentially impacted by the proposal.

#3 The property is within 1/2 mile of Chegwyn Farms Neighborhood Park.

#4 and 5 In relation to Pedestrian and Bike Friendliness, there are existing sidewalks abutting and alongside the property for pedestrian use and the existing Newby Street leads north to Grandhaven Elementary School and south to the commercial area.

#6. The TSP suggests that there might someday be a local city street connecting Buel Drive to Hoffman Drive. But the proposal does not seek approval of any development to justify any exaction in this regard. Relatedly, no site design proposal is included or required with this zone change and therefore no streets are appropriate or proportional to require with this proposal that merely changes the zone of the subject property. In this regard, it is well-established that merely because a city adopts an ordinance that requires or contemplates street improvements, does not give the city the right to demand those improvement or land dedications for them. Rather, any local government seeking exactions from a private property owner, regardless of whether the requested exaction is based upon a city code standard, must be able to write proportionality findings establishing that the impacts of the proposal are proportional to requested exactions. *Koontz v. St. Johns River Water Mgmt. Dist.*, 570 U.S. 595, 606-07 (2013) (local government cannot escape the constitutional requirements of *Dolan v. City of Tigard*, 512 U.S. 374 (1994), by artful phrasing of ordinance requirements), *Hill v. City of Portland*, 293 Or App 283 (2018) (merely adopting an ordinance requiring exactions, does not give city the right to demand exactions that violate the rough proportionality principle of *Dolan v. City of Tigard*), *McClure v City of Springfield*, 37 Or LUBA 759, 768-69 (2000) (city’s enactment of dedication

requirements did not relieve it of the obligation to make particularized findings showing that any resulting exactions were roughly proportional to the impact of the proposed development), McClure v. Springfield, 175 Or App 425 (2001) (findings adopted by city on remand were inadequate to meet the city's burden under United States Supreme Court's decision in Dolan v. City of Tigard), Brown v. City of Medford, 251 Or App 42 (2012) (requirement that landowner grant easement to city as a condition of partition approval violates Dolan rough proportionality requirement because the partition of itself had no impacts to which the exaction could be roughly proportional to), Community Participation Organization 4m v. City of Tigard, 2023 WL 2388669 (2023) (when faced with an ordinance that requires unconstitutional exactions, city is free not to apply such ordinance), Columbia Riverkeeper v. Clatsop County, 58 Or LUBA 235, 242 (2009) (same for counties). There is no justification for imposing any exaction here.

#7. The property is accessible through Buel Drive and Newby Street.

#8. This criteria shall be addressed upon a site development proposal submission to the City.

#9. The property is within close proximity of many commercial services, public parks and Yamhill County Transit.

#10. This is an infill parcel surrounded by existing residential properties. The addition of more housing will fit appropriately in this residential area of town.

#11-13. These principles are properly addressed upon a development proposal submission to the City.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** No development is proposed or approved as part of this application. Future development will be subject to the standards of the Comprehensive Plan, Transportation System Plan, Great Neighborhood Principles, and Zoning Ordinance. Findings are outlined below for each of the thirteen Great Neighborhood Principles.

1. Natural Feature Preservation. Wetlands, which are identified as a natural feature, appear to be located on the subject site. The proposal does not include development or alteration of the wetlands. Future development will be subject to the Great Neighborhood principles and wetland regulations implemented by the Oregon Department of State Lands.
2. Scenic Views. The subject property does not provide a scenic view of any of the listed attributes (significant natural features, landscapes, vistas, skylines, and other important features).
3. Parks and Open Spaces. The subject property is located near Chegwyn Farms Neighborhood Park. Additional Park or open space may be required on-site at the time of development, in accordance with applicable regulations.
4. Pedestrian Friendly. The property has existing sidewalks along Newby Street and terminating into the property from Buel Drive. Future development may be required to provide pedestrian connections to meet connectivity standards,



including connectivity to schools like the neighboring Grandhaven Elementary School.

5. Bike Friendly: Newby Street and Buel Drive are classified as local streets, which are to provide shared bike lanes per the Complete Street Design Standards. Future development may be required to provide bike connections to meet connectivity standards, including connectivity to schools like the neighboring Grandhaven Elementary School.
6. Connected Streets. No development is proposed as part of the application. At the time of future development, the project must comply with the Comprehensive Plan, Transportation System Plan, Great Neighborhood Principles, and Zoning Ordinance standards. Future development may be required to provide street connections that are compliant with applicable standards and design requirements.
7. Accessibility. At the time of development, the City shall enforce all applicable accessibility requirements on the subject site.
8. Human Scale Design. Great Neighborhood principles require buildings and spaces designed to be comfortable at a human scale. The Planning Commission found that an increased yard setback from the adjacent single-family properties located on the subject site's west and north property lines is necessary to comply with Great Neighborhood principle 8.a to ensure development size, form, and proportionality are designed to function and be balanced with the existing built environment.
9. Mix of Activities. This neighborhood currently has neighborhood-serving commercial uses, religious assembly, and schools. The availability of sidewalks, and public transit stops provides residents with an alternative to owning a vehicle.
10. Urban-Rural Interface. This is not applicable because all neighboring properties are within the Urban Growth Boundary.
11. Housing for Diverse Incomes and Generations. The proposed zone change to R-4 expands the housing types and densities allowed. This generally introduces expanded housing options for different income levels and age groups.
12. Housing Variety. The proposed zone change to R-4 expands the housing types and densities allowed. This promotes increased housing variety.
13. Unique and Integrated Design Elements. At the time of development, the subject property may include unique and integrated design elements.

**CONDITION OF APPROVAL #1:** Yard setbacks shall be established at fifteen (15) feet along the west and north property lines;

## ***CHAPTER X. CITIZEN INVOLVEMENT AND PLAN AMENDMENT***

**GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMinnville.**

*188.00 The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for*

*review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.*

189.00      *The City of McMinnville shall establish procedures for amending the Comprehensive Plan, Volumes I and II, and the implementation ordinances and measures in Volume III, which allow for citizen review and comment.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The requested land use action is to change the Zoning Map designation from R-3 to R-4. As required, citizens have the opportunity to comment on the proposed map amendments at public hearings before the Planning Commission and City Council prior to issuance of the land use decision. Properties within three hundred (300) feet of the subject property received notice of the application and the Planning Commission public hearing. Notice of the application and the Planning Commission public hearing was published in the News-Register. The Planning Commission held a public hearing on November 7, 2024.

### **STATEWIDE PLANNING GOALS AND APPLICABLE STATE LAW**

#### **Goal 1: Citizen Involvement**

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The requested land use action is a change to the Zoning Map designation for the size from R-3 to R-4. As required, citizens will have the opportunity to comment on the proposed map amendments at public hearings before the Planning Commission and City Council.

#### **Goal 2: Land Use Planning**

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The decision-making is based on the City's adopted and acknowledged Comprehensive Plan and Land Use Regulations, including the factual base and procedures. Determination of consistency with the applicable statewide planning goals and associated administrative rules is also based on an adequate factual basis.

#### **Goal 3: Agricultural Lands**

**APPLICANT'S RESPONSE:**

**FINDING: SATISFIED.** The subject site is located within the City of McMinnville City Limits, zoned for Urban Development, and not identified as farmland (EFU) per the Comprehensive Plan. The proposed Zone Map amendment will not impact farmlands protected by Goal 3.

#### **Goal 4: Forest Lands**

**APPLICANT'S RESPONSE: None.**

**FINDING: SATISFIED.** The subject site is located within the City of McMinnville City Limits, zoned for Urban Development, and not identified as forest land per the Comprehensive Plan. The proposed Zone Map amendment will not impact forest lands protected by Goal 4.

#### **Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces**

**APPLICANT'S RESPONSE: None.**

**FINDING: SATISFIED.** No natural resources, scenic, or historic areas are identified on the subject site.

#### **Goal 6: Air, Water and Land Resources Quality**

**APPLICANT'S RESPONSE: None.**

**FINDING: SATISFIED.** The proposed Zone Map amendment does not include the development of the property; before the site's development, a separate permit will be required for review and approval. The permitting process will ensure compliance with local, state, and federal air, water, and land resource quality standards.

#### **Goal 7: Areas Subject to Natural Hazards**

**APPLICANT'S RESPONSE: None.**

**FINDING: SATISFIED.** No natural hazards, as identified in the City of McMinnville Comprehensive Plan, are identified on the subject site.

#### **Goal 8: Recreation Needs**

**APPLICANT'S RESPONSE: None.**

**FINDING: SATISFIED.** The proposed Zone Map amendment does not include the development of the property; before the site's development, a separate permit will be required for review and approval. Future development will be required to pay applicable System Development Charges (SDCs) for parks to help fund the implementation of the

City's adopted Parks Plan, which has been adopted to address recreational needs in the community.

### **Goal 9: Economic Development**

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Although no development proposal has been submitted as this time, the applicant's submittal contemplates the development of multi-family housing in the future. For this reason, it is worth noting that the City's recently updated Housing Needs Analysis, adopted under Ordinance 5141 on February 27, 2024 outlined McMinnville's housing needs over a 20-year period of 2021 to 2041. It is forecasted that McMinnville will need 4,657 new dwelling units by 2041. Rezoning properties to medium- and high-density residential zoning (R-4/R-5) is one approach to reaching housing targets.

### **Goal 10: Housing**

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Housing choice and affordability are two key challenges facing both Oregon and McMinnville. The proposed zone change from R-3 to R-4 would expand the residential uses that are allowed on the property to include multi-family development. The subject property is designated as Residential in the City's adopted Comprehensive Plan. The subject property meets the R-4 zoning designation criteria that are established in the Comprehensive Plan policies. The zone change is also consistent with the findings outlined in City's adopted Housing Needs Analysis.

### **Goal 11: Public Facilities and Services**

**APPLICANT'S RESPONSE:**

[**Staff note:** the below response is to Policies 99.00 and 151.00; however, the response addresses Goal 11 and is provided for clarification]

Policy 99.00 (1-5) and Goal VII 1 Policy 151.00 are satisfied by this proposal as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply are available to the site, as explained in greater detail below.

#### **Utility Specifics:**

Water: There is currently a 6" water main present along the frontage of Newby Street and an 8" water main is present in Buel Drive.

Sewer: There is a 12" sewer main that crosses the subject property from west to east within a 10' wide City sewer easement. Additionally, there is a 15" sewer main present in Newby Street. Westech Engineer Josh Wells has prepared a report that is Exhibit F

to this application that demonstrates that there is adequate capacity in the city sewer system to serve the property if it is zoned R-4. Additionally, please see answer to sewer capacity in response to Question #7,

Storm: There is an open drainage swale that traverses the site from west to east that collects storm water from adjacent residential development to the west. This open drainage ditch flows into a 30" wide pipe located at the subject property's east edge. From the east edge, the drainage flows in a culvert under Newby Street and continues piped for approximately 200' before daylighting again where it continues as a natural open drainage to the North Yamhill River. This open drainage has been identified by the National Wetland Inventory as a riverine wetland.

Electrical: There is electrical service at the Buel Drive entrance close to the site that can be extended to service the site. Also, the power supply could come from the overhead power line on the east side of Newby Street, according to McMinnville Water and Light.

**FINDING: SATISFIED.** The subject property has access to all necessary public services at a level needed for urban development. When given the opportunity to provide comments on the proposed zone change, McMinnville Water and Light and the City's Engineering Division did not identify any concerns for utility services. At the time of future development, McMinnville Water and Light and the City's Engineering Division will analyze if the system capacity can handle the proposed development. If capacity increases are required, the McMinnville Water and Light or the City's Engineering Division may require improvements through applicable standards at the time of development.

## Goal 12: Transportation

### APPLICANT'S RESPONSE:

[**Staff note:** Below are extract excerpts from the Transportation Planning Rule Analysis memo provided by the applicant]

The applicant is requesting a zone change for a 2.93-acre parcel located on NE Newby St between NE Grandhaven St and NE 27th St (Tax Lot 1100) in McMinnville, OR. The owner desires to rezone the property from Medium-Density Residential (R-3) to Medium/High-Density Residential (R-4). The proposed zone change would result in a net increase of 123 weekday trips and net increase of 8 AM peak hour trips and 10 PM peak hour trips based on reasonable worst-case development scenarios.

The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660- 12-0060) is to ensure that future land use and traffic growth is

consistent with transportation system planning and does not create a significant effect on the surrounding transportation system beyond currently allowed uses.

Based on the reasonable worst-case trip generation evaluation, the proposed zone change would result in a net increase of less than 400 daily trips (ODOT threshold) and fewer than 200 daily trips or 20 peak hours trips on any roadway segment or intersection (City threshold). As such, no additional traffic analysis is required.

Additionally, the average daily trips generated by the proposed zone change will not cause the nearby streets to change functional classification or cause the streets to be inconsistent with the functional classification.

It can be concluded that the proposed zone change will not have a significant effect on the surrounding transportation system. Therefore, this request complies with TPR and City of McMinnville requirements.

**FINDING: SATISFIED.** As the applicant has proposed a Zone Map amendment, traffic analysis is required in accordance with the Transportation Planning Rule to ensure that future land use and traffic growth are consistent with the Transportation System Plan and do not create a significant impact on the surrounding transportation system beyond currently allowed uses. This analysis is part of a two-step process, and at the time of future development, additional traffic analysis will be conducted to ensure compliance with the Transportation System Plan.

The applicant has adequately demonstrated that the proposed Zone Map amendment will not have a significant impact on the surrounding transportation system and complies with the Transportation Planning Rule requirements. As shown by the applicant in the Transportation Planning Rule Analysis memo, the proposed zone amendment will not allow for a reasonable worst-case development scenario that exceeds City thresholds. The project will not generate more than 200 average daily trips (ADT) or 20 Peak P.M. trips or cause a street to exceed the maximum number of allowed average daily trips (ADT).

The Transportation Planning Rule Analysis memo compares the reasonable worst-case trip generation for the existing R-3 zoning (Table 2) to that for the proposed R-4 zoning (Table 4). Table 3 provides the expected average trip generation rates by housing type, examining the currently permitted single-family attached housing type as permitted in the R-3 zone and mid-rise apartments as permitted in the R-4 zone.

Table 2 shows that under the current R-3 zoning classification, the “reasonable worst-case trip generation” would be 85 single-family attached homes that generate 612 average daily trips and 49 peak P.M. hour trips.

**TABLE 2: REASONABLE WORST-CASE TRIP GENERATION FOR EXISTING R-3 ZONING**

LAND USE (ITE CODE)	SIZE	TRIP GENERATION		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
SINGLE FAMILY ATTACHED HOME (215)	85 dwellings	612	41	49

Table 3 shows the expected trip generation rates for different housing types by ITE code. As shown in Table 3, a mid-rise apartment unit generates fewer average daily trips and fewer P.M. peak hour trips than a single-family attached home. While single-family attached homes generate fewer average daily trips and fewer P.M. peak hour trips than single-family detached homes.

**TABLE 3: TRIP GENERATION RATES FOR PERMITTED LAND USES UNDER R-4 ZONING**

LAND USE (ITE CODE)	UNITS	TRIP GENERATION RATES		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
SINGLE FAMILY DETACHED HOME (210)	Dwelling Units	9.43	0.70	0.94
SINGLE FAMILY ATTACHED HOME (215)	Dwelling Units	7.20	0.48	0.57
MID-RISE APARTMENTS (221)	Dwelling Units	4.54	0.37	0.39

Table 4 analyzes the reasonable worst-case scenario by looking at single-family attached and mid-rise apartments under the proposed R-4 zoning classification. Table 4 increases the number of units expected by worst-case trip generation for single-family attached home ITE classification from 85 (under current R-3) to 102 for the R-4 zone.

As shown in the table below, 102 single-family attached homes would generate the greatest traffic impact at 735 daily trips and 59 P.M. peak hour trips.

**TABLE 4: REASONABLE WORST-CASE TRIP GENERATION FOR PROPOSED R-4 ZONING**

LAND USE (ITE CODE)	SIZE	TRIP GENERATION		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
SINGLE FAMILY ATTACHED HOME (215)	<b>102 Dwelling Units</b>	<b>735</b>	<b>49</b>	<b>59</b>
MID-RISE APARTMENTS (221)	120 Dwelling Units	545	44	47

By comparing the reasonable worst-case trip generation of Table 2 (existing R-3 zone) to Table 4 (proposed R-4 zone), it is found that the project would increase the reasonable worst-case trip generation number of average daily trips by 122 and peak P.M. trips by 10 (see below).

Zoning Classification	Average Daily Trips	Peak P.M Trips
R-3	612	49
R-4	734	59
<b>Difference</b>	<b>+122</b>	<b>+10</b>

The expected trip generation is less than 200 average daily trips and 20 peak P.M. trips; therefore, the project complies with Goal 12.

Table 5 examines the proposed project's impact on Grandhaven Street, 27th Street, and Newby Street, analyzing if the future number of average daily trips would exceed the maximum number of average daily trips, as allowed by City standards.

**TABLE 5: ESTIMATED DAILY TRAFFIC VOLUMES ON NEARBY STREETS**

STREET	FUNC. CLASS.	MAXIMUM ADT PER TSP	EXISTING ADT <sup>A</sup>	ADDITIONAL ADT FROM R-3 ZONING <sup>B</sup>	ADDITIONAL ADT FROM ZONE CHANGE <sup>B</sup>	FUTURE ADT WITH ZONE CHANGE
GRANDHAVEN STREET	Major Collector	<b>16,000 vpd</b>	975 vpd	+305 vpd	+65 vpd	<b>1,345 vpd</b>
27 <sup>TH</sup> STREET	Minor Collector	<b>10,000 vpd</b>	5,125 vpd	+305 vpd	+65 vpd	<b>5,495 vpd</b>
NEWBY STREET	Local Street	<b>1,200 vpd</b>	525 vpd	+305 vpd	+65 vpd	<b>895 vpd</b>

<sup>A</sup> Existing ADT for Grandhaven Street and Newby Street was collected in July 2024. ADT for 27<sup>th</sup> Street was collected by the Oregon Department of Transportation in 2022.

<sup>B</sup> The estimated additional ADT generated by the proposed zone change is based on engineering judgement and surrounding land uses, with the assumption that future access to the site would be via Buel Drive and Newby Street. Approximately 50% of trips were assumed to travel along Grandhaven Street while the other 50% of trips were assumed to travel along Newby Street and 27<sup>th</sup> Street.

The expected average daily trips on neighboring Grandhaven Street, 27th Street, and Newby Street are less than the maximum permitted; therefore, the project complies with Goal 12.

**Goal 13: Energy Conservation**

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The proposed zone change to R-4 allows for a more compact development pattern by increasing the maximum density allowed. Locating higher-density



development near pedestrian facilities, access to public transit, and commercial land uses may reduce emissions caused by personal vehicles.

**Goal 14: Urbanization**

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The subject property is within the Urban Growth Boundary. The proposed zone change promotes a more efficient use of land within an urbanized area by allowing higher densities.

**Goal 15: Willamette River Greenway**

**APPLICANT'S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** The subject site is not located within the Willamette River Greenway planning area.

**Goal 16: Estuarine Resources**

**APPLICANT'S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** The subject site does not contain an estuary as it is not located at the tidal mouth of a river and, therefore, is not subject to Goal 16.

**Goal 17: Coastal Shorelands**

**APPLICANT'S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** The subject site is not a "costal shoreland" as it does not border an estuary, ocean shore, or coast lake, and, therefore, is not subject to Goal 17.

**Goal 18: Beaches and Dunes**

**APPLICANT'S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** The subject site is not a beach or dune and, therefore, is not subject to Goal 18.

**Goal 19: Ocean Resources**

**APPLICANT'S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** The subject site is not the open sea, nor does it propose to impact the sea, and, therefore, is not subject to Goal 19



Planning Department
231 NE Fifth Street o McMinnville, OR 97128
(503) 434-7311 Office o (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:
File No. ZC 3-24
Date Received 8/5/2024
Fee \$7,311.00
Receipt No. 210264
Received by AW

569-24-000167-PLNG

Comprehensive Plan Map Amendment/
Zone Change Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other Legal Representative

Applicant Name Monika Development LLC C/O Wendie Kellington Phone 503-636-0069

Contact Name Wendie Kellington Phone 503-636-0069
(If different than above)

Address 4500 Kruse Way, STE #340

City, State, Zip Lake Oswego, OR 97035

Contact Email wk@KLGPC.com

Property Owner Information

Property Owner Name Monika Development Phone 503-437-0477
(If different than above)

Contact Name Lori Zumwalt Phone 503-437-0477

Address 2470 SE West Wind DR

City, State, Zip McMinnville, OR 97128

Contact Email loriz.premier@gmail.com

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address NE Newby Street between NE Granshaven and NE 27th Street

Assessor Map No. R4 W., W.M. R4409DC01100 Total Site Area 2.93 Acres

Subdivision Block Lot

Comprehensive Plan Designation Residential Zoning Designation R-3 Medium Density Residential



4. If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation. See attached narrative.

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5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely. See attached narrative.

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6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request. See attached narrative.

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7. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use. See attached narrative.

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8. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation? See attached narrative.

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In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site, such as: access; lot and street lines with dimensions; distances from property lines to structures; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to **an electronic copy** with the submittal.
- A legal description of the parcel(s), preferably taken from the deed.
- Compliance of Neighborhood Meeting Requirements.
- Payment of the applicable review fee, which can be found on the Planning Department web page.

**I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.**

DocuSigned by:  
Lori L. Zumwalt  
9A2670B01A894BA  
Applicant's Signature

7/3/2024  
Date

DocuSigned by:  
Lori L. Zumwalt  
9A2670B01A894BA  
Property Owner's Signature

7/3/2024  
Date

**ZONE CHANGE APPLICATION**

**APPLICATION NARRATIVE**

**CITY OF McMinnville, Oregon**

NARRATIVE DATE	August 5, 2024
REQUEST	Zone change from R3 (Medium Density Residential) to R4 (Medium/ High Density Residential)
APPLICANTS/ OWNERS	Lori Zumwalt Monika Development, LLC 2470 SW WEST WIND DR McMinnville, OR 97128 Phone: 503-437-0477 Email: loriz.premier@gmail.com
APPLICANT'S LEGAL REPRESENTATIVE	Wendie Kellington Kellington Law Group, PC 4500 Kruse Way, Ste #340 Lake Oswego, OR 97035 Phone: 503-636-0069 Email: wk@klgpc.com
APPLICANT'S ENGINEER	W. Josh Wells, P.E. Westech Engineering, INC 3841 Fairview Industrial DR, SE Suite 100 Salem, OR 97302 Phone: 503-585-2474 Email: jwells@westech-eng.com
SITE ADDRESS	NE Newby Street between NE Grandhaven and NE 27 <sup>th</sup> Street (Tax Lot 1100, Section 9DC, T 4 S., R. 4 W., W.M.)
SITE AREA	Approximately 2.93 acres
ZONING (Current)	R-3 (Medium Density Residential)
ZONING (Proposed)	R-4 (High Density Residential)

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I. EXHIBIT LIST:

Exhibit A - Legal Description

Exhibit B – DKS Transportation Analysis

Exhibit C - Site Plan

Exhibit D - Meeting minutes from June 12, 2024, Neighborhood Meeting<sup>1</sup>

Exhibit E- Compliance with Neighborhood Meeting Requirements.

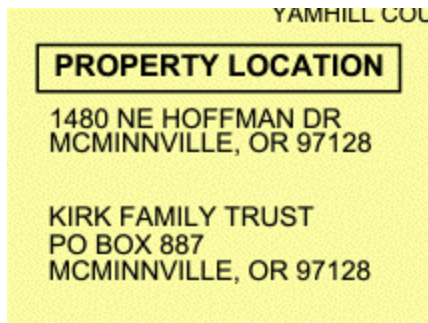
Exhibit F – Utility Analysis

II. SUMMARY OF REQUEST:

The Applicant seeks land use approval from the City of McMinnville for a zone change from R-3 to R-4. The subject property is already planned residential. Therefore, no plan amendment is required. The purpose of the zone change is to allow higher residential density on the property. The intended use of the property is to allow for the development of multifamily units.

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<sup>1</sup>Note: We understand that a neighbor, the Kirk's, may have complained about the address that the Applicant used for inviting them to the neighborhood meeting. First, they received notice of the neighborhood meeting because they attended it. Second, as per the city code, the address used to notify them of the neighborhood meeting, was the one listed by the assessor as the one to which their tax statements are sent. We checked the assessor's website again on 7/30/24 and it still stated that the Kirk's address is the one that the Applicant used:





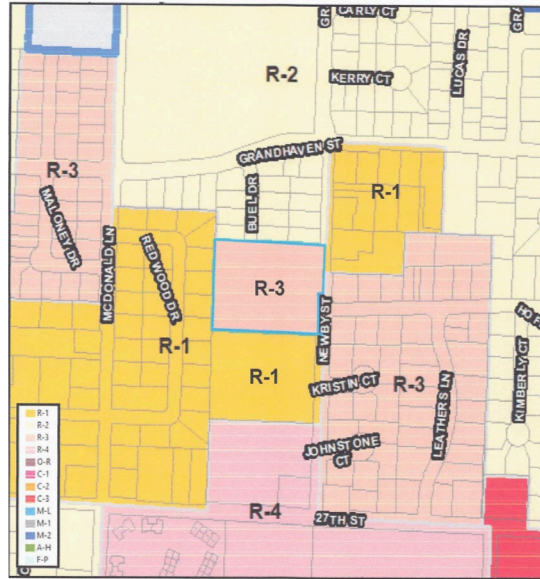


### III. SURROUNDING ZONING AND LAND USE:

The subject property is a 2.93-acre site nestled in an established neighborhood. To the north of the property are single family residential homes on a stubbed street (Buel Dr.) connecting Grandhaven Drive to the site. To the west are single family residential homes. To the south is a church and to the east are single family residential homes and duplexes along NE Newby St. Newby Street abuts the east side of the property. The subject property is surrounded by R-1, R-2, R-3 and R-4 zoned properties.

### IV. SITE CHARACTERISTICS:

Current Zoning Map:



The subject property has an open storm drainage easement that runs across the middle of the property from the west to the east boundary. This storm drainage easement is considered by Department of State Lands and Army Corp of Engineers as a riverine wetland. Changing the zone to R-4 provides more flexibility for a higher density multi-family project while minimizing impacts to the wetlands. The City’s Piped and Open Storm Drainage Map is below:



In 2019, the State of Oregon passed HB 2001 to encourage middle housing and assist the City to accommodate Needed Housing. The McMinnville Housing Needs Analysis states on page v that, “Per this HNA, McMinnville’s UGB will not accommodate all of its projected housing needs. McMinnville has a deficit of capacity for 1,101 dwelling units for the 2021-2041 period,

resulting in a land deficit of 218 gross acres (at a density of 5.05 du/gross acre) or 202 gross acres (at a density of 5.46 du/gross acre).”

Approving this requested zone change will help the City to meet its Housing Needs and Statewide Planning Goal 10, by allowing multi-family, needed housing to be established.

#### V. APPROVAL STANDARDS:

##### 17.74.010 PURPOSE

**The purpose of this chapter is to provide the approval criteria for the following applications:**

- A. Comprehensive Plan Map Amendment**
- B. Conditional Use Permit**
- C. Planned Development Amendment**
- D. Variance-Administrative**
- E. Variance**
- F. Zone Change (planned Development)**

Applicant’s Response: This is a purpose statement and not a mandatory approval standard.

##### 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;**

Applicant’s Response: The proposal is consistent with the City comprehensive plan. *See* responses to IV Application Question 2 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;**

Applicant’s Response: Per MDC 17.74.020, this standard does not apply. This is because MDC 17.74.020 expressly states that it does not apply where the applicant is seeking a zone change concerning needed housing. State law defines “needed housing” in ORS 197A.018 to include any type of housing that the City’s Housing Needs Analysis indicates there is a deficiency of. The City’s Housing Needs Analysis describes “apartment buildings” as a needed housing type for the City. HNA p 93. The proposed zone change to R-4 will allow an apartment building on the subject property and, therefore, is for needed housing. That means that per its express terms, that this standard is inapplicable

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

Applicant's Response: The Applicant's engineer confirms that utilities can be efficiently provided to the subject property per Exhibit F to this application. *See also* IV Application Question 7 response.

**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.**

**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. (Ord. 4242 §3, 1983; Ord. 4221 §4, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).**

Applicant's Response: The Applicant's request to change zoning from R-3 to R-4 is consistent with the housing policies of the McMinnville Comprehensive Plan. The application provides appropriate emphasis on City plan policies that support providing needed housing for all citizens of the City.

**VI. APPLICATION QUESTIONS:**

**QUESTION 1:**

***What, in detail, are you asking for? State the reasons(s) for the request and the intended use(s) of the property.***

Applicant's Response: The Applicant is seeking a land use approval from the City of McMinnville for a zone change from R-3 to R-4. The purpose of changing the zoning is to allow a higher density of multi-family use on the property. The intended use of the property is to allow apartments which are allowed in the R-4 zone.

**QUESTION 2:**

***Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. 2)***

Applicant's Response: The requested zone change complies with the following applicable McMinnville Comprehensive Plan Goals and Policies:

**Plan 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.**

**Plan 70.00 The City of McMinnville shall continue to update zoning and subdivision ordinances to include innovative land development techniques and incentives that provide for a variety of housing types, densities, and price ranges that will adequately meet the present and future needs of the community.**

Applicant's Response: 70.00 is satisfied. The proposal provides for an efficient and intensive use of undeveloped urban land that is already planned and zoned for urban residential use. The proposal is to enable a greater residential density than is otherwise possible, thus promoting a residential development pattern that makes an efficient residential use of scarce urban land resources and promotes energy efficiency.

**Plan 71.00 The City of McMinnville shall designate specific lands inside the urban growth boundary as residential to meet future projected housing needs. Lands so designated may be developed for a variety of housing types. All residential zoning classifications shall be allowed in areas designated as residential on the Comprehensive Plan Map.**

Applicant's Response: 71.00 is satisfied. The subject property is designated "Residential." This plan provision requires the City to allow the entire spectrum of residential zones in residentially designated areas, such as the subject property. The R-4 zone is a residential zone and the subject property is designated as Residential. Therefore, per this policy the proposal "shall be allowed."

**Plan 71.05 The City of McMinnville shall encourage annexations and rezoning which are consistent with the policies of the Comprehensive Plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types. (Ord.4840, January 11, 2006; Ord. 4243, April 5, 1983; Ord.4218, November 23, 1982)**

Applicant's Response: 71.05 is satisfied. The proposed zoned change to R-4 is consistent with the City's goals to increase the five-year supply of buildable land for the "apartment building" needed housing type identified in the City's HNA.

**Plan 71.09 Medium and Medium-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 dwelling detached uses, single dwelling attached units, duplexes, triplexes, quadplexes, townhouses, and cottage clusters. 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; or a local**

collector street within 600 ' of a collector or arterial street;

**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. (Ord. 5098, December 8, 2020; Ord. 4961, January 8, 2013; Ord. 4796, October 14, 2003)**

**Plan 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)**

Applicant's Response: Plan 71.09 (1-5) and 71.10. This goal is satisfied by the proposal. Plan 71.09 characterizes R-3 and R-4 zones interchangeably and treats Medium and Medium High Density zoning the same. Because the subject property is already zoned R-3, it is prima facie appropriately zoned R-4 under this policy. The area is not "committed to low density development." Rather, the area includes a mix of R-1, R-2, R-3 and R-4 zones. Specifically, land designated R-1 is located to the west and northeast and is residentially developed with lots meeting R-1 requirements. Adjacent R-1 land to the south is developed with a conditional use for a Church property. Adjacent land to the north is zoned and residentially developed to R-2 standards and land to the east across Newby Street from the site is zoned and residentially developed commensurate with R-3 standards. Both R-4 and C-3 zoned lands are located across 27th Street further to the south and are developed with uses and densities appropriate to those zones.

Urban facilities are in place to serve the property. See Exhibit F. The natural storm drainage that bisects the property limits single family layout options and requires impacting wetlands to develop any reasonable number of SFDs. This application enables more flexible development options, while increasing the allowable density enabling the City to come closer to meeting its needs for housing over the planning period.

The site is located in an area that is well served by an existing public street network. Additionally, Newby Street adjacent to the site's eastern edge is designated as a Local Residential Street and Grandhaven Drive is a Major Collector as depicted in the City's adopted Transportation System Plan and approximately 350' from the site.

Public transit is shown to be located within approximately 650 feet on NE 27th Street, which is less than the City's one-quarter mile proximity requirement related to existing or planned public transportation.

Plan Residential Design Policies:

**Plan 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)**

**Plan 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.**

*Findings:* Plan Policies 79.00 and 80.00 are satisfied by this proposal. The precise housing type and proposed residential density will be established upon submission of a site plan consistent with the R-4 Zone and Residential Design Standards for the housing type. The housing types allowed by the R-4 zone, such as, in the example of multi-family units, allows a concentrated housing density in one area and can better accommodate for the land constraint of the open storm drain. Therefore, the R-4 zone will better accommodate Plan Policy 80.0 because it enables the existing drainage swale to remain but allowing the concentration of housing in other areas that are not possible under the current R-3 zoning. Please note that a particular housing type, site plan or a Planned Development designation is not requested as part of this land use proposal.

Plan Urban Policies:

**Plan 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)**
- 5. Deleted as per Ord. 4796, October 14, 2003.**

Applicant's Response: Plan 99.00 is satisfied in that all utilities are available to the subject site and have adequate capacity. See Goal VII 1 Policy 151.00 answer.

**PLAN 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.**

**Plan Policies:**

**117.00** The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.

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

- 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.**
- 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.**
- 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.**
- 4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)**
- 5. Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist**

Applicant's Response: Goal VI 1 and Policies 117.00, 118.00 are satisfied by this zone change. (117.00). The existing roadway network has a local residential street that connects to a Major Collector from Buel Drive to Grandhaven Drive and a connection of Newby Street, a local residential street, north to a Major Collector, Grandhaven Drive, and South to a Minor Collector 27th Street. This satisfies 117.00 as the street network will be the same and provide safe and easy access to the parcel. Policy 118.00: Applicant is not requesting approval for development of the site, but has included a traffic analysis for the "worst case" scenario for expected traffic



volume when the subject property's zone is changed from R-3 to R-4. See answer to Question #8 concerning potential traffic impacts from the requested R-3 to R-4 zone change.

**PLAN: CONNECTIVITY AND CIRCULATION**

**Plan 132.26.00** The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping, and industrial areas, and McMinnville's parks and schools.

**Plan 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)

*Findings:* Plan 132.26.00 and 132.26.05 are satisfied as the subject property is in an established neighborhood with established vehicle, pedestrian, transit and bicycle circulation systems that are designed to connect to major activity centers, *i.e.* Grandhaven Elementary School, Town Plaza, Anytime Fitness, Harbor Freight, McDonalds, and other food and banking needs, as well as Chegwyn Farms Neighborhood Park all within a 1/2 mile of the site. Further connections may be addressed upon a proposed future site plan.

**PLAN GOAL VII 1:**

**TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.**

***WATER AND SEWER--LAND DEVELOPMENT CRITERIA***

**Policies:**

**151.00** The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 1. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.**
  
- 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.**

**3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.**

**4. Federal, state, and local water and wastewater quality standards can be adhered to.**

**5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.**

Applicant's Response: Policy 99.00 (1-5) and Goal VII 1 Policy 151.00 are satisfied by this proposal as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply are available to the site, as explained in greater detail below.

**Utility Specifics:**

Water: There is currently a 6” water main present along the frontage of Newby Street and an 8” water main is present in Buel Drive.

Sewer: There is a 12” sewer main that crosses the subject property from west to east within a 10’ wide City sewer easement. Additionally, there is a 15” sewer main present in Newby Street. Westech Engineer Josh Wells has prepared a report that is Exhibit F to this application that demonstrates that there is adequate capacity in the city sewer system to serve the property if it is zoned R-4. Additionally, please see answer to sewer capacity in response to Question #7,

Storm: There is an open drainage swale that traverses the site from west to east that collects storm water from adjacent residential development to the west. This open drainage ditch flows into a 30” wide pipe located at the subject property’s east edge. From the east edge, the drainage flows in a culvert under Newby Street and continues piped for approximately 200’ before daylighting again where it continues as a natural open drainage to the North Yamhill River. This open drainage has been identified by the National Wetland Inventory as a riverine wetland.

Electrical: There is electrical service at the Buel Drive entrance close to the site that can be extended to service the site. Also, the power supply could come from the overhead power line on the east side of Newby Street, according to McMinnville Water and Light.

**POLICE AND FIRE PROTECTION**

**Policies:**

**153.00 The City of McMinnville shall continue coordination between the planning and fire departments in evaluating major land use decisions.**

Applicant's Response: Policy 153.00 will be satisfied by the City sending agency notice to McMinnville Fire. Fire requirements will be met when a development application is submitted for the property per the McMinnville Fire District Fire Code. We note that to the extent required, that the proposal meets the McMinnville Fire District Fire Code Applications Guide page 5, Multiple Access Roads:

“**MULTIPLE ACCESS ROADS:** Developments of one- and two-family dwellings where the number of dwelling units exceeds 30, *multiple-family residential projects having more than 100 dwelling units and where vehicle congestion, adverse terrain conditions or other factors that could limit access, as determined by the fire code official, shall be provided with not less than two approved means of fire department access.* Exceptions may be allowed for approved automatic sprinkler system. The approval of fire sprinklers as an alternate, in lieu of adequate fire apparatus access, shall be accomplished in accordance with OFC 104.8. (OFC 503.1.2, D106 & D107).”

In a multi-family dwelling proposal, the Police and Fire Protection Policy 153.00 is satisfied by provision of two accesses to the property from Buel Drive and Newby Street providing required access, including fire department access.

**PLAN GOAL IX 1:**

**TO PROVIDE ADEQUATE LANDS TO SERVICE THE NEEDS OF THE PROJECTED POPULATION TO THE YEAR 2023, AND TO ENSURE THE CONVERSION OF THESE LANDS IN AN ORDERLY, TIMELY MANNER TO URBAN USES.**

**Plan 181.10** When evaluating areas for future urbanization, the City shall consider the “7 Guiding Principles for Future Land Use” contained in the MGMUP:

**Principle 5: Density. Adopt policies that allow the market to increase densities and push it to do so in some instances.**

Applicant’s Response: Goal IX 1 and 181.10 are satisfied in that the site is located within both the McMinnville City boundary, as well as this site is already designated as residential and zoned R-3 on the Comprehensive Plan Map. Changing the zone from R-3 to R-4 will allow potential new residential development to increase residential density at the site and meet Principle 5 of the McMinnville Guiding Principles for Future Land Use, encouraging increased densities on the site and more efficient use of land and urban facilities and services.

**Plan 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.**

**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.**

**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.**

**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).**

**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.**

**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.

**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.

**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).

**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.

**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.**

**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.**

**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.**

**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, streetlights, 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)**

Applicant's Response: Because no specific development is proposed, many of these policies do not apply. The following Great Neighborhood Principles are addressed as pertinent to the proposed zone change.

#1. There is a natural open storm drainage that flows through the property that can be preserved while at the same time offering the City efficient use of this urban residential land by allowing increased density in an area that is away from the natural resource.

# 2 The surrounding views are residential neighborhoods with the exception of a church to the south. There are no particular scenic views that are potentially impacted by the proposal.

#3 The property is within 1/2 mile of Chegwyn Farms Neighborhood Park.

#4 and 5 In relation to Pedestrian and Bike Friendliness, there are existing sidewalks abutting and alongside the property for pedestrian use and the existing Newby Street leads north to Grandhaven Elementary School and south to the commercial area.

#6. The TSP suggests that there might someday be a local city street connecting Buel Drive to Hoffman Drive. But the proposal does not seek approval of any development to justify any exaction in this regard. Relatedly, no site design proposal is included or required with this zone change and therefore no streets are appropriate or proportional to require with this proposal that merely changes the zone of the subject property. In this regard, it is well-established that merely because a city adopts an ordinance that requires or contemplates street improvements, does not give the city the right to demand those improvement or land dedications for them. Rather, any local government seeking exactions from a private property owner, regardless of whether the requested exaction is based upon a city code standard, must be able to write proportionality findings establishing that the impacts of the proposal are proportional to requested exactions. *Koontz v. St. Johns River Water Mgmt. Dist*, 570 U.S. 595, 606-07 (2013) (local government cannot escape the constitutional requirements of *Dolan v. City of Tigard*, 512 U.S. 374 (1994), by artful phrasing of ordinance requirements), *Hill v. City of Portland*, 293 Or App 283 (2018) (merely adopting an ordinance requiring exactions, does not give city the right to demand exactions that violate the rough proportionality principle of *Dolan v. City of Tigard*), *McClure v City of Springfield*, 37 Or LUBA 759, 768–69 (2000) (city’s enactment of dedication requirements did not relieve it of the obligation to make particularized findings showing that any resulting exactions were roughly proportional to the impact of the proposed development), *McClure v. Springfield*, 175 Or App 425 (2001) (findings adopted by city on remand were inadequate to meet the city’s burden under United States Supreme Court’s decision in *Dolan v. City of Tigard*), *Brown v. City of Medford*, 251 Or App 42 (2012) (requirement that landowner grant easement to city as a condition of partition approval violates *Dolan* rough proportionality requirement because the partition of itself had no impacts to which the exaction could be roughly proportional to), *Community Participation Organization 4m v. City of Tigard*, 2023 WL 2388669 (2023) (when faced with an ordinance that requires unconstitutional exactions, city is free not to apply such ordinance), *Columbia Riverkeeper v. Clatsop County*, 58 Or LUBA 235, 242 (2009) (same for counties). There is no justification for imposing any exaction here.

#7. The property is accessible through Buel Drive and Newby Street.

#8. This criteria shall be addressed upon a site development proposal submission to the City.

#9. The property is within close proximity of many commercial services, public parks and Yamhill County Transit.

#10. This is an infill parcel surrounded by existing residential properties. The addition of more housing will fit appropriately in this residential area of town.

#11-13. These principles are properly addressed upon a development proposal submission to the City.

**QUESTION 3:**

*If your request is subject to the provisions of a planned development overlay, show in detail, how the request conforms to the requirements of the overlay.*

Applicant's Response: This zone change request is not subject to the provisions of the planned development overlay.

**QUESTION 4:**

*If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation.*

Applicant's Response: This zone change request is not requesting a Planned Development.

**QUESTION 5:**

*Considering the pattern of development in the area and surrounding land uses, show in detail, how the proposed amendment is orderly and timely.*

Applicant's Response: As explained above, per MDC 17.74.020, the standard this question is based upon does not apply.

**QUESTION 6:**

*Describe any changes in the neighborhood or surrounding area which might support or warrant the request.*

Applicant's Response: No changes will occur under the proposal that are not already contemplated by the City's plan. The legislative policy decision of the City governing body, consistent with state law, is to enable a variety of housing types to be developed within the City without unnecessary cost or delay or to result in decreased densities. In the latter regard, the City's Plan Policy 71.00 establishes that all residential zoning **classifications shall be allowed** in areas designated as residential on the Comprehensive Plan Map. Therefore, residential zone changes in the neighborhood and surrounding area are considered normative under Plan Policy 71 such that any residential zone is a proxy for any other residential zone. Further, the subject property is an undeveloped 2.93 acre parcel, surrounded by developed and existing residential neighborhoods on all sides, as well as a church adjacent on the south and further to the south from that is more R-4 zoned land. Development of this vacant residential property will complete the neighborhood by adding a needed housing type offering wider variety of citizens the opportunity to live there and will add new amenities as the developer addresses the New Great Neighborhood Principles and Residential Design Standards the City has adopted since the development of the surrounding neighborhoods. Additionally, 17.74.020 Comprehensive Plan Map Amendment and Zone Change - Review Criteria provides that the "housing policies of the Comprehensive 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.**"



# Sanitary Sewer Capacity vs. Proposed 120 Unit MF Development



## QUESTION 7:

*Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use.*

Applicant’s Response: Per Josh Wells, P.E., Westech Engineering (Exhibit F to this application) concerning water, sewer and stormwater: (using an estimated 120-unit multi-family development as an example) there is adequate capacity to accommodate the property’s public facilities needs if it is zoned R-4.

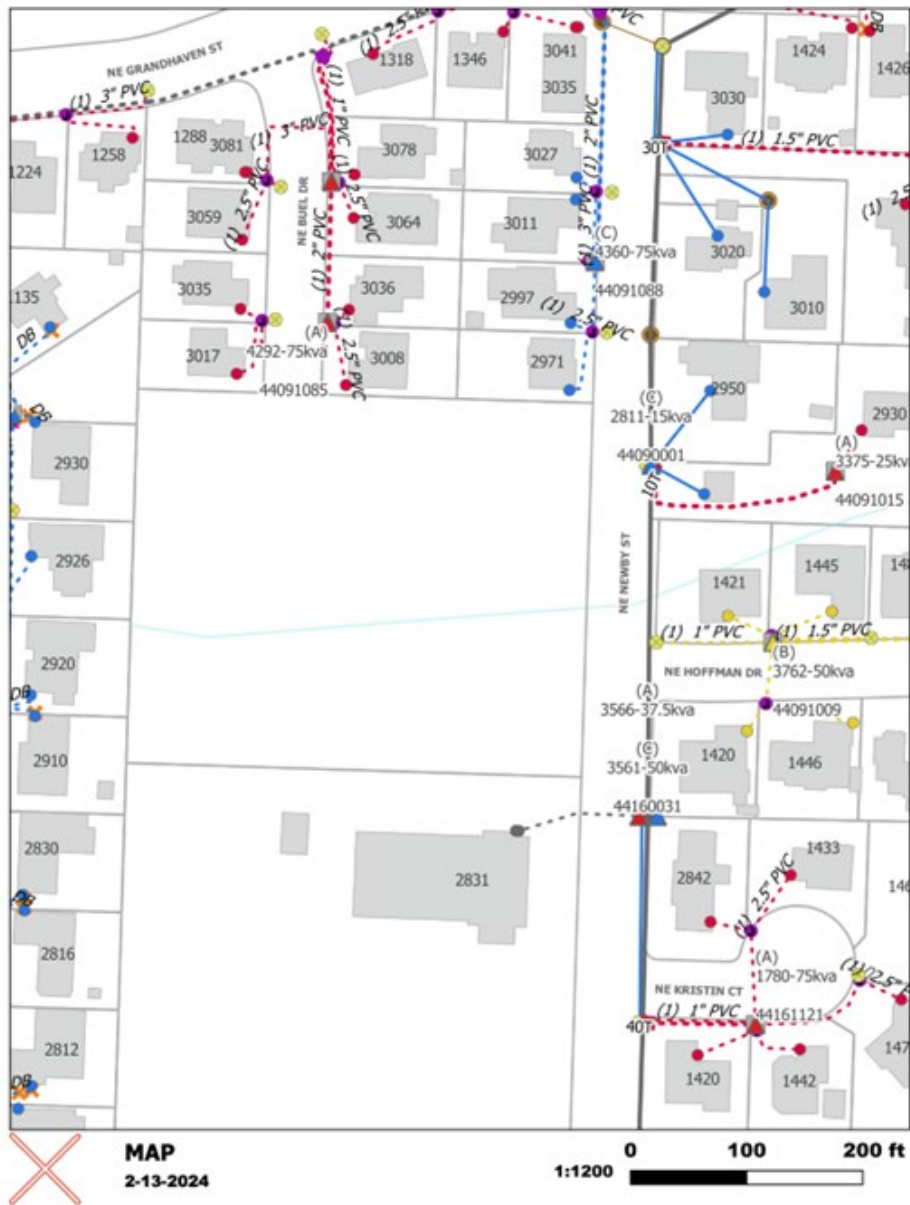
Water: Water mains are sized for fire flows, therefore the increase in units can be served with adequate fire flows and pressures, without adversely affecting existing users.

Stormwater: Stormwater can either be discharged using the existing swale, either with or without detention.

Sewer: Using an estimated 120-unit multi-family development as an example, the addition of 120 units the total sewer flows would be 0.76 cfs. Pipe capacity is 3.77 cfs for this residential area. See analysis exhibit below and Exhibit F to this application. There is adequate capacity. See attached Exhibit F Utility Report and the below:

Electricity: Per Ryan Timm at McMinnville Water and Light, power is available from both locations Buel Drive and Newby Street. Any developer will be required to “build back” to the existing conduits on Buel Drive and Newby Street or access the overhead power line on the east side of Newby Street, as shown below:

Electrical Map is below:



**QUESTION 8:**

*Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation?*

Applicant's Response: Per DKS letter attached as Exhibit B, the proposal will not add more than 200 ADT or more than 20 peak hours trips on any road segment and is consistent with and will not change the functional classification of affected transportation facilities and its level of traffic is not inconsistent with the current functional classification of facilities. Specifically, the DKS report explains:

“Comparing the reasonable worst-case vehicle trip generation from Table 2 and Table 4 shows that the proposed change from R-3 zoning to R-4 zoning could result in an estimated increase of up to 252 weekday trips, 17 AM peak hour trips, and 20 PM peak hour trips. These trips would be distributed between future access points to Buel Drive and Newby Street, consistent with the Future Local Street Connection plan in the City’s TSP5. **As such, no intersection or roadway segment is expected to see an increase of more than 126 daily trips or 10 peak hour trips as a result of the proposed zone change, which is below the City’s threshold for requiring additional traffic analysis.**” (Emphases in original).

The City has an uncodified policy<sup>2</sup> that a “significant effect” on a transportation facility warranting further analysis occurs if, under the proposal, any segment on a road will have more than 200 ADT or more than 20 peak hour trips on any segment. No segment of any road will have such trip impacts as is demonstrated under the DKS analysis. Therefore, there is no “significant effect” on a transportation facility under the proposal. Therefore, the proposal is consistent with the City’s uncodified policy as well as the Oregon Transportation Planning Rule (OAR 660-012-0060) because it has no “significant effect” on a transportation facility.

#### CONCLUSION

It is respectfully submitted that the proposal should be approved because it meets all applicable standards and meets a need for housing, particularly needed housing, in the City.

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<sup>2</sup> As a technical matter, the only standards that may be applied to any land use application, including this one, are those codified in the City’s code. ORS 227.173(1).



### Ownership

Legal Owner(s): Monika Development Llc  
Site Address: No Site Address , OR  
Mailing Address: 2470 SW West Wind Dr McMinnville, OR 97128

Parcel #: R4409DC 01100  
APN: 125607  
County: Yamhill

### Property Characteristics

Bedrooms: 0	Year Built: 0	Lot SqFt: 127,631
Total Bathrooms: 0.00	Building SqFt: 0	Lot Acres: 2.93
Full Bathrooms: 0	First Floor SqFt: 0	Roof Type:
Half Bathrooms: 0.00	Basement SqFt: 0	Roof Shape:
Units: 0	Basement Type:	Porch Type:
Stories:		Building Style:
Fire Place: N		Garage:
Air Conditioning:		Garage SqFt: 0
Heating Type:		Parking Spots: 0
		Pool:

### Property Information

Land Use: VACANT	Zoning: R-3
Improvement Type: Recreational-Vacant Land	School District: McMinnville School District 40
Legal Description: SEE METES & BOUNDS	Neighborhood:
	Subdivision:

### Assessor & Taxes

2023 Market Land: \$488,578	2023 Taxes: \$2,535.48
2023 Market Structure: \$	% Improved: 0.00
2023 Market Total: \$488,578	Levy Code:
2023 Assessed Total: \$150,006	Millage Rate:

### Sale History

Last Sale Date: 11/4/2021	Doc #: 202121888	Last Sale Price: \$870,000
Prior Sale Date: 1/17/2018	Prior Doc #: 201800776	Prior Sale Price: \$720,000

### Mortgage

1st Mortgage Date:	Doc #:	1st Mortgage Amt: \$
1st Mortgage Type:	1st Mortgage Lender:	2nd Mortgage Amt: \$
2nd Mortgage Type:		



# MEMORANDUM

DATE: August 7, 2024

TO: Lori Zumwalt | Monika Development LLC

FROM: Lacy Brown, PhD, PE, RSP<sub>2</sub> | DKS Associates  
Harrison Steiger | DKS Associates

SUBJECT: McMinnville Newby Street Zone Change  
Transportation Planning Rule Analysis



Project #P24789-000

This memorandum presents the findings of an evaluation of potential traffic impacts associated with a proposed comprehensive plan amendment and zone change at the 2.93-acre parcel located on NE Newby St between NE Grandhaven St and NE 27<sup>th</sup> St (Tax Lot 1100) in McMinnville, OR. The applicant desires to change the zoning from Medium-Density (R-3) to Medium / High-Density (R-4). The subject property is currently vacant.

The proposed zone change must be in accordance with Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR). The intent of the TPR is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant effect on the surrounding transportation system beyond currently allowed uses. The TPR states that a transportation facility is significantly affected if the zone change would change the functional classification of transportation facilities, result in levels of traffic that are inconsistent with the functional classification, or degrade the performance of transportation facilities such that it would not meet the agency’s performance standards. An additional definition of “significant effect”, according to the Oregon Highway Plan (OHP)<sup>1</sup>, is a net increase of 400 daily trips on a state highway facility. While subject property is not adjacent to a state highway, this threshold is commonly applied to city and county facilities when the local jurisdiction does not have a documented threshold for determining a significant effect. The McMinnville municipal zoning code<sup>2</sup> does not specify a trip threshold for determining a “significant effect” on transportation facilities. However, the City’s planning director advises that the City uses the following threshold for determining a “significant effect”:

- The proposed zone change increases the reasonable worst case trip generation on any road segment or intersection by more than 200 daily (ADT) trips or 20 peak hour trips.

<sup>1</sup> Action 1F.5, Oregon Highway Plan, Oregon Department of Transportation, Updated May 2015.

<sup>2</sup> Section 17.74.020, McMinnville Municipal Code, Effective November 8, 2022.

- If this threshold is exceeded, additional traffic analysis is required to demonstrate that the transportation system meets performance standards outlined in the City’s TSP.

This memorandum documents the expected trip generation of the reasonable worst-case development potential under the existing and proposed zoning, the functional classification of adjacent streets, and whether the proposed zone change will create a significant effect on the transportation system.

## EXISTING ZONING (R-3) TRIP GENERATION

Listed in Table 1 are the permitted land uses that could reasonably be developed on the 2.93-acre parcel under the R-3 zoning. Land uses that could be developed in identical size, density, and operation in both R-3 and R-4 zones are excluded from this list. The trip generation rates shown are the average rates from ITE Trip Generation Manual, 11th Edition.<sup>3</sup>

**TABLE 1: TRIP GENERATION RATES FOR PERMITTED LAND USES UNDER R-3 ZONING**

LAND USE (ITE CODE)	UNITS	WEEKDAY TRIP GENERATION RATES		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
SINGLE FAMILY DETACHED HOME (210)	Dwelling Units	9.43	0.70	0.94
SINGLE FAMILY ATTACHED HOME (215)	Dwelling Units	7.20	0.48	0.57

The reasonable worst-case development under R-3 zoning is 85 single family attached homes based on the City’s maximum density requirements of 6,000 square feet of lot area per four units.<sup>4</sup> As shown in Table 2, single family attached homes could generate up to 612 daily trips, 41 AM peak hour trips, and 49 PM peak hour trips.

**TABLE 2: REASONABLE WORST-CASE TRIP GENERATION FOR EXISTING R-3 ZONING**

LAND USE (ITE CODE)	SIZE	TRIP GENERATION		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
SINGLE FAMILY ATTACHED HOME (215)	85 dwellings	612	41	49

<sup>3</sup> Trip Generation Manual, 11th Edition, Institute of Transportation of Engineers, 2021.

<sup>4</sup> Section 17.18.060, McMinnville Zoning Ordinance.

## PROPOSED ZONING (R-4) TRIP GENERATION

Under the proposed R-4 zoning, a variety of permitted land uses could be developed on the 2.93-acre property.<sup>5</sup> A summary of the trip generation rates for different land uses permitted under the proposed R-4 zoning are presented in Table 3. Land uses that could be developed in identical size, density, and operation in both R-3 and R-4 zones are excluded from this list.

**TABLE 3: TRIP GENERATION RATES FOR PERMITTED LAND USES UNDER R-4 ZONING**

LAND USE (ITE CODE)	UNITS	TRIP GENERATION RATES		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
<b>SINGLE FAMILY DETACHED HOME (210)</b>	Dwelling Units	9.43	0.70	0.94
<b>SINGLE FAMILY ATTACHED HOME (215)</b>	Dwelling Units	7.20	0.48	0.57
<b>MID-RISE APARTMENTS (221)</b>	Dwelling Units	4.54	0.37	0.39

R-4 zoning code does not specify a maximum unit density for multi-family housing (apartments). Based on the developable area of the property, the capacity of public utilities to the site, and the provision of off-street parking, the site can reasonably accommodate a maximum of 120 multi-family dwelling units (apartments). Single family attached dwelling units (condos or apartments) are subject to the City’s maximum density requirements of 5,000 square feet of lot area per four units, resulting in a maximum of 102 units on the 2.93-acre site.<sup>6</sup> As shown in Table 4, the highest number of trips generated by either of these uses is estimated to be 735 daily trips, 49 AM peak hour trips, and 59 PM peak hour trips.

**TABLE 4: REASONABLE WORST-CASE TRIP GENERATION FOR PROPOSED R-4 ZONING**

LAND USE (ITE CODE)	SIZE	TRIP GENERATION		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
<b>SINGLE FAMILY ATTACHED HOME (215)</b>	<b>102 Dwelling Units</b>	<b>735</b>	<b>49</b>	<b>59</b>
<b>MID-RISE APARTMENTS (221)</b>	120 Dwelling Units	545	44	47

<sup>5</sup> McMinnville Zoning Ordinance 2023, Chapter 17.21

<sup>6</sup> Section 17.21.060, McMinnville Zoning Ordinance.



Comparing the reasonable worst-case vehicle trip generation from Table 2 and Table 4 shows that the proposed change from R-3 zoning to R-4 zoning could result in an estimated increase of up to 123 weekday trips, 8 AM peak hour trips, and 10 PM peak hour trips. These trips would be distributed between future access points to Buel Drive and Newby Street, consistent with the Future Local Street Connection plan in the City’s TSP<sup>7</sup>. **As such, no intersection or roadway segment is expected to see an increase of more than 62 daily trips or 5 peak hour trips as a result of the proposed zone change, which is below the City’s threshold for requiring additional traffic analysis.**

**STREET FUNCTIONAL CLASSIFICATION**

The functional classification for streets within the City of McMinnville are identified in the City’s Transportation System Plan (TSP), Exhibit 2-3.<sup>8</sup> The nearby streets of Grandhaven Street, 27<sup>th</sup> Street, and Newby Street are listed in the table below along with the identified functional classification and maximum average daily traffic (ADT) based on the street classification.

Also shown in the table is the street’s existing ADT (in vehicles per day, vpd) and the future ADT with the additional traffic generated by the proposed zone change. If the future ADT with the zone change is lower than the maximum ADT for the street classification, then it can be concluded that the zone change will not change the functional classification of any transportation facilities.

**TABLE 5: ESTIMATED DAILY TRAFFIC VOLUMES ON NEARBY STREETS**

STREET	FUNC. CLASS.	MAXIMUM ADT PER TSP	EXISTING ADT <sup>A</sup>	ADDITIONAL ADT FROM R-3 ZONING <sup>B</sup>	ADDITIONAL ADT FROM ZONE CHANGE <sup>B</sup>	FUTURE ADT WITH ZONE CHANGE
GRANDHAVEN STREET	Major Collector	<b>16,000 vpd</b>	975 vpd	+305 vpd	+65 vpd	<b>1,345 vpd</b>
27 <sup>TH</sup> STREET	Minor Collector	<b>10,000 vpd</b>	5,125 vpd	+305 vpd	+65 vpd	<b>5,495 vpd</b>
NEWBY STREET	Local Street	<b>1,200 vpd</b>	525 vpd	+305 vpd	+65 vpd	<b>895 vpd</b>

<sup>A</sup> Existing ADT for Grandhaven Street and Newby Street was collected in July 2024. ADT for 27<sup>th</sup> Street was collected by the Oregon Department of Transportation in 2022.

<sup>B</sup> The estimated additional ADT generated by the proposed zone change is based on engineering judgement and surrounding land uses, with the assumption that future access to the site would be via Buel Drive and Newby Street. Approximately 50% of trips were assumed to travel along Grandhaven Street while the other 50% of trips were assumed to travel along Newby Street and 27<sup>th</sup> Street.

<sup>7</sup> McMinnville Transportation System Plan, Exhibit 2-1.

<sup>8</sup> Transportation System Plan, City of McMinnville, Adopted May 2010.



As shown in Table 5, all nearby streets (Grandhaven Street, 27<sup>th</sup> Street, and Newby Street) will operate with an estimated ADT under the maximum ADT for the current street classification. Based on the future ADTs, it can be concluded that **the reasonable worst-case development associated with the proposed zone change will not change the functional classification of transportation facilities nor is the level of traffic inconsistent with the current functional classification.**

## TRANSPORTATION PLANNING RULE FINDINGS AND SUMMARY

The applicant is requesting a zone change for a 2.93-acre parcel located on NE Newby St between NE Grandhaven St and NE 27<sup>th</sup> St (Tax Lot 1100) in McMinnville, OR. The owner desires to rezone the property from Medium-Density Residential (R-3) to Medium/High-Density Residential (R-4). The proposed zone change would result in a net increase of 123 weekday trips and net increase of 8 AM peak hour trips and 10 PM peak hour trips based on reasonable worst-case development scenarios.

The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant effect on the surrounding transportation system beyond currently allowed uses.

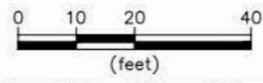
Based on the reasonable worst-case trip generation evaluation, the proposed zone change would result in a net increase of less than 400 daily trips (ODOT threshold) and fewer than 200 daily trips or 20 peak hours trips on any roadway segment or intersection (City threshold). As such, no additional traffic analysis is required.

Additionally, the average daily trips generated by the proposed zone change will not cause the nearby streets to change functional classification or cause the streets to be inconsistent with the functional classification.

**It can be concluded that the proposed zone change will not have a significant effect on the surrounding transportation system. Therefore, this request complies with TPR and City of McMinnville requirements.**

Please let me know if you have any questions or comments.

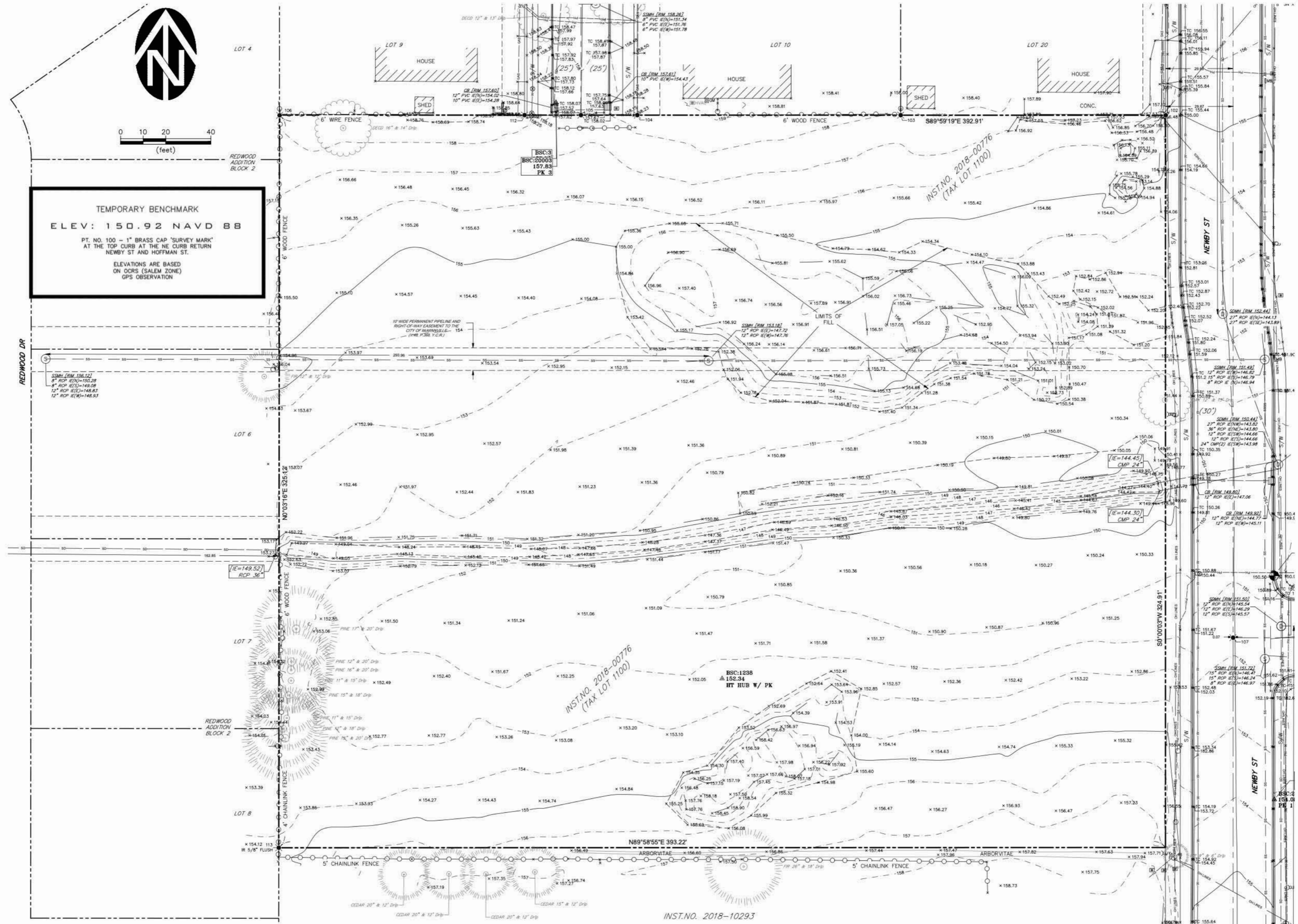




TEMPORARY BENCHMARK  
ELEV: 150.92 NAVD 88

PT. NO. 100 - 1" BRASS CAP "SURVEY MARK"  
AT THE TOP CURB AT THE NE CURB RETURN  
NEWBY ST AND HOFFMAN ST.

ELEVATIONS ARE BASED  
ON OCRS (SALEM ZONE)  
GPS OBSERVATION



5/18/2022 4:48:20 PM  
R:\wg\Premier Development\Monika Subdivision\City\Plots\C1.0 - Survey.dwg (C1.0.tbx)

VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING IF NOT ONE INCH ON SCALE, ACCORDINGLY	DSN: JW DRN: AK CKD: JW	NO. 1 DATE: 01/2022	DESCRIPTION REVISIONS	BY
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**WESTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS

**WE**

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3986  
E-mail: westech@westech-eng.com

MONIKA DEVELOPMENT, LLC  
MONIKA SUBDIVISION  
SURVEY

DRAWING  
C1.0  
JOB NUMBER  
3344.0000.0



## Minutes for the Monika Neighborhood Meeting / Zone Change

The meeting was on June 12, 2024 and started at 6:00 pm at the McMinnville Community Center Room 201.

There were 14 neighbors in attendance.

Lori Zumwalt introduced herself and husband Jeff as owners of the property through Monika Development, LLC.

Lori explained that we were having the meeting because it is required by the City when an application for a land use change is going to be submitted to the City. The purpose is to have a conversation with the neighbors about the zone change. It was explained that the land use application will only be for the zone change and not for the development of the site. She explained the differences between R-3 and R-4 zone, and the need to make the change to provide an opportunity to increase the density and allow for a development that would be economically feasible.

The following topics in general were brought up by neighbors and answered:

1. They do not agree to have apartments in their neighborhood.
2. They do not want Buel Street to go through but would be ok with a cul-de-sac.
3. Developer is profitting at residents expense.
4. Property values will go down if apartments are built.
5. They questioned what happened to the single family cul-de-sac plan
6. One neighbor stated apartments wouldn't be the worse thing, as there are apartments on 27th Street and group homes in the area without bad results.
7. There were questions about the storm drainage, wetlands, street going through the property and the single family plan approved in 2019.
8. One neighbor had a typed list of questions, see attached.

The meeting was adjourned about 6:35 pm.

Attachments: Sign in sheet  
Neighbor questions





From: Tim Lane

1. If this were to go through what's stopping the next person from wanting to change the zoning to larger multi apartment and smaller home lots?
2. How is this beneficial to anyone who already purchased or owns a home in this neighborhood? name one thing beneficial to existing neighbors if this were to happen?
3. Will you guarantee the existing neighbors there won't be trash along our roads because of these apartments?
4. Will you guarantee the existing neighbors there won't be junk cars parked on the road?
5. Do you know why I purchased my home? Specifically because this is a residential neighborhood, maximum duplex zoning, that's what I paid for and what I want

6. What's your plan for existing home owners to prevent home values from going down because of the apartments next door?
7. Shrinking the lot sizes to get more people into our neighborhood is simply a bad idea.
8. Why did I receive the 1st notice regarding meeting agenda on May 22nd? The day of that meeting?
9. What about security? It seems like people with low income can create a bad environment, is there a plan in place for this?
10. There is an existing creek in the middle of the area you want to develop, how is our rain water going to get into that creek without flooding out existing homes?



<b>Applications Public Hearing-Planning Commission</b>	Appeal of Director's Decision	17.72.170
	Application (Director's Decision) for which a Public Hearing is Requested	17.72.120
	Area Plan	17.10
	Comprehensive Plan Map or Text Amendment*	17.74.020
	Conditional Use Permit	17.74.030-060
	Legislative Amendments	17.72.120
	Master Plan	17.10
	Planned Development Amendment*	17.74.070
	Subdivision (more than 10 lots)	17.53.070
	Variance	17.74.100-130
<b>Public Hearing-City Council</b>	Zone Change*	17.74.020
	Appeal of Planning Commission's Decision	17.72.180
<b>MUAMC***</b>	Hearings Initiated by City Council	17.72.130
	Urban Growth Boundary (UGB) Amendment	Ord. Nos. 4130,4146
<b>Public Hearing – Historic Landmarks Committee</b>	Demolition of National Register of Historic Places Structure	17.65.050 (D)

\* Following Public Hearing, Planning Commission makes recommendation to City Council  
 \*\*\* McMinnville Urban Area Management Commission

17.72.095 Neighborhood Meetings.

- A. A neighborhood meeting shall be required for:
  - 1. All applications that require a public hearing as described in Section 17.72.120, except that neighborhood meetings are not required for the following applications:
    - a. Comprehensive plan text amendment; or
    - b. Zoning ordinance text amendment; or
    - c. Appeal of a Planning Director's decision; or
    - d. Application with Director's decision for which a public hearing is requested.
  - 2. Tentative Subdivisions (up to 10 lots)
  - 3. Short-Term Rental
- B. Schedule of Meeting.
  - 1. The applicant is required to hold one neighborhood meeting prior to submitting a land use application for a specific site. Additional meetings may be held at the applicant's discretion.
  - 2. Land use applications shall be submitted to the City within 180 calendar days of the neighborhood meeting. If an application is not submitted in this time frame, the applicant shall be required to hold a new neighborhood meeting.
- C. Meeting Location and Time.



1. Neighborhood meetings shall be held at a location within the city limits of the City of McMinnville.
  2. The meeting shall be held at a location that is open to the public and must be ADA accessible.
  3. An 8 ½ x 11" sign shall be posted at the entry of the building before the meeting. The sign will announce the meeting, state that the meeting is open to the public and that interested persons are invited to attend.
  4. The starting time for the meeting shall be limited to weekday evenings between the hours of 6 pm and 8 pm or Saturdays between the hours of 10 am and 4 pm. Neighborhood meetings shall not be held on national holidays. If no one arrives within 30 minutes after the scheduled starting time for the neighborhood meeting, the applicant may leave.
- D. Mailed Notice.
1. The applicant shall mail written notice of the neighborhood meeting to surrounding property owners. The notices shall be mailed to property owners within certain distances of the exterior boundary of the subject property. The notification distances shall be the same as the distances used for the property owner notices stated in the specific land use application, as described in Section 17.72.110 and Section 17.72.120.
  2. Notice shall be mailed not fewer than 20 calendar days nor more than 30 calendar days prior to the date of the neighborhood meeting.
  3. An official list for the mailed notice may be obtained from the City of McMinnville for an applicable fee and within 5 business days. A mailing list may also be obtained from other sources such as a title company, provided that the list shall be based on the most recent tax assessment rolls of the Yamhill County Department of Assessment and Taxation. A mailing list is valid for use up to 45 calendar days from the date the mailing list was generated.
  4. The mailed notice shall:
    - a. State the date, time and location of the neighborhood meeting and invite people for a conversation on the proposal.
    - b. Briefly describe the nature of the proposal (i.e., approximate number of lots or units, housing types, approximate building dimensions and heights, and proposed land use request).
    - c. Include a copy of the tax map or a GIS map that clearly identifies the location of the proposed development.
    - d. Include a conceptual site plan.
  5. The City of McMinnville Planning Department shall be included as a recipient of the mailed notice of the neighborhood meeting.
  6. Failure of a property owner to receive mailed notice shall not invalidate the neighborhood meeting proceedings.
- E. Posted Notice.
1. The applicant shall also provide notice of the meeting by posting one 18 x 24" waterproof sign on each frontage of the subject property not fewer than 20 calendar days nor more than 30 calendar days prior to the date of the neighborhood meeting.

*mailed  
May 20th  
2024  
&  
May 23rd  
2024*

*Received 5/9/24  
First Am.*



2. The sign(s) shall be posted within 20 feet of the adjacent right-of-way and must be easily viewable and readable from the right-of-way.
  3. It is the applicant's responsibility to post the sign, to ensure that the sign remains posted until the meeting, and to remove it following the meeting.
  4. If the posted sign is inadvertently removed (i.e., by weather, vandals, etc.), that shall not invalidate the neighborhood meeting proceedings.
- F. Meeting Agenda.
1. The overall format of the neighborhood meeting shall be at the discretion of the applicant.
  2. At a minimum, the applicant shall include the following components in the neighborhood meeting agenda:
    - a. An opportunity for attendees to view the conceptual site plan;
    - b. A description of the major elements of the proposal. Depending on the type and scale of the particular application, the applicant should be prepared to discuss proposed land uses and densities, proposed building size and height, proposed access and parking, and proposed landscaping, buffering, and/or protection of natural resources;
    - c. An opportunity for attendees to speak at the meeting and ask questions of the applicant. The applicant shall allow attendees to identify any issues that they believe should be addressed.
- G. Evidence of Compliance. In order for a land use application that requires a neighborhood meeting to be deemed complete, the following evidence shall be submitted with the land use application:
1. A copy of the meeting notice mailed to surrounding property owners;
  2. A copy of the mailing list used to send the meeting notices;
  3. One photograph for each waterproof sign posted on the subject site, taken from the adjacent right-of-way;
  4. One 8 ½ x 11" copy of the materials presented by the applicant at the neighborhood meeting; and
  5. Notes of the meeting, which shall include:
    - a. Meeting date;
    - b. Meeting time and location;
    - c. The names and addresses of those attending;
    - d. A summary of oral and written comments received; and
    - e. A summary of any revisions made to the proposal based on comments received at the meeting. (Ord. 5047, §2, 2018, Ord. 5045 §2, 2017).

17.72.100 Applications and Permits – Director's Review without Notification.

The following applications are subject to the Planning Director's review for which a decision shall be made within 20 (twenty) working days from the date that a complete application is received. Applications shall be submitted as required in Section 17.72.020.

- Downtown Design Review (minor alterations)
- Home Occupation Permit
- Large Format Commercial Development (not involving a variation to standards)
- Mobile Home Park Permit
- Model Home Permit

- Property Line Adjustment
  - Recreational Vehicle Permit
  - Temporary Living Unit Permit
- A. Notice to neighboring property owners for the above land use applications and permits is not provided. Prior to a decision, the Director may forward the application to other City departments for review and comment. The Planning Department shall provide written notice of the decision to all parties who participated and, in the case of a Temporary Living Unit permit, to the abutting property owners. (Ord. 5034 §2, 2017).

17.72.110 Applications – Director’s Review with Notification. The following applications shall be submitted as stated above in Section 17.72.020 and shall be reviewed by the Planning Director or designee.

- Administrative Variance
  - Classification of an Unlisted Use
  - Downtown Design Review (major alterations or waivers, reviewed by Historic Landmarks Committee)
  - Large Format Commercial Development (variation to standard)
  - Resident Occupied Short-Term Rental
  - Short-Term Rental
  - Tentative Partition
  - Tentative Subdivision (up to 10 lots)
  - Three Mile Lane Design Review
  - Transitional Parking Permit
- A. Notice of the request shall be provided to owners of property within 100 feet of the site for which the application is made. For applications involving classification of an unlisted use, the only notification provided shall be that published in a newspaper of general circulation a minimum of 14 (fourteen) days prior to a decision being rendered. Notices for applications listed in Section 17.72.110 shall:
1. Provide a 14 (fourteen) day period for submission of written comments prior to the decision;
  2. State that issues which may provide the basis for an appeal to the Land Use Board of appeals (LUBA) shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue;
  3. List, by commonly used citation, the applicable criteria for the decision;
  4. Set forth the street address or other easily understood geographical reference to the subject property;
  5. State the place, date, and time that comments are due;
  6. State that copies of all evidence relied upon by the applicant are available for review, and that copies can be obtained at cost;
  7. Include the name and phone number of a local government contact person;
  8. Provide notice of the decision to the applicant and any person who submits comments under subparagraph (A) of this paragraph. The notice of decision must include an explanation of appeal rights; and



9. Briefly summarize the local decision-making process for the land use decision being made.
- B. During the 14 (fourteen) day comment period, a person who has received notice may request a public hearing following the procedure as outlined in Section 17.72.120.
- C. The Director or designee shall make a decision for the above applications within 30 (thirty) days following the close of the 14 (fourteen) day comment period. The Director's decision may be appealed as outlined in Section 17.72.170. (Ord. 5047 §2, 2018, Ord. 5034 §2, 2017; Ord. 4984 §1, 2014).

17.72.120 Applications – Public Hearings. The Planning Commission shall hold at least one public hearing on the following land use applications.

- Annexation
- Appeal of a Planning Director's Decision
- Application with Planning Director's Decision for which a public hearing is requested.
- Comprehensive Plan Map Amendment
- Comprehensive Plan Text Amendment
- Conditional Use Permit
- Demolition of National Register of Historic Places Structure (Public hearing held by the Historic Landmarks Committee)
- Planned Development
- Planned Development Amendment
- Tentative Subdivision (more than 10 lots)
- Urban Growth Boundary Amendment
- Variance
- Zone Change
- Zoning Ordinance Text Amendment
- Any application listed in Section 17.72.110 for which a public hearing is requested.

The above applications are subject to the following submittal, notice, and hearing requirements:

- A. Applications must be filed not less than 35 (thirty-five) days prior to the date of the public hearing. Applications other than those involving text amendments or other legislative matters shall be reviewed for completeness as outlined above in Section 17.72.040.
- B. The Director shall send a copy of the proposal to any agency or City department identified by the Director as having interest in the proposal including those agencies and departments responsible for determining compliance with state and federal requirements. The notified agency may provide written comment regarding the proposal.
- C. An application to amend the comprehensive plan map, zoning ordinance text, comprehensive plan text or other application requiring notice to the Department of Land Conservation and Development (DLCD) Commission as a "post acknowledgment plan amendment" shall be submitted to the Planning Department a minimum of 55 (fifty-five) days prior to the date of the public



hearing so that notice of the application can be provided to the DLCD Commission.

- D. Notice of the public hearing shall be published in a newspaper of general circulation in the City, not less than five (5) days nor more than 15 (fifteen) days prior to the date of the public hearing.
- E. Written notice of a variance request shall be mailed to the applicant and all property owners within 100 feet of the exterior boundary of the subject property, and within 200 feet of the exterior boundary of the subject property for an application for a conditional use permit not fewer than 20 (twenty) nor more than 30 (thirty) days prior to the date of the public hearing.
- F. Written notice of a request for applications other than those involving text amendments or other legislative matters shall be mailed to the applicant and all property owners within 300 feet of the exterior boundary of the subject property, not fewer than 20 (twenty) nor more than 30 (thirty) days prior to the date of the public hearing.

Written notice of an application to change a zone for all or part of a mobile home park shall be provided for the tenants of a mobile home park at least 20 (twenty) days but not more than 40 (forty) days before the date of the first public hearing on the application. (Ord. 5034 §2, 2017; Ord. 4984 §1, 2014).

17.72.130 Public Hearing Process. Public hearings shall be conducted as per requirements of McMinnville Ordinance No. 3682, as amended;

- A. A staff report shall be submitted to the review body, and shall be made available to the public at least seven (7) days before the date of the public hearing. Any public hearing may be continued to a specific date, time, and location by oral announcement of that specific date, time, and location prior to the hearing being recessed. This announcement is sufficient notice to all applicants, adverse parties, and interested persons, and no further notice is required.
- B. Legislative hearings: Within 45 days following the public hearing on a comprehensive plan text amendment or other legislative matter, unless a continuance is announced, the Planning Commission shall render a decision which shall recommend either that the amendment be approved, denied, or modified:
  - 1. Upon reaching a decision the Planning Commission shall transmit to the City Council a copy of the proposed amendment, the minutes of the public hearing, the decision of the Planning Commission, and any other materials deemed necessary for a decision by the City Council;
  - 2. Upon receipt of the decision of the Planning Commission, the City Council shall:
    - a. Adopt an ordinance effecting the proposed change as submitted by the Planning Commission, or
    - b. Adopt an ordinance effecting the proposed change in an amended form, or
    - c. Refuse to adopt the amendment through a vote to deny, or
    - d. Call for a public hearing on the proposal, subject to the notice requirements stated in Section 17.72.120(D).

1st Notice Mailed  
5/20/24

NOTICE OF NEIGHBORHOOD MEETING

DATE: June 12, 2024

TIME: 6:00 PM

LOCATION: McMinnville Community Center, Room 201

PROPOSAL AND PROJECT DESCRIPTION

This proposal is a land use application for a zone change for the 2.93 acre property located between NE Newby Street and Buel Street in McMinnville, Oregon in Yamhill County (Tax Lot 1100, Section 9 DC, T. 4 S., R. 4 W., W. M.)

The proposal is to change the zone from an R-3 residential zone to an R-4 residential zone.

The R-3 zone allows for single family lots, duplex and triplex lots with a minimum square footage of 6000 square feet, as well as, middle housing. The R-4 zone will allow for single family lots with a minimum of 5000 square feet, as well as, middle housing and apartments. This change in zoning would allow for increased density, some added flexibility in design layout, and sensitivity to the open storm drainage. There is no specific development plan at time.

TENTATIVE MEETING AGENDA ON MAY 22, 2024

6:00 pm - 6:05 pm. Introductions

6:05 pm - 6:15 pm. Proposal for zone change

6:15 pm - 7:00 pm. Opportunity for attendees to speak and ask questions

If you have any questions about the meeting, please contact Lori Zumwalt.

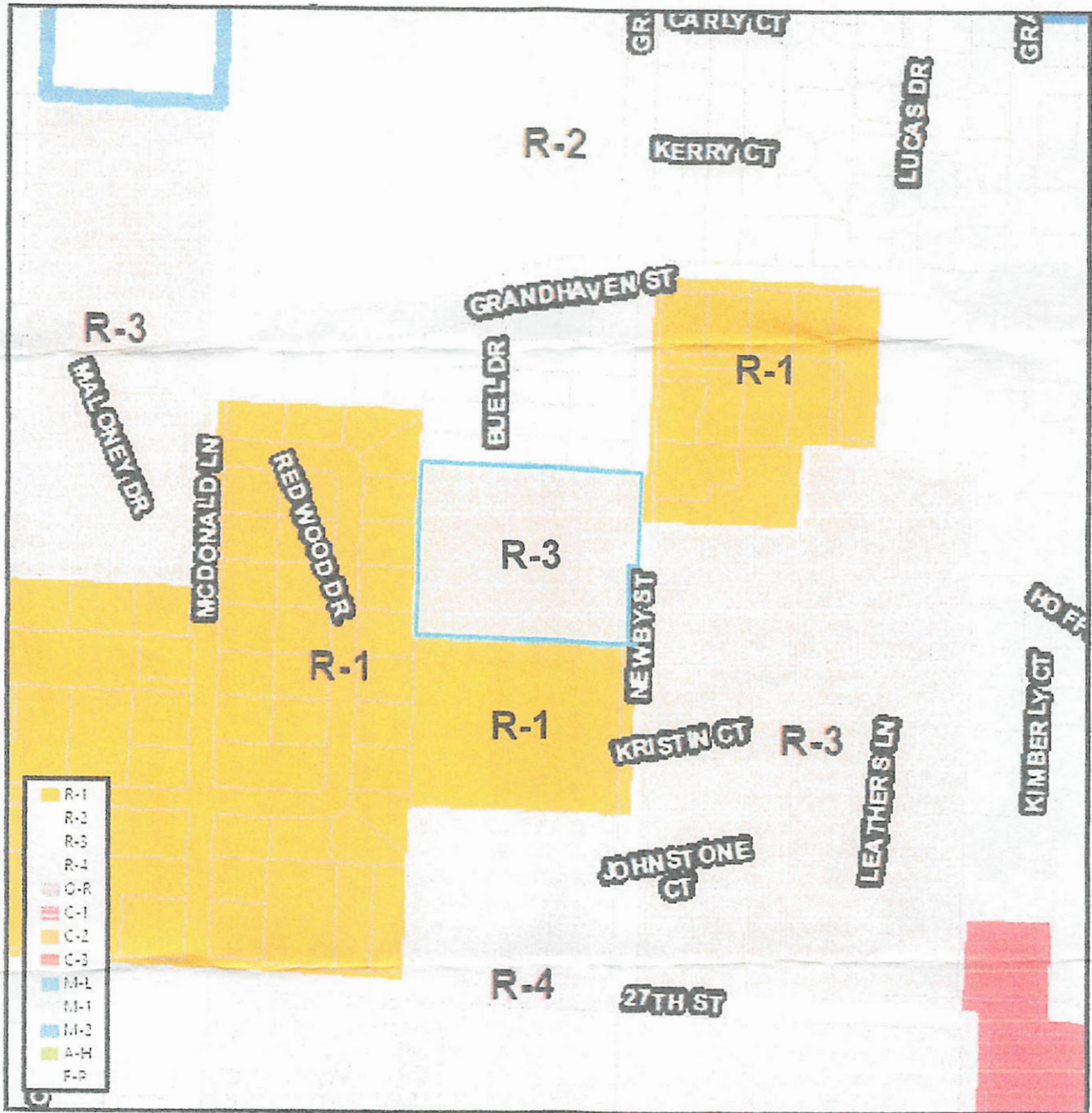
CONTACT NAME: Lori Zumwalt

CONTACT EMAIL: [loriz.premier@gmail.com](mailto:loriz.premier@gmail.com)

CONTACT NUMBER: 503-437-0477



Current Zoning



onika Development, LLC  
470 SW WestWindDr  
McMinnville, OR 97128

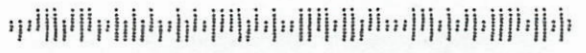
PORTLAND OR RPDC 972

20 MAY 2024 PM 6 L



LORI Zumwalt  
2470 SW West Wind Dr  
McMinnville, OR 97128

97128-700670



NOTICE OF NEIGHBORHOOD MEETING

DATE: June 12, 2024

TIME: 6:00 PM

LOCATION: McMinnville Community Center, Room 201

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6:00 pm - 6:05 pm. Introductions

6:05 pm - 6:15 pm. Proposal for zone change

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If you have any questions about the meeting, please contact Lori Zumwalt.

CONTACT NAME: Lori Zumwalt

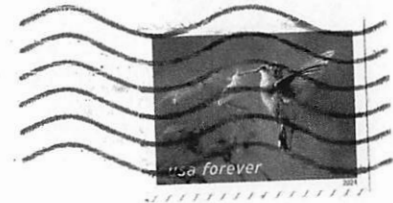
CONTACT EMAIL: [loriz.premier@gmail.com](mailto:loriz.premier@gmail.com)

CONTACT NUMBER: 503-437-0477



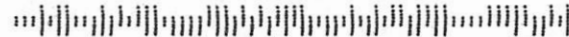
Monika Development, LLC  
2470 SW West Wind Dr  
McMinnville, OR. 97128

PORTLAND OR RPDC 972  
23 MAY 2024 PM 4 L



Monika Development, LLC  
2470 SW West Wind Dr  
McMinnville, OR. 97128

97128-700670





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Date of Production: 05/09/2024

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R4409DC 00404  
Brett & Kari Sweeden  
1424 NE Grandhaven St  
McMinnville, OR 97128

R4409DC 00501  
Raul Ponce & Cecilia Vazquez  
3010 NE Newby St  
McMinnville, OR 97128

R4409DC 00700  
Mark Mathews  
3370 NW Westside Rd  
McMinnville, OR 97128

R4409DC 00801  
Cheryl Groves  
1421 NE Hoffman Dr  
McMinnville, OR 97128

R4409DC 00803  
Gregory & Michelle Harris  
1483 NE Hoffman Dr  
McMinnville, OR 97128

R4409DC 01900  
Tyrone & Brenda Marshall  
Po Box 1700  
McMinnville, OR 97128

R4409DC 02100  
Gerald & Rena Geelan  
2930 NE Redwood Dr  
McMinnville, OR 97128

R4409DC 02300  
Daniel & Stephanie Silver  
Po Box 324  
Manzanita, OR 97130

R4409DC 03300  
Gordon & Sandra Mccann  
1126 NE 30th St  
McMinnville, OR 97128

R4409DC 03500  
James & Janet Stark  
2915 NE Redwood Dr  
McMinnville, OR 97128

R4409DC 04100  
Kelly Stillwell  
2930 NE Mcdonald Ln  
McMinnville, OR 97128

R4409DC 05100  
Jennifer Kauffman  
18841 Hein St  
Oregon City, OR 97045

R4409DC 05300  
Scott & Lisa Klingsporn  
1190 NE Grandhaven St  
McMinnville, OR 97128

R4409DC 05500  
Luke Morley & Lori Jacobsen-Johnston  
1258 NE Grandhaven St  
McMinnville, OR 97128

R4409DC 05700  
Joel & Sarri Gibson  
354 SW Mt Mazama St  
McMinnville, OR 97128

R4409DC 05900  
Vanessa Hadick & Jason Petredis  
3017 NE Buel Dr  
McMinnville, OR 97128

R4409DC 06100  
Scott & Michelle Doyle  
3036 NE Buel Dr  
McMinnville, OR 97128

R4409DC 06300  
Darlene Dorman  
3078 NE Buel Dr  
McMinnville, OR 97128

R4409DC 06500  
Wif Inc  
944 NE 18th St  
McMinnville, OR 97128

R4409DC 06700  
Josie Thomas & Gabriel Nourot  
3027 NE Newby St  
McMinnville, OR 97128

R4409DC 00400  
Christopher & Jennifer Compton  
3030 NE Newby St  
McMinnville, OR 97128

R4409DC 00500  
Jared Heesacker  
3020 NE Newby St  
McMinnville, OR 97128

R4409DC 00504  
Sara & James Hayes  
3024 NE Newby St  
McMinnville, OR 97128

R4409DC 00701  
Jayson & Rosemarie Gettman  
2950 NE Newby St  
McMinnville, OR 97128

R4409DC 00802  
Jerome & Gail Lehner  
1445 NE Hoffman Dr  
McMinnville, OR 97128

R4409DC 01800  
Martina & Jose Guerrero  
12000 S Wrong Mountain Rd  
Benson, AZ 85602

R4409DC 02000  
Matthew & Jennifer Jones  
1135 NE 30th St  
McMinnville, OR 97128

R4409DC 02200  
Gerald & Rena Geelan  
2930 NE Redwood Dr  
McMinnville, OR 97128

R4409DC 02400  
Kelly Bird & Jolene Nettrouer  
2920 NE Redwood Dr  
McMinnville, OR 97128

R4409DC 03400  
Carley Cummings  
2925 NE Redwood Dr  
McMinnville, OR 97128

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R4409DC 04000  
Eugene & Joan Tribbett  
1110 NE 30th St  
McMinnville, OR 97128

R4409DC 04200  
Dennis & Carolyn Marks  
2920 NE Mcdonald Ln  
McMinnville, OR 97128

R4409DC 05200  
Jorge Rivas & Flores Vilorio  
1152 NE Grandhaven St  
McMinnville, OR 97128

R4409DC 05400  
John & Amanda Lawson  
1224 NE Grandhaven St  
McMinnville, OR 97128

R4409DC 05600  
Alan Ruden Inc  
Po Box 570  
McMinnville, OR 97128

R4409DC 05800  
Clearkey Buel LLC  
2597 NW Alice Kelley St  
McMinnville, OR 97128

R4409DC 06000  
Kara Demarco  
3008 NE Buel Dr  
McMinnville, OR 97128

R4409DC 06200  
Rodney Hays & Wendy Barrow  
3064 NE Buel Dr  
McMinnville, OR 97128

R4409DC 06400  
Roger & Darlene Aaron  
1318 NE Grandhaven St  
McMinnville, OR 97128

R4409DC 06600  
Karl & Lin Chan  
4062 NE Fairview Lake Way  
Fairview, OR 97024

R4409DC 06900  
Roberto Gonzalez & Sandra Robledo  
2997 NE Newby St  
McMinnville, OR 97128

R4416AB 02400  
Thomas Kirk  
Po Box 887  
McMinnville, OR 97128

R4416AB 02600  
Jacob & Chelene Blair  
1420 NE Hoffman Dr  
McMinnville, OR 97128

R4416AB 02800  
Alison Seiler  
1433 NE Kristin Ct  
McMinnville, OR 97128

R4416AB 03000  
Lorene Sheldon  
4684 Cordoba Way  
Oceanside, CA 92056

R4416AB 03200  
Erik Connell  
1420 NE Kristin Ct  
McMinnville, OR 97128

R4416AB 04400  
Stefanie & Zachary Goodell  
2910 NE Redwood Dr  
McMinnville, OR 97128

R4416AB 04600  
Donald Schoeppner & Susan Fay  
2816 NE Redwood Dr  
McMinnville, OR 97128

R4416AB 04800  
Bruce & Arlene Lindskog  
2804 NE Redwood Dr  
McMinnville, OR 97128

R4416AB 05700  
Anthony & Nancy Amodeo  
2821 NE Redwood Dr  
McMinnville, OR 97128

R4416AB 05900  
John Reinhardt  
1130 NE 28th St  
McMinnville, OR 97128

R4416AB 06100  
Donna Johnston  
2830 NE Mcdonald Ln  
McMinnville, OR 97128

R4409DC 06800  
Gene & Tammy Johnson  
3011 NE Newby St  
McMinnville, OR 97128

R4409DC 07000  
Patricia Mcleod  
2971 NE Newby St  
McMinnville, OR 97128

R4416AB 02500  
John Cameron & Oressa Shea  
1446 NE Hoffman Dr  
McMinnville, OR 97128

R4416AB 02700  
Timothy Lane  
2842 NE Newby St  
McMinnville, OR 97128

R4416AB 02900  
John Kent  
2835 NE Leathers Ln  
McMinnville, OR 97128

R4416AB 03100  
Pauline Eder  
1442 NE Kristin Ct  
McMinnville, OR 97128

R4416AB 04100  
Newberg Christian Church  
Northwest Christian Church  
2315 N Villa Rd  
Newberg, OR 97132

R4416AB 04500  
Silvia Borders  
2830 NE Redwood Dr  
McMinnville, OR 97128

## EXHIBIT E Page 15 of 35

R4416AB 04700  
Gary & Theresa Vanaken  
2812 NE Redwood Dr  
McMinnville, OR 97128

R4416AB 05600  
Marcie King-Jarred  
2905 NE Redwood Dr  
McMinnville, OR 97128

R4416AB 05800  
Arthur Vanuchelen  
2817 NE Redwood Dr  
McMinnville, OR 97128

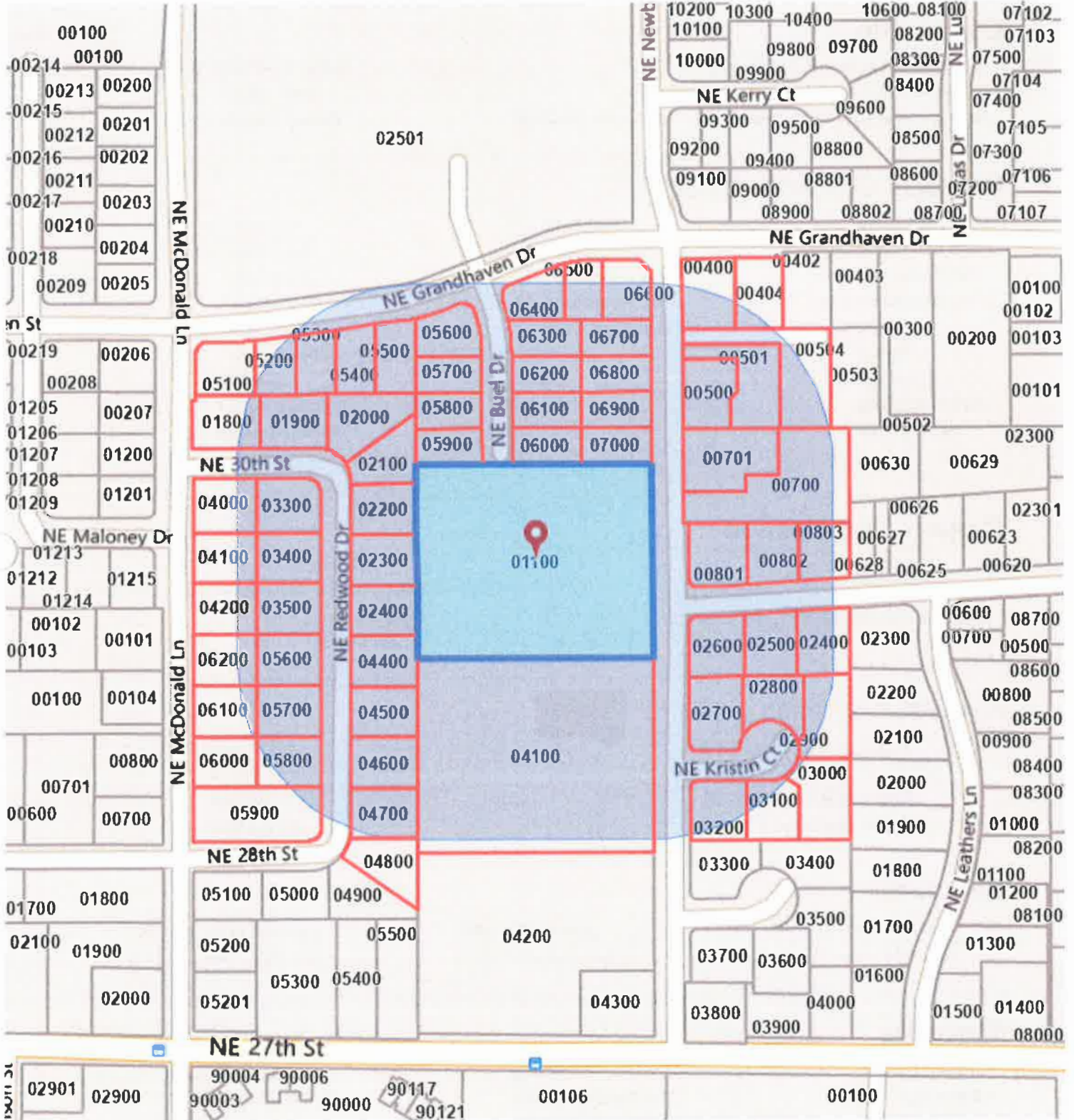
R4416AB 06000  
Brenda Keevy  
2820 NE McDonald Ln  
McMinnville, OR 97128

R4416AB 06200  
Linda & Roald Berg  
2910 NE McDonald Ln  
McMinnville, OR 97128





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Buffer Distance: 300 feet

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**Customer Service Department**

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Report Created: 5/9/2024

**Ownership**

**Legal Owner(s):** Monika Development Llc

**Site Address:** No Site Address , OR

**Mailing Address:** 2470 SW West Wind Dr McMinnville, OR 97128

**Parcel #:** R4409DC 01100

**APN:** 125607

**County:** Yamhill

**Property Characteristics**

**Bedrooms:** 0  
**Total Bathrooms:** 0.00  
**Full Bathrooms:** 0  
**Half Bathrooms:** 0.00  
**Units:** 0  
**Stories:**  
**Fire Place:** N  
**Air Conditioning:**  
**Heating Type:**

**Year Built:** 0  
**Building SqFt:** 0  
**First Floor SqFt:** 0  
**Basement SqFt:** 0  
**Basement Type:**

**Lot SqFt:** 127,631  
**Lot Acres:** 2.93  
**Roof Type:**  
**Roof Shape:**  
**Porch Type:**  
**Building Style:**  
**Garage:**  
**Garage SqFt:** 0  
**Parking Spots:** 0  
**Pool:**

**Property Information**

**Land Use:** VACANT  
**Improvement Type:** Recreational-Vacant Land  
**Legal Description:** SEE METES & BOUNDS

**Zoning:** R-3  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Subdivision:**

**Assessor & Taxes**

**2023 Market Land:** \$488,578  
**2023 Market Structure:** \$  
**2023 Market Total:** \$488,578  
**2023 Assessed Total:** \$150,006

**2023 Taxes:** \$2,535.48  
**% Improved:** 0.00  
**Levy Code:**  
**Millage Rate:**

**Sale History**

**Last Sale Date:** 11/4/2021  
**Prior Sale Date:** 1/17/2018

**Doc #:** 202121888  
**Prior Doc #:** 201800776

**Last Sale Price:** \$870,000  
**Prior Sale Price:** \$720,000

**Mortgage**

**1st Mortgage Date:**  
**1st Mortgage Type:**  
**2nd Mortgage Type:**

**Doc #:**  
**1st Mortgage Lender:**

**1st Mortgage Amt:** \$  
**2nd Mortgage Amt:** \$

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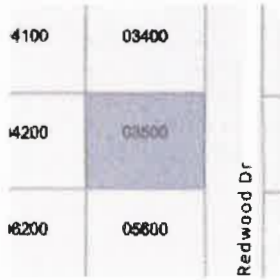


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Report Created: 5/9/2024



**Legal Owner:** James & Janet Stark  
**Site Address:** 2915 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2915 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1472 **Lot Acres:** .21  
**Year Built:** 1976  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 03500 LOT 3 BLOCK 1 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 125910  
**Ref Parcel #:** R4409DC 03500  
**Taxes:** \$3797.47  
**Market Value:** \$417,528  
**Assessed Value:** \$224,669  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Alan Ruden Inc  
**Site Address:** 1288 NE Grandhaven St McMinnville, OR 97128  
**Mailing Address:** Po Box 570 McMinnville, OR 97128  
**Bedrooms:** 6.00  
**Bathrooms:** 5.00  
**Building SqFt:** 3034 **Lot Acres:** .19  
**Year Built:** 2002  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 6 IN GRANDHAVEN SUB

**APN:** 513175  
**Ref Parcel #:** R4409DC 05600  
**Taxes:** \$5843.58  
**Market Value:** \$694,077  
**Assessed Value:** \$345,723  
**Sales Price:** \$  
**Transfer Date:**



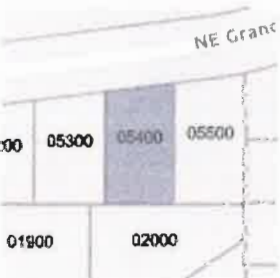
**Legal Owner:** Lindskog Bruce Trustee & Lindskog Arlene Trustee  
**Site Address:** 2804 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2804 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1163 **Lot Acres:** .21  
**Year Built:** 1983  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 16 QTR A QQTR B TAXLOT 04800 LOT 12 BLOCK 2 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 125849  
**Ref Parcel #:** R4416AB 04800  
**Taxes:** \$3722.44  
**Market Value:** \$425,321  
**Assessed Value:** \$220,230  
**Sales Price:** \$210,000  
**Transfer Date:** 01/26/2016



**Legal Owner:** Josie Thomas & Gabriel Nourot  
**Site Address:** 3027 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 3027 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 1521 **Lot Acres:** .16  
**Year Built:** 2002  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 17 IN GRANDHAVEN SUB

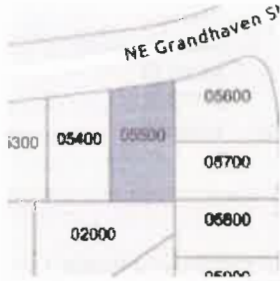
**APN:** 513208  
**Ref Parcel #:** R4409DC 06700  
**Taxes:** \$3627.63  
**Market Value:** \$463,970  
**Assessed Value:** \$214,621  
**Sales Price:** \$487,000  
**Transfer Date:** 01/30/2024



**Legal Owner:** John & Amanda Lawson  
**Site Address:** 1224 NE Grandhaven St McMinnville, OR 97128  
**Mailing Address:** 1224 NE Grandhaven St McMinnville, OR 97128  
**Bedrooms:** 5.00  
**Bathrooms:** 2.50  
**Building SqFt:** 2436 **Lot Acres:** .17  
**Year Built:** 2000  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 05400 LOT 4 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513169  
**Ref Parcel #:** R4409DC 05400  
**Taxes:** \$4307.03  
**Market Value:** \$566,772  
**Assessed Value:** \$254,816  
**Sales Price:** \$242,500  
**Transfer Date:** 02/07/2014





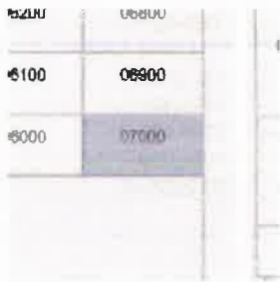
**Legal Owner:** Luke Morley & Lori Jacobsen-Johnston  
**Site Address:** 1258 NE Grandhaven St McMinnville, OR 97128  
**Mailing Address:** 1258 NE Grandhaven St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 1951      **Lot Acres:** .18  
**Year Built:** 2000  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** PT LOT 5 IN GRANDHAVEN SUB

**APN:** 513172  
**Ref Parcel #:** R4409DC 05500  
**Taxes:** \$4507.00  
**Market Value:** \$528,178  
**Assessed Value:** \$266,647  
**Sales Price:** \$511,000  
**Transfer Date:** 12/17/2021



**Legal Owner:** Joel & Sarri Gibson  
**Site Address:** 3059 NE Buel Dr McMinnville, OR 97128  
**Mailing Address:** 354 SW Mt Mazama St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1353      **Lot Acres:** .15  
**Year Built:** 2001  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 05700 LOT 7 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513178  
**Ref Parcel #:** R4409DC 05700  
**Taxes:** \$3651.41  
**Market Value:** \$426,741  
**Assessed Value:** \$216,028  
**Sales Price:** \$  
**Transfer Date:**



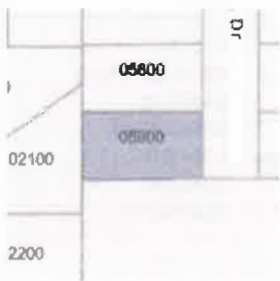
**Legal Owner:** Patricia Mcleod  
**Site Address:** 2971 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 2971 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1492      **Lot Acres:** .16  
**Year Built:** 2002  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 20 IN GRANDHAVEN SUB

**APN:** 513217  
**Ref Parcel #:** R4409DC 07000  
**Taxes:** \$3780.84  
**Market Value:** \$471,351  
**Assessed Value:** \$223,685  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Karl & Lin Chan  
**Site Address:** 3041 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 4062 NE Fairview Lake Way Fairview, OR 97024  
**Bedrooms:** 6.00  
**Bathrooms:** 4.00  
**Building SqFt:** 2664      **Lot Acres:** .18  
**Year Built:** 2003  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 06600 LOT 16 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513205  
**Ref Parcel #:** R4409DC 06600  
**Taxes:** \$5072.51  
**Market Value:** \$620,303  
**Assessed Value:** \$300,104  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Vanessa Hadick & Jason Petredis  
**Site Address:** 3017 NE Buel Dr McMinnville, OR 97128  
**Mailing Address:** 3017 NE Buel Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 1492      **Lot Acres:** .15  
**Year Built:** 2001  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 9 IN GRANDHAVEN SUB

**APN:** 513184  
**Ref Parcel #:** R4409DC 05900  
**Taxes:** \$3680.79  
**Market Value:** \$452,507  
**Assessed Value:** \$217,766  
**Sales Price:** \$272,000  
**Transfer Date:** 12/30/2016

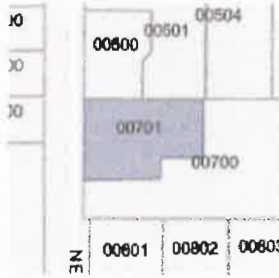


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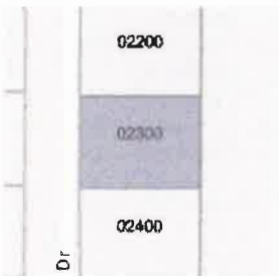
**Legal Owner:** Jayson & Rosemarie Gettman  
**Site Address:** 2950 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 2950 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1356 **Lot Acres:** .35  
**Year Built:** 1966  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 00701

**APN:** 392818  
**Ref Parcel #:** R4409DC 00701  
**Taxes:** \$3396.52  
**Market Value:** \$438,376  
**Assessed Value:** \$200,948  
**Sales Price:** \$  
**Transfer Date:**



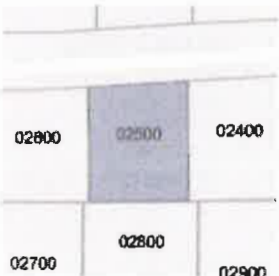
**Legal Owner:** Donna Johnston  
**Site Address:** 2830 NE Mcdonald Ln McMinnville, OR 97128  
**Mailing Address:** 2830 NE Mcdonald Ln McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 1.50  
**Building SqFt:** 1362 **Lot Acres:** .21  
**Year Built:** 1972  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 10 - BLOCK 1 IN REDWOOD ADDITION

**APN:** 126134  
**Ref Parcel #:** R4416AB 06100  
**Taxes:** \$3398.52  
**Market Value:** \$387,304  
**Assessed Value:** \$201,066  
**Sales Price:** \$  
**Transfer Date:**



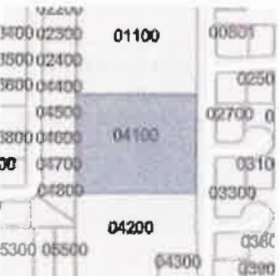
**Legal Owner:** Daniel & Stephanie Silver  
**Site Address:** 2926 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** Po Box 324 Manzanita, OR 97130  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1734 **Lot Acres:** .21  
**Year Built:** 1979  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 6 - BLOCK 2 IN REDWOOD ADDITION

**APN:** 125750  
**Ref Parcel #:** R4409DC 02300  
**Taxes:** \$4249.15  
**Market Value:** \$496,530  
**Assessed Value:** \$251,392  
**Sales Price:** \$491,000  
**Transfer Date:** 05/26/2022



**Legal Owner:** John Cameron & Oressa Shea  
**Site Address:** 1446 NE Hoffman Dr McMinnville, OR 97128  
**Mailing Address:** 1446 NE Hoffman Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1667 **Lot Acres:** .21  
**Year Built:** 1993  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 14 - BLOCK 1 IN JULIANNE ADDITION

**APN:** 483292  
**Ref Parcel #:** R4416AB 02500  
**Taxes:** \$4684.88  
**Market Value:** \$517,962  
**Assessed Value:** \$277,171  
**Sales Price:** \$324,742  
**Transfer Date:** 01/31/2019



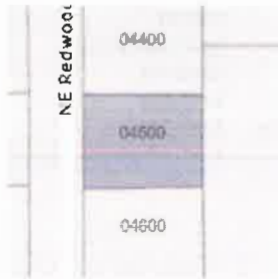
**Legal Owner:** Newberg Christian Church & Northwest Christian Church  
**Site Address:** 2831 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 2315 N Villa Rd Newberg, OR 97132  
**Bedrooms:** .00  
**Bathrooms:** .00  
**Building SqFt:** 0 **Lot Acres:** 1.00  
**Year Built:** 0  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** SEE METES & BOUNDS

**APN:** 125616  
**Ref Parcel #:** R4416AB 04100  
**Taxes:** \$0.00  
**Market Value:** \$524,881  
**Assessed Value:** \$  
**Sales Price:** \$524,881  
**Transfer Date:** 07/19/2018



**Legal Owner:** Stefanie & Zachary Goodell  
**Site Address:** 2910 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2910 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1586 **Lot Acres:** .21  
**Year Built:** 1976  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 8 - BLOCK 2 IN REDWOOD ADDITION

**APN:** 125787  
**Ref Parcel #:** R4416AB 04400  
**Taxes:** \$3772.50  
**Market Value:** \$437,572  
**Assessed Value:** \$223,192  
**Sales Price:** \$385,000  
**Transfer Date:** 06/30/2021



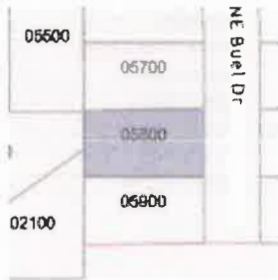
**Legal Owner:** Silvia Borders  
**Site Address:** 2830 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2830 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1542 **Lot Acres:** .21  
**Year Built:** 1973  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 9 - BLOCK 2 IN REDWOOD ADDITION

**APN:** 125796  
**Ref Parcel #:** R4416AB 04500  
**Taxes:** \$3980.93  
**Market Value:** \$451,699  
**Assessed Value:** \$235,523  
**Sales Price:** \$165,000  
**Transfer Date:** 01/13/2009



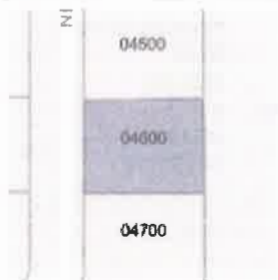
**Legal Owner:** Darlene Dorman  
**Site Address:** 3078 NE Buel Dr McMinnville, OR 97128  
**Mailing Address:** 3078 NE Buel Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1371 **Lot Acres:** .16  
**Year Built:** 2001  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 13 IN GRANDHAVEN SUB

**APN:** 513196  
**Ref Parcel #:** R4409DC 06300  
**Taxes:** \$3759.25  
**Market Value:** \$442,804  
**Assessed Value:** \$222,408  
**Sales Price:** \$370,000  
**Transfer Date:** 02/26/2021



**Legal Owner:** Clearkey Buel Lic  
**Site Address:** 3035 NE Buel Dr McMinnville, OR 97128  
**Mailing Address:** 2597 NW Alice Kelley St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1225 **Lot Acres:** .15  
**Year Built:** 2000  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAX LOT 05800 LOT 8 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513181  
**Ref Parcel #:** R4409DC 05800  
**Taxes:** \$3512.36  
**Market Value:** \$410,540  
**Assessed Value:** \$207,801  
**Sales Price:** \$174,500  
**Transfer Date:** 08/29/2013



**Legal Owner:** Donald Schoeppner & Susan Fay  
**Site Address:** 2816 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2816 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1512 **Lot Acres:** .21  
**Year Built:** 1975  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 10 - BLOCK 2 IN REDWOOD ADDITION

**APN:** 125812  
**Ref Parcel #:** R4416AB 04600  
**Taxes:** \$3837.80  
**Market Value:** \$429,251  
**Assessed Value:** \$227,055  
**Sales Price:** \$171,000  
**Transfer Date:** 04/15/2024





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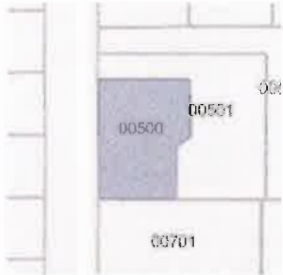
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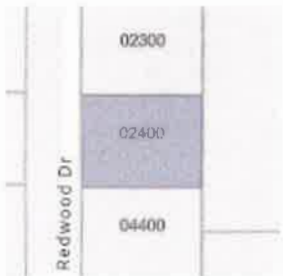
**Legal Owner:** John Reinhardt  
**Site Address:** 1130 NE 28th St McMinnville, OR 97128  
**Mailing Address:** 1130 NE 28th St McMinnville, OR 97128  
**Bedrooms:** 4.00  
**Bathrooms:** 3.00  
**Building SqFt:** 2458 **Lot Acres:** .43  
**Year Built:** 1974  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOTS 7 & 8 - BLOCK 1 IN REDWOOD ADDITION

**APN:** 125956  
**Ref Parcel #:** R4416AB 05900  
**Taxes:** \$6323.60  
**Market Value:** \$744,470  
**Assessed Value:** \$374,122  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Jared Heesacker  
**Site Address:** 3020 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 3020 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 2.00  
**Bathrooms:** 1.00  
**Building SqFt:** 1074 **Lot Acres:** .22  
**Year Built:** 1960  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 00500

**APN:** 125466  
**Ref Parcel #:** R4409DC 00500  
**Taxes:** \$2354.77  
**Market Value:** \$281,248  
**Assessed Value:** \$139,315  
**Sales Price:** \$158,000  
**Transfer Date:** 09/27/2016



**Legal Owner:** Kelly Bird & Jolene Nettrouer  
**Site Address:** 2920 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2920 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1936 **Lot Acres:** .21  
**Year Built:** 1979  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 02400 LOT 7 BLOCK 2 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 125778  
**Ref Parcel #:** R4409DC 02400  
**Taxes:** \$4493.68  
**Market Value:** \$544,639  
**Assessed Value:** \$265,859  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Mark Mathews  
**Site Address:** 2930 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 3370 NW Westside Rd McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1382 **Lot Acres:** .66  
**Year Built:** 1988  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 00700

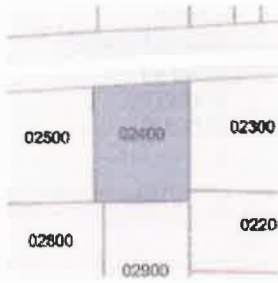
**APN:** 125518  
**Ref Parcel #:** R4409DC 00700  
**Taxes:** \$4781.99  
**Market Value:** \$537,883  
**Assessed Value:** \$282,916  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Gerald & Rena Geelan  
**Site Address:** 2930 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2930 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1504 **Lot Acres:** .21  
**Year Built:** 1973  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 02200 LOT 5 BLOCK 2 SUBDIVISIONNAME REDWOOD ADDITION

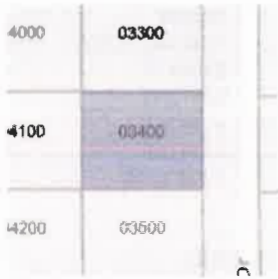
**APN:** 125741  
**Ref Parcel #:** R4409DC 02200  
**Taxes:** \$4128.17  
**Market Value:** \$468,364  
**Assessed Value:** \$244,234  
**Sales Price:** \$  
**Transfer Date:**

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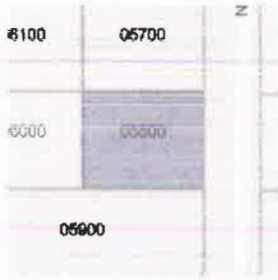
**Legal Owner:** Kirk Family Trust & Kirk Thomas C Co Trustee  
**Site Address:** 1480 NE Hoffman Dr McMinnville, OR 97128  
**Mailing Address:** Po Box 887 McMinnville, OR 97128  
**Bedrooms:** 4.00  
**Bathrooms:** 2.00  
**Building SqFt:** 3028      **Lot Acres:** .22  
**Year Built:** 1992  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 15 - BLOCK 1 IN JULIANNE ADDITION

**APN:** 483289  
**Ref Parcel #:** R4416AB 02400  
**Taxes:** \$6561.85  
**Market Value:** \$765,212  
**Assessed Value:** \$388,218  
**Sales Price:** \$565,750  
**Transfer Date:** 04/22/2021



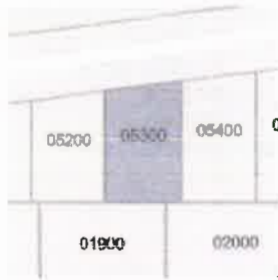
**Legal Owner:** Carley Cummings  
**Site Address:** 2925 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2925 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 4.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1911      **Lot Acres:** .21  
**Year Built:** 1977  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 2 - BLOCK 1 IN REDWOOD ADDITION

**APN:** 125901  
**Ref Parcel #:** R4409DC 03400  
**Taxes:** \$4264.15  
**Market Value:** \$539,217  
**Assessed Value:** \$252,279  
**Sales Price:** \$475,000  
**Transfer Date:** 09/30/2021



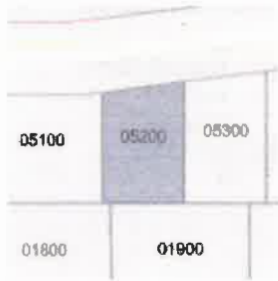
**Legal Owner:** Arthur Vanuchelen  
**Site Address:** 2817 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2817 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1517      **Lot Acres:** .21  
**Year Built:** 1975  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 6 - BLOCK 1 IN REDWOOD ADDITION

**APN:** 125947  
**Ref Parcel #:** R4416AB 05800  
**Taxes:** \$3659.73  
**Market Value:** \$427,979  
**Assessed Value:** \$216,520  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Scott & Lisa Klingsporn  
**Site Address:** 1190 NE Grandhaven St McMinnville, OR 97128  
**Mailing Address:** 1190 NE Grandhaven St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1234      **Lot Acres:** .16  
**Year Built:** 2001  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 3 IN GRANDHAVEN SUB

**APN:** 513166  
**Ref Parcel #:** R4409DC 05300  
**Taxes:** \$3641.27  
**Market Value:** \$414,151  
**Assessed Value:** \$215,428  
**Sales Price:** \$435,000  
**Transfer Date:** 04/25/2024



**Legal Owner:** Jorge Rivas & Flores Vilorio  
**Site Address:** 1152 NE Grandhaven St McMinnville, OR 97128  
**Mailing Address:** 1152 NE Grandhaven St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1269      **Lot Acres:** .15  
**Year Built:** 1999  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 05200 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513163  
**Ref Parcel #:** R4409DC 05200  
**Taxes:** \$3566.70  
**Market Value:** \$413,870  
**Assessed Value:** \$211,016  
**Sales Price:** \$  
**Transfer Date:**



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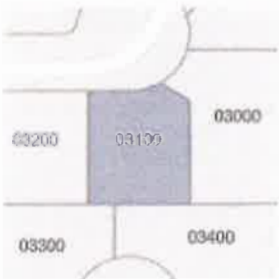
**Legal Owner:** Martina & Jose Guerrero  
**Site Address:** 1111 NE 30th St McMinnville, OR 97128  
**Mailing Address:** 12000 S Wrong Mountain Rd Benson, AZ 85602  
**Bedrooms:** 5.00  
**Bathrooms:** 3.00  
**Building SqFt:** 3115                      **Lot Acres:** .25  
**Year Built:** 1971  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 01800 LOT 1 BLOCK 2 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 125661  
**Ref Parcel #:** R4409DC 01800  
**Taxes:** \$6497.56  
**Market Value:** \$747,798  
**Assessed Value:** \$384,414  
**Sales Price:** \$  
**Transfer Date:**



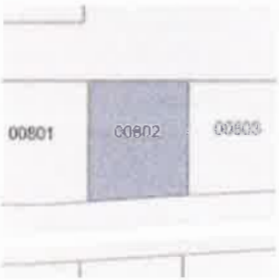
**Legal Owner:** Cheryl Groves  
**Site Address:** 1421 NE Hoffman Dr McMinnville, OR 97128  
**Mailing Address:** 1421 NE Hoffman Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1305                      **Lot Acres:** .23  
**Year Built:** 1993  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 00801 LOT 1 BLOCK 2 SUBDIVISIONNAME JULIANNE ADDITION

**APN:** 483280  
**Ref Parcel #:** R4409DC 00801  
**Taxes:** \$3959.07  
**Market Value:** \$434,500  
**Assessed Value:** \$234,230  
**Sales Price:** \$217,500  
**Transfer Date:** 12/24/2015



**Legal Owner:** Pauline Eder  
**Site Address:** 1442 NE Kristin Ct McMinnville, OR 97128  
**Mailing Address:** 1442 NE Kristin Ct McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 2008                      **Lot Acres:** .20  
**Year Built:** 1993  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 8 - BLOCK 1 IN JULIANNE ADDITION

**APN:** 483310  
**Ref Parcel #:** R4416AB 03100  
**Taxes:** \$5940.11  
**Market Value:** \$701,863  
**Assessed Value:** \$376,227  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Jerome & Gail Lehner  
**Site Address:** 1445 NE Hoffman Dr McMinnville, OR 97128  
**Mailing Address:** 1445 NE Hoffman Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1650                      **Lot Acres:** .20  
**Year Built:** 1993  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 2 - BLOCK 2 IN JULIANNE ADDITION

**APN:** 483283  
**Ref Parcel #:** R4409DC 00802  
**Taxes:** \$4733.21  
**Market Value:** \$508,870  
**Assessed Value:** \$280,030  
**Sales Price:** \$393,420  
**Transfer Date:** 12/02/2022



**Legal Owner:** John Kent  
**Site Address:** No Site Address , OR  
**Mailing Address:** 2835 NE Leathers Ln McMinnville, OR 97128  
**Bedrooms:** .00  
**Bathrooms:** .00  
**Building SqFt:** 0                      **Lot Acres:** .26  
**Year Built:** 0  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 16 QTR A QQTR B TAXLOT 02900 LOT 10 BLOCK 1 SUBDIVISIONNAME JULIANNE ADDITION

**APN:** 483304  
**Ref Parcel #:** R4416AB 02900  
**Taxes:** \$1027.35  
**Market Value:** \$152,196  
**Assessed Value:** \$60,781  
**Sales Price:** \$  
**Transfer Date:**

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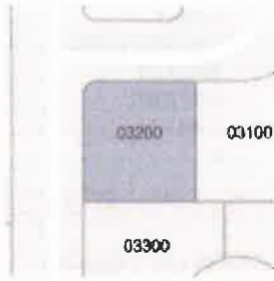


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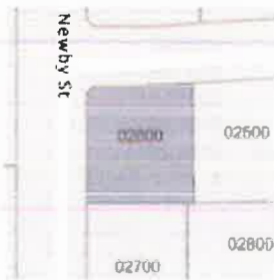
**Legal Owner:** Erik Connell  
**Site Address:** 1420 NE Kristin Ct McMinnville, OR 97128  
**Mailing Address:** 1420 NE Kristin Ct McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1681 **Lot Acres:** .21  
**Year Built:** 1999  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 7 - BLOCK 1 IN JULIANNE ADDITION

**APN:** 483313  
**Ref Parcel #:** R4416AB 03200  
**Taxes:** \$4473.87  
**Market Value:** \$517,236  
**Assessed Value:** \$264,687  
**Sales Price:** \$196,000  
**Transfer Date:** 06/09/2010



**Legal Owner:** Eugene & Joan Tribbett  
**Site Address:** 1110 NE 30th St McMinnville, OR 97128  
**Mailing Address:** 1110 NE 30th St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1537 **Lot Acres:** .22  
**Year Built:** 1975  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 04000 LOT 14 BLOCK 1 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 125974  
**Ref Parcel #:** R4409DC 04000  
**Taxes:** \$3893.10  
**Market Value:** \$435,314  
**Assessed Value:** \$230,327  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Jacob & Chelene Blair  
**Site Address:** 1420 NE Hoffman Dr McMinnville, OR 97128  
**Mailing Address:** 1420 NE Hoffman Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1959 **Lot Acres:** .21  
**Year Built:** 1993  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 13 - BLOCK 1 IN JULIANNE ADDITION

**APN:** 483295  
**Ref Parcel #:** R4416AB 02600  
**Taxes:** \$5103.34  
**Market Value:** \$547,111  
**Assessed Value:** \$301,928  
**Sales Price:** \$465,000  
**Transfer Date:** 11/01/2021



**Legal Owner:** Gerald & Rena Geelan  
**Site Address:** No Site Address , OR  
**Mailing Address:** 2930 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** .00  
**Bathrooms:** .00  
**Building SqFt:** 0 **Lot Acres:** .20  
**Year Built:** 0  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 02100 LOT 4 BLOCK 2 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 125723  
**Ref Parcel #:** R4409DC 02100  
**Taxes:** \$1116.19  
**Market Value:** \$140,110  
**Assessed Value:** \$66,037  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Tyrone & Brenda Marshall  
**Site Address:** 1125 NE 30th St McMinnville, OR 97128  
**Mailing Address:** Po Box 1700 McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 2300 **Lot Acres:** .23  
**Year Built:** 1973  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 2 - BLOCK 2 IN REDWOOD ADDITION

**APN:** 125689  
**Ref Parcel #:** R4409DC 01900  
**Taxes:** \$4768.03  
**Market Value:** \$593,267  
**Assessed Value:** \$282,090  
**Sales Price:** \$  
**Transfer Date:**





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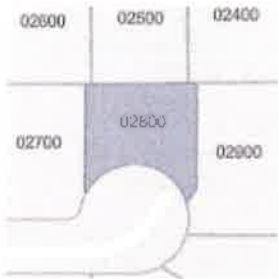
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**Legal Owner:** Matthew & Jennifer Jones  
**Site Address:** 1135 NE 30th St McMinnville, OR 97128  
**Mailing Address:** 1135 NE 30th St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 1824      **Lot Acres:** .26  
**Year Built:** 1976  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** SEE METES & BOUNDS

**APN:** 125705  
**Ref Parcel #:** R4409DC 02000  
**Taxes:** \$4226.74  
**Market Value:** \$584,292  
**Assessed Value:** \$279,819  
**Sales Price:** \$544,000  
**Transfer Date:** 04/18/2023



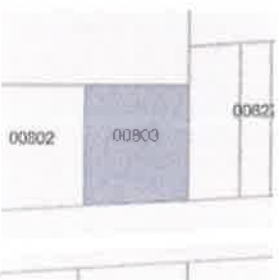
**Legal Owner:** Alison Seiler  
**Site Address:** 1433 NE Kristin Ct McMinnville, OR 97128  
**Mailing Address:** 1433 NE Kristin Ct McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 1892      **Lot Acres:** .20  
**Year Built:** 1993  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 16 QTR A QQTR B TAXLOT 02800 LOT 11 BLOCK 1 SUBDIVISIONNAME JULIANNE ADDITION

**APN:** 483301  
**Ref Parcel #:** R4416AB 02800  
**Taxes:** \$4784.95  
**Market Value:** \$511,801  
**Assessed Value:** \$283,091  
**Sales Price:** \$291,900  
**Transfer Date:** 04/28/2017



**Legal Owner:** Sheldon Lorene E Trust & Sheldon Lorene E Trustee  
**Site Address:** 1470 NE Kristin Ct McMinnville, OR 97128  
**Mailing Address:** 4684 Cordoba Way Oceanside, CA 92056  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 2338      **Lot Acres:** .28  
**Year Built:** 1993  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 9 - BLOCK 1 IN JULIANNE ADDITION

**APN:** 483307  
**Ref Parcel #:** R4416AB 03000  
**Taxes:** \$6648.90  
**Market Value:** \$716,615  
**Assessed Value:** \$393,368  
**Sales Price:** \$425,000  
**Transfer Date:** 07/20/2018



**Legal Owner:** Gregory & Michelle Harris  
**Site Address:** 1483 NE Hoffman Dr McMinnville, OR 97128  
**Mailing Address:** 1483 NE Hoffman Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 2835      **Lot Acres:** .19  
**Year Built:** 1992  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 00803 LOT 3 BLOCK 2 SUBDIVISIONNAME JULIANNE ADDITION

**APN:** 483286  
**Ref Parcel #:** R4409DC 00803  
**Taxes:** \$6168.31  
**Market Value:** \$708,921  
**Assessed Value:** \$364,935  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Wif Inc  
**Site Address:** 1346 NE Grandhaven St McMinnville, OR 97128  
**Mailing Address:** 944 NE 18th St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1504      **Lot Acres:** .14  
**Year Built:** 1999  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 06500 LOT 15 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513202  
**Ref Parcel #:** R4409DC 06500  
**Taxes:** \$3871.84  
**Market Value:** \$442,467  
**Assessed Value:** \$229,069  
**Sales Price:** \$206,900  
**Transfer Date:** 03/13/2015



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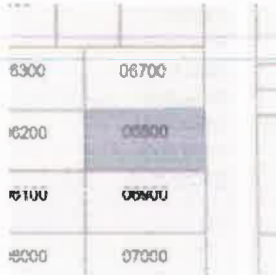
**Legal Owner:** Sara & James Hayes  
**Site Address:** 3024 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 3024 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1661 **Lot Acres:** .42  
**Year Built:** 1957  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 00504

**APN:** 497353  
**Ref Parcel #:** R4409DC 00504  
**Taxes:** \$2987.80  
**Market Value:** \$455,641  
**Assessed Value:** \$176,767  
**Sales Price:** \$270,000  
**Transfer Date:** 07/20/2017



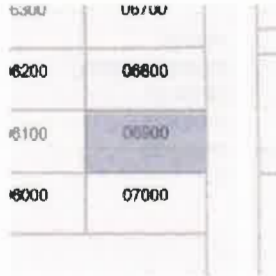
**Legal Owner:** Jennifer Kauffman  
**Site Address:** 1110 NE Grandhaven St McMinnville, OR 97128  
**Mailing Address:** 18841 Hein St Oregon City, OR 97045  
**Bedrooms:** 4.00  
**Bathrooms:** 4.00  
**Building SqFt:** 1898 **Lot Acres:** .20  
**Year Built:** 2000  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 05100 LOT 1 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513160  
**Ref Parcel #:** R4409DC 05100  
**Taxes:** \$4668.83  
**Market Value:** \$576,949  
**Assessed Value:** \$276,221  
**Sales Price:** \$269,000  
**Transfer Date:** 08/21/2014



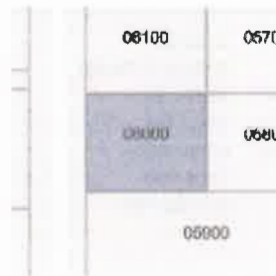
**Legal Owner:** Gene And Tammy Johnson Trust  
**Site Address:** 3011 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 3011 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1525 **Lot Acres:** .16  
**Year Built:** 2002  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 18 IN GRANDHAVEN SUB

**APN:** 513211  
**Ref Parcel #:** R4409DC 06800  
**Taxes:** \$3653.83  
**Market Value:** \$460,578  
**Assessed Value:** \$216,171  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Roberto Gonzalez & Sandra Robledo  
**Site Address:** 2997 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 2997 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 4.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1475 **Lot Acres:** .16  
**Year Built:** 2002  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 06900 LOT 19 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513214  
**Ref Parcel #:** R4409DC 06900  
**Taxes:** \$3741.98  
**Market Value:** \$453,576  
**Assessed Value:** \$221,386  
**Sales Price:** \$235,900  
**Transfer Date:** 10/13/2006



**Legal Owner:** Brenda Kevy  
**Site Address:** 2820 NE McDonald Ln McMinnville, OR 97128  
**Mailing Address:** 2820 NE McDonald Ln McMinnville, OR 97128  
**Bedrooms:** 4.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1532 **Lot Acres:** .21  
**Year Built:** 1970  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 16 QTR A QQTR B TAXLOT 06000 LOT 9 BLOCK 1 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 126143  
**Ref Parcel #:** R4416AB 06000  
**Taxes:** \$3590.92  
**Market Value:** \$410,826  
**Assessed Value:** \$212,419  
**Sales Price:** \$  
**Transfer Date:**

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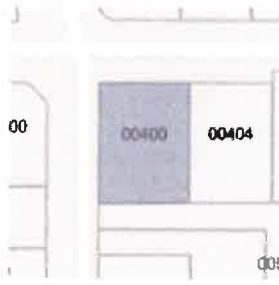


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**Legal Owner:** Christopher & Jennifer Compton  
**Site Address:** 3030 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 3030 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1915 **Lot Acres:** .24  
**Year Built:** 1966  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 00400

**APN:** 125439  
**Ref Parcel #:** R4409DC 00400  
**Taxes:** \$2866.58  
**Market Value:** \$525,939  
**Assessed Value:** \$169,595  
**Sales Price:** \$192,500  
**Transfer Date:** 08/31/2011



**Legal Owner:** Roger & Darlene Aaron  
**Site Address:** 1318 NE Grandhaven St McMinnville, OR 97128  
**Mailing Address:** 1318 NE Grandhaven St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 1951 **Lot Acres:** .17  
**Year Built:** 2000  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 06400 LOT 14 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513199  
**Ref Parcel #:** R4409DC 06400  
**Taxes:** \$4409.32  
**Market Value:** \$503,345  
**Assessed Value:** \$260,868  
**Sales Price:** \$  
**Transfer Date:**



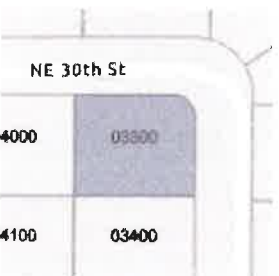
**Legal Owner:** Kelly Stillwell  
**Site Address:** 2930 NE Mcdonald Ln McMinnville, OR 97128  
**Mailing Address:** 2930 NE Mcdonald Ln McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1620 **Lot Acres:** .21  
**Year Built:** 1969  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 13 - BLOCK 1 IN REDWOOD ADDITION

**APN:** 125992  
**Ref Parcel #:** R4409DC 04100  
**Taxes:** \$3397.08  
**Market Value:** \$454,063  
**Assessed Value:** \$230,734  
**Sales Price:** \$250,000  
**Transfer Date:** 05/22/2007



**Legal Owner:** Anthony & Nancy Amodeo  
**Site Address:** 2821 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2821 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 1.00  
**Building SqFt:** 1608 **Lot Acres:** .21  
**Year Built:** 1974  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 5 - BLOCK 1 IN REDWOOD ADDITION

**APN:** 125938  
**Ref Parcel #:** R4416AB 05700  
**Taxes:** \$3041.35  
**Market Value:** \$485,587  
**Assessed Value:** \$209,688  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Gordon & Sandra Mccann  
**Site Address:** 1126 NE 30th St McMinnville, OR 97128  
**Mailing Address:** 1126 NE 30th St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1832 **Lot Acres:** .22  
**Year Built:** 1973  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 03300 LOT 1 BLOCK 1 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 125894  
**Ref Parcel #:** R4409DC 03300  
**Taxes:** \$4103.30  
**Market Value:** \$514,326  
**Assessed Value:** \$242,763  
**Sales Price:** \$189,900  
**Transfer Date:** 11/09/2009



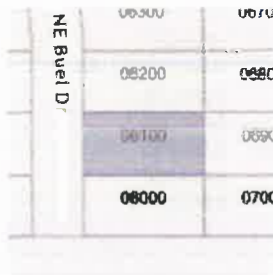
**Legal Owner:** Timothy Lane  
**Site Address:** 2842 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 2842 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1713                      **Lot Acres:** .24  
**Year Built:** 1993  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 12 - BLOCK 1 IN JULIANNE ADDITION

**APN:** 483298  
**Ref Parcel #:** R4416AB 02700  
**Taxes:** \$4659.34  
**Market Value:** \$505,068  
**Assessed Value:** \$275,660  
**Sales Price:** \$425,400  
**Transfer Date:** 03/05/2021



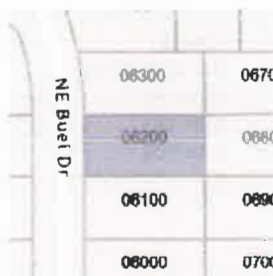
**Legal Owner:** Gary & Theresa Vanaken  
**Site Address:** 2812 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2812 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 1708                      **Lot Acres:** .21  
**Year Built:** 1975  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 11 - BLOCK 2 IN REDWOOD ADDITION

**APN:** 125821  
**Ref Parcel #:** R4416AB 04700  
**Taxes:** \$4130.35  
**Market Value:** \$511,338  
**Assessed Value:** \$244,363  
**Sales Price:** \$319,900  
**Transfer Date:** 01/08/2019



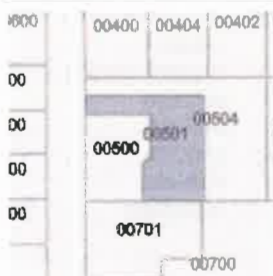
**Legal Owner:** Scott & Michelle Doyle  
**Site Address:** 3036 NE Buel Dr McMinnville, OR 97128  
**Mailing Address:** 3036 NE Buel Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.50  
**Building SqFt:** 1523                      **Lot Acres:** .16  
**Year Built:** 2000  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 11 IN GRANDHAVEN SUB

**APN:** 513190  
**Ref Parcel #:** R4409DC 06100  
**Taxes:** \$3153.38  
**Market Value:** \$463,394  
**Assessed Value:** \$216,316  
**Sales Price:** \$247,900  
**Transfer Date:** 10/20/2006



**Legal Owner:** Rodney Hays & Wendy Barrow  
**Site Address:** 3064 NE Buel Dr McMinnville, OR 97128  
**Mailing Address:** 3064 NE Buel Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1742                      **Lot Acres:** .16  
**Year Built:** 1999  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** LOT 12 IN GRANDHAVEN SUB

**APN:** 513193  
**Ref Parcel #:** R4409DC 06200  
**Taxes:** \$4214.25  
**Market Value:** \$490,589  
**Assessed Value:** \$249,327  
**Sales Price:** \$449,000  
**Transfer Date:** 05/19/2023



**Legal Owner:** Raul Ponce & Cecilia Vazquez  
**Site Address:** 3010 NE Newby St McMinnville, OR 97128  
**Mailing Address:** 3010 NE Newby St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1646                      **Lot Acres:** .30  
**Year Built:** 1977  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** SEE METES & BOUNDS

**APN:** 125484  
**Ref Parcel #:** R4409DC 00501  
**Taxes:** \$3212.74  
**Market Value:** \$427,132  
**Assessed Value:** \$190,075  
**Sales Price:** \$275,000  
**Transfer Date:** 09/18/2018

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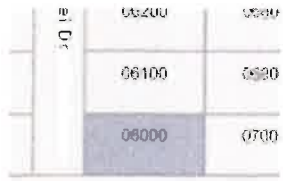


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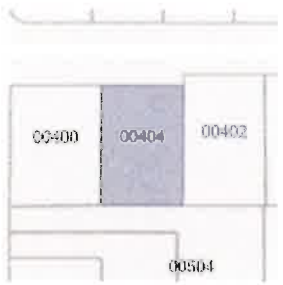
503.476.8735 | csfirst@firstam.com

Report Created: 5/9/2024



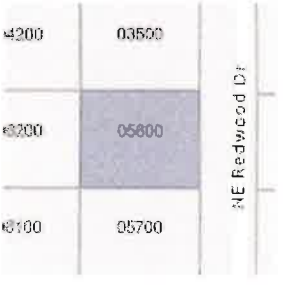
**Legal Owner:** Kara Demarco  
**Site Address:** 3008 NE Buel Dr McMinnville, OR 97128  
**Mailing Address:** 3008 NE Buel Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1311                      **Lot Acres:** .16  
**Year Built:** 1999  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 06000 LOT 10 SUBDIVISIONNAME GRANDHAVEN SUB

**APN:** 513187  
**Ref Parcel #:** R4409DC 06000  
**Taxes:** \$3740.73  
**Market Value:** \$428,410  
**Assessed Value:** \$221,312  
**Sales Price:** \$  
**Transfer Date:**



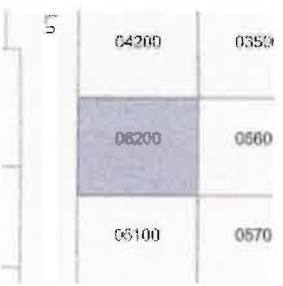
**Legal Owner:** Brett & Kari Sweeden  
**Site Address:** 1424 NE Grandhaven St McMinnville, OR 97128  
**Mailing Address:** 1424 NE Grandhaven St McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1474                      **Lot Acres:** .21  
**Year Built:** 2005  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 00404

**APN:** 529642  
**Ref Parcel #:** R4409DC 00404  
**Taxes:** \$3057.92  
**Market Value:** \$494,866  
**Assessed Value:** \$180,915  
**Sales Price:** \$50,000  
**Transfer Date:** 04/18/2005



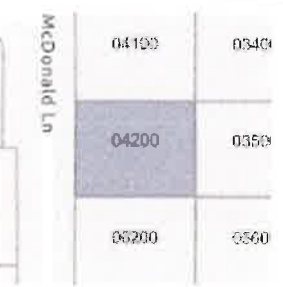
**Legal Owner:** Marcie King-Jarred  
**Site Address:** 2905 NE Redwood Dr McMinnville, OR 97128  
**Mailing Address:** 2905 NE Redwood Dr McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1754                      **Lot Acres:** .21  
**Year Built:** 1978  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 16 QTR A QQTR B TAXLOT 05600 LOT 4 BLOCK 1 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 125929  
**Ref Parcel #:** R4416AB 05600  
**Taxes:** \$4361.74  
**Market Value:** \$554,103  
**Assessed Value:** \$258,053  
**Sales Price:** \$168,500  
**Transfer Date:** 04/12/2013



**Legal Owner:** Linda & Roald Berg  
**Site Address:** 2910 NE Mcdonald Ln McMinnville, OR 97128  
**Mailing Address:** 2910 NE Mcdonald Ln McMinnville, OR 97128  
**Bedrooms:** 3.00  
**Bathrooms:** 2.00  
**Building SqFt:** 1553                      **Lot Acres:** .21  
**Year Built:** 1971  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 16 QTR A QQTR B TAXLOT 06200 LOT 11 BLOCK 1 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 126125  
**Ref Parcel #:** R4416AB 06200  
**Taxes:** \$3702.46  
**Market Value:** \$459,479  
**Assessed Value:** \$219,048  
**Sales Price:** \$  
**Transfer Date:**



**Legal Owner:** Dennis & Carolyn Marks  
**Site Address:** 2920 NE Mcdonald Ln McMinnville, OR 97128  
**Mailing Address:** 2920 NE Mcdonald Ln McMinnville, OR 97128  
**Bedrooms:** 5.00  
**Bathrooms:** 3.00  
**Building SqFt:** 2116                      **Lot Acres:** .21  
**Year Built:** 1971  
**School District:** McMinnville School District 40  
**Neighborhood:**  
**Legal:** TOWNSHIP 4S RANGE 4W SECTION 09 QTR D QQTR C TAXLOT 04200 LOT 12 BLOCK 1 SUBDIVISIONNAME REDWOOD ADDITION

**APN:** 126116  
**Ref Parcel #:** R4409DC 04200  
**Taxes:** \$4207.76  
**Market Value:** \$522,309  
**Assessed Value:** \$248,943  
**Sales Price:** \$300,000  
**Transfer Date:** 10/18/2017



## Minutes for the Monika Neighborhood Meeting / Zone Change

The meeting was on June 12, 2024 and started at 6:00 pm at the McMinnville Community Center Room 201.

There were 14 neighbors in attendance.

Lori Zumwalt introduced herself and husband Jeff as owners of the property through Monika Development, LLC.

Lori explained that we were having the meeting because it is required by the City when an application for a land use change is going to be submitted to the City. The purpose is to have a conversation with the neighbors about the zone change. It was explained that the land use application will only be for the zone change and not for the development of the site. She explained the differences between R-3 and R-4 zone, and the need to make the change to provide an opportunity to increase the density and allow for a development that would be economically feasible.

The following topics in general were brought up by neighbors and answered:

1. They do not agree to have apartments in their neighborhood.
2. They do not want Buel Street to go through but would be ok with a cul-de-sac.
3. Developer is profiting at residents expense.
4. Property values will go down if apartments are built.
5. They questioned what happened to the single family cul-de-sac plan
6. One neighbor stated apartments wouldn't be the worse thing, as there are apartments on 27th Street and group homes in the area without bad results.
7. There were questions about the storm drainage, wetlands, street going through the property and the single family plan approved in 2019.
8. One neighbor had a typed list of questions, see attached.

The meeting was adjourned about 6:35 pm.

Attachments: Sign in sheet  
Neighbor questions

June 12, 2024 Neighborhood Meeting Sign In.

Print Name	Address	Email
JOHN DESMOND	2771 NE LEATHRAS LN	hortdesi@gmail.com
Aurora Clabaugh	1583 NE Hoffman DR	clabaughaurora@gmail.com
Gary Clabaugh	1583 NE Hoffman DR	geclabaugh@gmail.com
Tom Kirk	1480 NE Hoffman	
Jickie Kirk	1480 NE Hoffman Dr.	vkirk49@gmail.com
Rebecca Butterfield	1605 NE Hoffman Dr.	beccabutters@gmail.com
Sheryl Guess	2926 NE REDWOOD DR	<del>sheryl</del> cherylguess@icloud.com
Rena Greelan	2930 NE Redwood Dr	renagreelan@comcast.net
Chelene Blair	1420 NE Hoffman Dr	chelene.glankler1@gmail.com
DeMarco	Brian (and Kara) Demarco 3005 NE Buel Dr.	bdemarco408@gmail.com
JEROME LEHNER	1445 NE HOFFMAN DR	lehnerdad@hotmail.com
GAIL LEHNER	" " " "	" "
Cameron	Travis Cameron 1446 Hoffman dr.	traviscameron1@gmail.com
TIM LANE	2842 NE NEWBYST	TIMLANE 731@GMAIL

From: Tim Lane

1. If this were to go through what's stopping the next person from wanting to change the zoning to larger multi apartment and smaller home lots?
2. How is this beneficial to anyone who already purchased or owns a home in this neighborhood? name one thing beneficial to existing neighbors if this were to happen?
3. Will you guarantee the existing neighbors there won't be trash along our roads because of these apartments?
4. Will you guarantee the existing neighbors there won't be junk cars parked on the road?
5. Do you know why I purchased my home? Specifically because this is a residential neighborhood, maximum duplex zoning, that's what I paid for and what I want

6. What's your plan for existing home owners to prevent home values from going down because of the apartments next door?

7. Shrinking the lot sizes to get more people into our neighborhood is simply a bad idea.

8. Why did I receive the 1st notice regarding meeting agenda on May 22nd? The day of that meeting?

9. What about security? It seems like people with low income can create a bad environment, is there a plan in place for this?

10. There is an existing creek in the middle of the area you want to develop, how is our rain water going to get into that creek without flooding out existing homes?









July 30, 2024

Monika Development LLC  
Monika Property  
McMinnville, OR 97128

RE: Utility Analysis – Monika Property  
J.O. 3522.0000.0

Lori Zumwalt:

Westech Engineering submits this Utility Analysis for Monika Property site development project in McMinnville, Oregon.

The remainder of this letter is divided into the following sections:

- Project Overview and Existing Conditions
- Summary of Utility Capacity
- Estimate Sewer Flow Methodology and Calculations
- Appendix A – Sanitary Sewer and Stormwater Maps

Short discussions on these items follow.

## **Project Overview and Existing Conditions**

The proposed project is located on a 2.93-acre site west of the intersection of Newby Street and Hoffman Street in McMinnville, Oregon. The project scope for is to develop 2.73 acres of the 2.93-acre site. Refer to the Civil Drawings for a site map of the project area. The proposed project will consist of 120 multifamily units on site.

The existing site is dirt and grass and has been tilled for agricultural use. There are 8 trees located on the site that are proposed to be removed. There is a drainageway that runs through the center of the site from west to east. Refer to the Civil Drawings for existing conditions.

## Summary of Utility Capacity

### Water

The 8" water mains in the existing system are sized for fire flows; therefore, the proposed multifamily development will be served with adequate fire flows and pressures, without adversely affecting existing users. The existing looped 8" water main carries approximately 1500-2400 GPM. The water demand of the proposed multifamily development is:

$$120 \text{ units} * 100 \text{ gpcd} * 2.6 \frac{\text{people}}{\text{unit}} * 3(\text{peaking factor}) = 93600 \text{ GPD} = \mathbf{65 \text{ GPM}}$$

Therefore, there is adequate line water capacity to serve existing development and development on the subject property of the kind that is allowed in the R-4 zone.

### Stormwater

Based on the City's Stormwater Facilities Plan there are no known stormwater capacity deficiencies in the area (see attached Figure 7-B3 for reference). Stormwater can feasibly either be discharged to the existing stormwater swale or downstream culverts. Upon development if a capacity issue does arise, the applicant could provide detention onsite to match the existing flows a mitigate the capacity issue.

### Sewer

Using an estimated 120-unit multi-family development as an example, the addition of 120 units the total sewer flows would be 0.76 cfs. Pipe capacity is 3.77 cfs for this residential area. See analysis exhibit in Appendix A. There is adequate capacity within the system to support 120 units.

## Estimate Sewer Flow Methodology and Calculations

### Sewer Flow Methodology

To calculate the existing peak flow, and proposed future flows the DEQ Design Criteria equations were used. The City of McMinnville doesn't have sewer monitoring information in this area; therefore, we estimated existing flows based on the number of existing dwellings and the average 2.6 persons per unit, which is consistent with the McMinnville Wastewater Conveyance Plan. The buildout flows were estimated with the same assumption as that of existing.

The proposed development is within the Fairgrounds basin and is controlled by the Northeast Pump Station. The Northeast pump station has a capacity of 1,080 gpm. The proposed development will produce 67 gpm (at peak flow), which accounts for 6% of the total capacity of the Northeast pump station. The McMinnville Wastewater Conveyance Plan does not indicate that the Northeast pump station is at capacity.

**Calculations**

To be conservative, the DEQ Design Criteria equations were used in lieu of the McMinnville regression equations in the wastewater conveyance plan because the DEQ Design Criteria provide higher flows and are therefore more conservative. The equations used for analysis, per DEQ Design Criteria are listed below for this analysis and to be conservative we assumed each apartment unit would house the same number of people as a single-family home.

Existing Peak Flow (Peaking factor of 3):

$$\left( [\#of\ units] * \left[ \frac{people}{lot} \right] * [per\ capita\ use] \right) + ([inflow\ and\ infiltration] * [Drainage\ Area])$$

Proposed Additional Peak Flow (Peaking factor of 3):

$$\left( [\#of\ units] * \left[ \frac{people}{lot} \right] * [per\ capita\ use] \right) + ([inflow\ and\ infiltration] * [Drainage\ Area])$$

Total Proposed Flow (Peaking factor of 3):

$$[Existing\ Peak\ Flow] + [Proposed\ Additional\ Peak\ Flow]$$

**Sewer Capacity Analysis:**

EXISTING PEAK FLOW:

$$\left( 277 \text{ dwelling units} * 2.6 \frac{\text{people}}{\text{unit}} * 100 \text{ gpcd} * 3 \right) + 2000 \text{ gpac} * 72 \text{ acres}$$

$$= 360,060 \text{ gpd} = 250 \text{ gpm} = \mathbf{0.56 \text{ cfs}}$$

PROPOSED ADDITIONAL PEAK FLOW:

$$\left( 120 \text{ dwelling units} * 2.6 \frac{\text{people}}{\text{unit}} * 100 \text{ gpcd} * 3 \right) + 2000 \text{ gpac} * 3 \text{ acres}$$

$$= 99,600 \text{ gpd} = 69 \text{ gpm} = \mathbf{0.15 \text{ cfs}}$$

GRANDHAVEN ELEMENTARY SCHOOL PEAK FLOW:

$$\left( 20 \frac{\text{gal}}{\text{student}} / \text{day} \right) * 470 \text{ students} * 3 = \mathbf{0.04 \text{ cfs}}$$

PARK PEAK FLOW:

$$\left( 2 \text{ dwelling units} * 2.6 \frac{\text{people}}{\text{unit}} * 100 \text{ gpcd} * 3 \right) + 2000 \text{ gpac} * 4 \text{ acres}$$

$$= 9,560 \text{ gpd} = 6.6 \text{ gpm} = \mathbf{0.01 \text{ cfs}}$$

TOTAL PEAK FLOW:

$$0.56 \text{ cfs} + 0.15 \text{ cfs} + 0.04 \text{ cfs} + 0.01 \text{ cfs} = \mathbf{0.76 \text{ cfs}}$$

$$\text{Pipe Capacity} = \mathbf{3.77 \text{ cfs}}$$

EXHIBIT F Page 5 of 9

July 30, 2024  
Monika Development LLC

Monika Property – McMinnville, OR  
Utility Analysis  
Page 5

We thank you for the opportunity to offer our services. If you have any questions or need additional information regarding our Utility Analysis, please contact us at (503) 585-2474.

Sincerely,

**WESTECH ENGINEERING, INC.**



W. Josh Wells, P.E.



Digitally signed by  
William J. Wells  
Date: 2024.07.30  
12:29:56 -07'00'



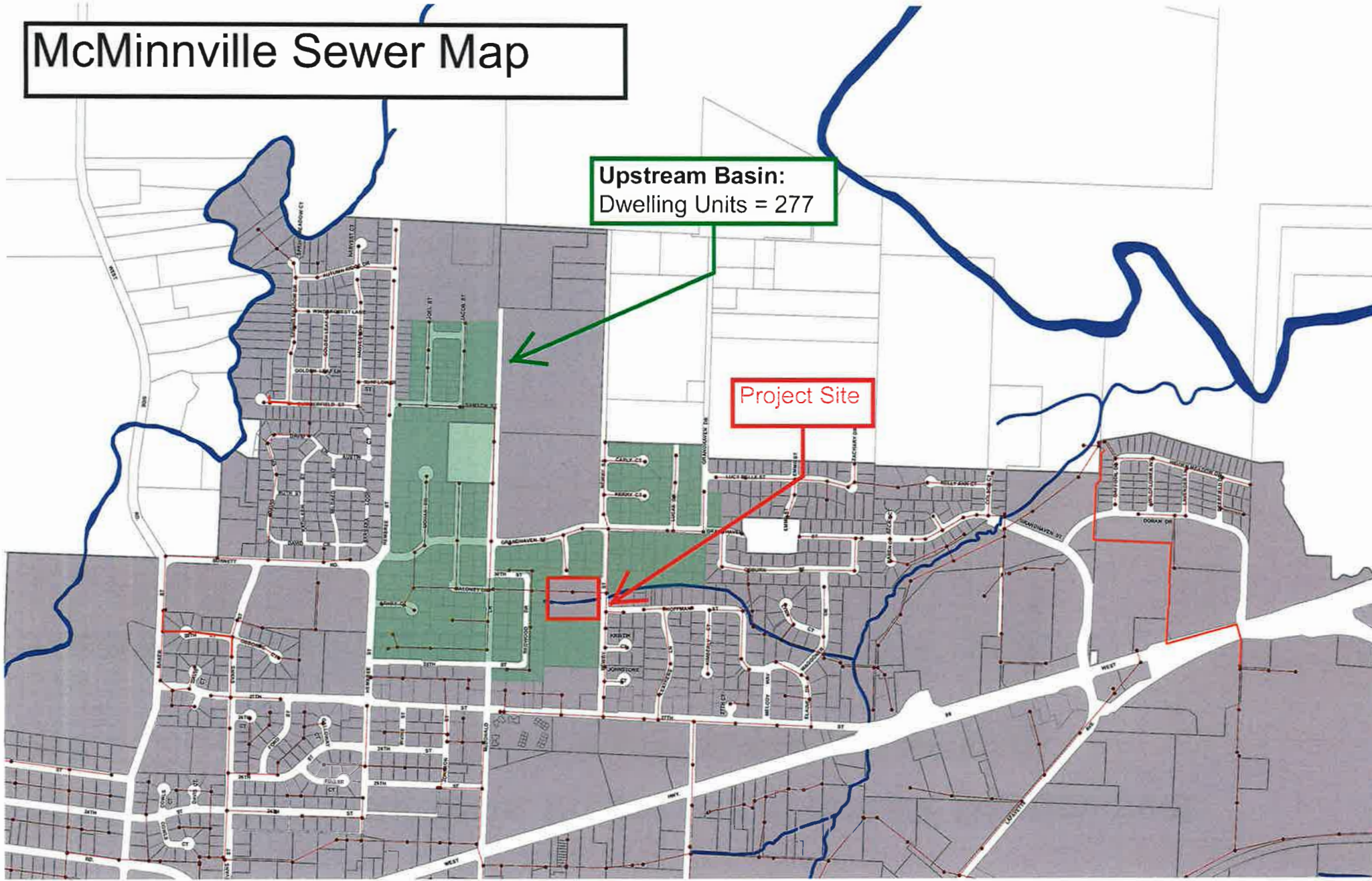
**MONIKA PROPERTY**  
**Utility Analysis**  
**McMinnville, Oregon**

**APPENDIX A**

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**SANITARY SEWER AND STORMWATER MAPS**

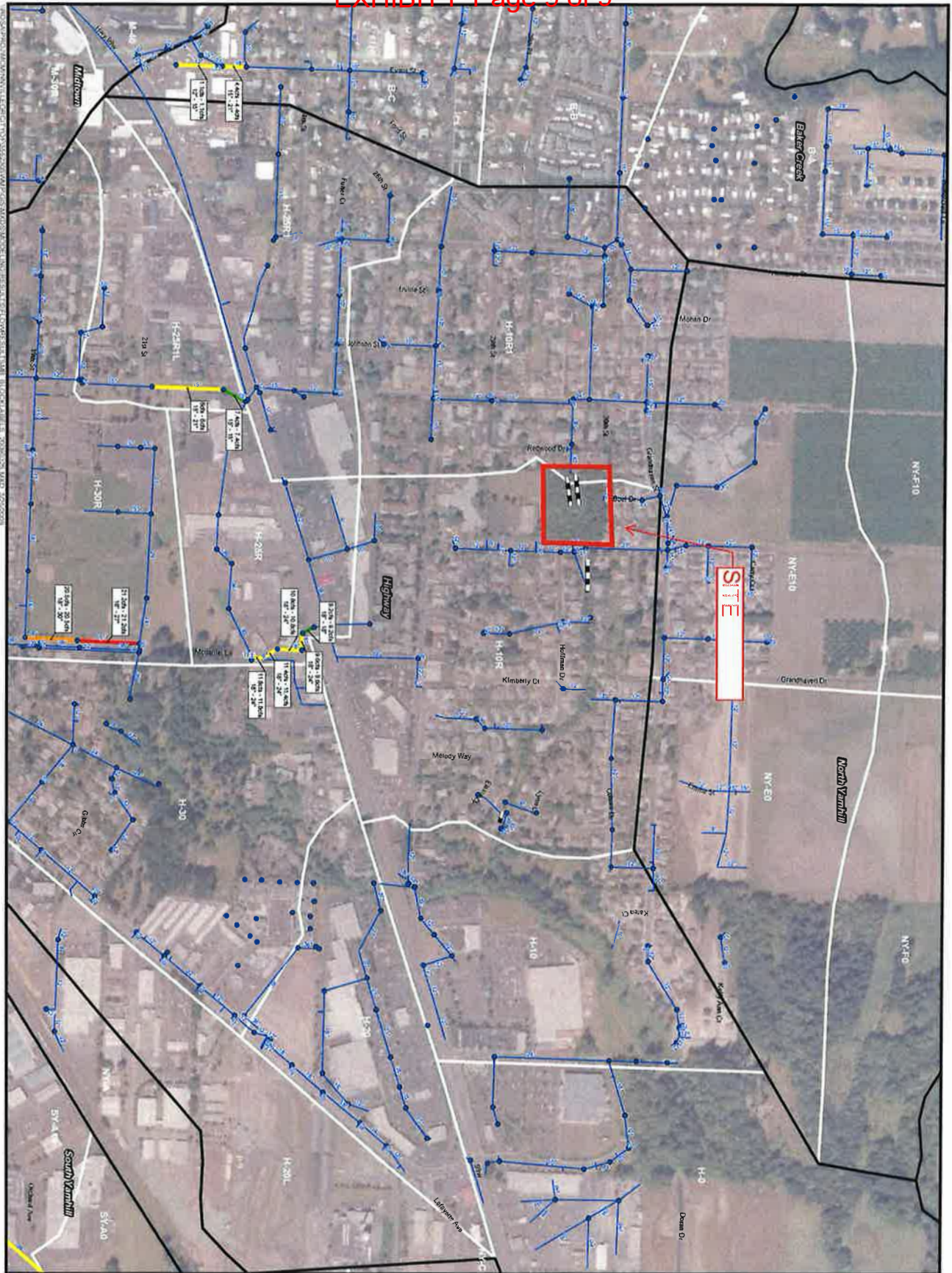
# McMinnville Sewer Map











<p>Date: 3/25/2009</p>	<p>1 inch = 500 feet</p>	<p>Example: XX - YY</p> <p>Existing 10-year flow (cfs)</p> <p>Future 10-year flow (cfs)</p> <p>Exit Pipe Size</p> <p>Future Pipe Size</p>	<p>Legend</p> <ul style="list-style-type: none"> <li>Manhole</li> <li>Major Basin</li> <li>Sub-Basin</li> <li>Culvert</li> <li>Existing Storm Pipe</li> </ul>	<p>Deficiency Rating</p> <ul style="list-style-type: none"> <li>Very Low</li> <li>Low</li> <li>Medium</li> <li>High</li> </ul>	<p><b>HYDRAULIC RESULTS &amp; RECOMMENDED IMPROVEMENTS</b></p>	<p><b>FIGURE 7-B3</b></p> <p>City of McMinnville Stormwater Drainage Master Plan</p> <p>Revised 11/29/2024</p> <p>134 of 164</p>
		<p>CH2M HILL</p>	<p>Legend</p> <ul style="list-style-type: none"> <li>Manhole</li> <li>Major Basin</li> <li>Sub-Basin</li> <li>Culvert</li> <li>Existing Storm Pipe</li> </ul>	<p>Deficiency Rating</p> <ul style="list-style-type: none"> <li>Very Low</li> <li>Low</li> <li>Medium</li> <li>High</li> </ul>	<p>City of McMinnville Stormwater Drainage Master Plan</p> <p>Revised 11/29/2024</p> <p>134 of 164</p>	



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

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

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**SENT VIA EMAIL**

August 27, 2024

Wendie Kellington  
4500 Kruse Way, STE #340  
Lake Oswego, OR 97035

[wk@KLGPC.com](mailto:wk@KLGPC.com)

Re: Zone Change (ZC 3-24) – Land Use Application Completeness Review

Dear Wendie Kellington,

Thank you for submitting the land use application for the proposed zone change of an existing parcel in McMinnville, Oregon. We look forward to working with you towards the completion of the review process to bring this development to our community. I will be the lead staff person in the McMinnville Planning Division on your land use application and your point of contact throughout the review process. Please feel free to contact me at any time during the review process if I may be of assistance.

The subject property is identified as Tax Lot R4409DC 01100. The partition application was submitted to the Planning Department on August 5, 2024, and has been filed as docket number ZC 3-24.

The first step of the land-use application review process is to review the application for completeness. We do this to ensure we have all the information required to process the land-use application. As a general reminder, the applicant holds the burden of proof to demonstrate that the proposal is approvable. Application narrative and plans submitted by the applicant are the only materials provided for the public and agency comment periods. By Oregon State Law we need to conduct and conclude our application completeness review within thirty days of receipt of the application. We then will let you know in writing whether or not the application is complete or incomplete. If we find that the application is incomplete we need to let you know why and provide you with the opportunity to submit the additional information needed. You then have the choice to let us know that you will provide the additional information or that you want to proceed with what you have provided.

The Planning Department has finished the completeness review of the application, and based on the information provided, ***the application has been deemed incomplete*** at this time, in accordance with McMinnville Municipal Code (MMC) Section 17.72.040 and ORS 227.178(2).



### **Completeness Items**

In order for the application to be deemed complete, the following information is requested to be submitted (those items in ~~strikethrough~~ are deemed completed at the time of this review, and those items in **bold** are requested):

17.72.020 Application Submittal Requirements. Applications shall be filed on forms provided by the Planning Department and shall be accompanied by the following:

- ~~A. A scalable site plan of the property for which action is requested. The site plan shall show existing and proposed features, such as access, lot and street lines with dimensions in feet, distances from property lines, existing and proposed buildings and significant features (slope, vegetation, adjacent development, drainage etc.)~~
- ~~B. An explanation of intent, nature and proposed use of the development, and any pertinent background information.~~
- ~~C. Property description and assessor map parcel number(s).~~

**D. A legal description of the property when necessary.**

**Correction #1:** The applicant has included a Title Report as part of their application materials, which identifies the legal description as “SEE METES & BOUNDS”; however, the metes & bounds were not included. Please submit a revised application, including the subject site's metes and bounds.

- ~~E. Signed statement indicating that the property affected by the application is in the exclusive ownership or control of the applicant, or that the applicant has the consent of all partners in ownership of the affected property.~~
- ~~F. Materials required by other sections of the McMinnville Zoning Ordinance specific to the land use application.~~
- ~~G. Other materials deemed necessary by the Planning Director to illustrate compliance with applicable review criteria, or to explain the details of the requested land use action.~~

17.72.095 Neighborhood Meetings.

**A. A neighborhood meeting shall be required for:**

1. **All applications that require a public hearing as described in Section 17.72.120**, except that neighborhood meetings are not required for the following applications:
  - ~~a. Comprehensive plan text amendment; or~~
  - ~~b. Zoning ordinance text amendment; or~~
  - ~~c. Appeal of a Planning Director’s decision; or~~
  - ~~d. Application with Director’s decision for which a public hearing is requested.~~

**Correction #1:** The proposed zone change application requires a public hearing per the application review summary table (MMC 17.72.090) and is subject to the public hearing requirement described in MMC 17.72.095(A)(1).

**B. Schedule of Meeting.**

1. **The applicant is required to hold one neighborhood meeting prior to submitting a land use application for a specific site. Additional meetings may be held at the applicant’s discretion.**

**Correction #1:** The applicant has not provided all the necessary materials, as required by MMC 17.72.095(G), to deem the application complete.

**G. Evidence of Compliance. In order for a land use application that requires a neighborhood meeting to be deemed complete, the following evidence shall be submitted with the land use application:**

- ~~1. A copy of the meeting notice mailed to surrounding property owners;~~
- ~~2. A copy of the mailing list used to send the meeting notices;~~

**3. One photograph for each waterproof sign posted on the subject site, taken from the adjacent right-of-way;**

**Correction #1:** Posted notice requirements for a neighborhood meeting are detailed in MMC 17.72.095(E).

MMC 17.72.095(E)(1). The applicant shall also provide notice of the meeting by posting one 18 x 24" waterproof sign on each frontage of the subject property not fewer than 20 calendar days nor more than 30 calendar days prior to the date of the neighborhood meeting.

Chapter 17.06 Definitions

Frontage – The length of the property line of a lot or parcel along a public right-of-way on which it borders.

The subject site borders two public rights-of-way: NE Newby Street and Buel Drive. The applicant provided only one photograph of a waterproof sign in the application materials. The application is deemed incomplete as a photograph of a waterproof sign from both frontages has not been provided.

**4. One 8 ½ x 11" copy of the materials presented by the applicant at the neighborhood meeting; and**

**Correction #1:** Please provide one copy of the materials presented by the applicant.

**5. Notes of the meeting, which shall include:**

- ~~a. Meeting date;~~
- ~~b. Meeting time and location;~~
- ~~c. The names and addresses of those attending;~~
- ~~d. A summary of oral and written comments received; and~~
- ~~e. A summary of any revisions made to the proposal based on comments received at the meeting. (Ord. 5047, §2, 2018, Ord. 5045 §2, 2017).~~

**Next Steps**

Please be advised that until you – as the applicant – take one of the following steps, per ORS 227.178(2), no further action will be taken on the application:

- 1) Submit all completeness items
- 2) Submit some completeness items and a written notice that no other information will be provided
- 3) Submit none of the completeness items and a written notice that no other information will be provided

Wendie Kellington  
Re: Zone Change Application – Application Completeness Review  
Date: August 27, 2024

Page 4

Per ORS 227.178(4), your application will be void if one of the three steps listed above is not taken within 180 days of the date the application was submitted. The date on which the application would become void is February 1, 2025.

Please return the requested completeness items so that we may review those items and the overall application materials again for completeness. Please be aware that staff makes every effort to identify all completeness issues with the first submittal. However, other completeness issues may arise as a result of each review. If you feel that we have made an error in our assessment, please notify us immediately so that we may resolve the issue.

If you have any questions regarding this matter, please contact me at (503) 474-4153 or by email at [taylor.graybehl@mcminnvilleoregon.gov](mailto:taylor.graybehl@mcminnvilleoregon.gov).

Sincerely,



Taylor Graybehl, AICP  
Senior Planner

Cc: Lori Zumwalt, [loriz.premier@gmail.com](mailto:loriz.premier@gmail.com)

August 30, 2024

Via Electronic Mail  
Taylor Graybehl  
McMinnville Planning  
231 NE Fifth Street  
McMinnville, Or 97128

RE: ZC 3-24 Monika Zone Change

Dear Taylor,

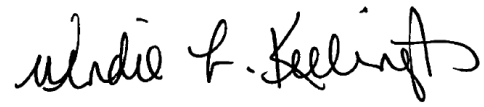
This letter responds to your incompleteness letter dated August 27, 2024. Please include this letter and its exhibits in the record for the above-referenced matter. As an initial matter, we wish to clarify that the application that was submitted was not for a partition as the letter states, but for a zone change. In response to the city's incompleteness letter, the applicant provides all of the requested materials per ORS 227.178(2)(a). Please note that no other information will be provided in response to the city's incompleteness letter and the application must therefore be deemed complete upon receipt of this letter and its exhibits. ORS 227.178(2). The information requested and provided is identified below:

1. Metes and Bounds legal description of the property: RESPONSE: this is Exhibit 1.
2. "The application is deemed incomplete as a photograph of a waterproof sign from both frontages has not been provided." RESPONSE: While only one frontage sign is required, two signs were posted on the subject property's Newby Street frontage. A photograph of one of those signs that was posted on Newby Street is Exhibit 2. Note: No sign was posted upon Buel Street. The Buel St. frontage at the subject property is undeveloped, and on the other side of a street plug barring public access and that barrier to the right of way is covered in 6' of blackberries. A sign posted at the subject property's frontage on the Buel St right-of-way would serve no purpose because no one could see it.
3. "Please provide one copy of the materials presented by the applicant." RESPONSE: Exhibit 3, p 1, is a copy of the zoning map that was handed out at the neighborhood meeting. The second neighborhood meeting notice that the map was attached to is Exhibit 3 p 2. No other materials were presented at the neighborhood meeting because there is no specific development proposal; rather the proposal is only for a zone change. The zone change was discussed orally with neighbors. See minutes of this meeting that

are already in the record.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Wendie L. Kellington". The signature is written in a cursive style with a large, stylized initial "W".

Wendie L. Kellington

WLK:wlk

CC: Client





# FIRST AMERICAN TITLE

# Property Research Report

## SUBJECT PROPERTY

**Parcel #:** 125607

**Map & Taxlot #:** R4409DC01100

**County:** Yamhill

## OWNER

Monika Development LLC

## DATE PREPARED

Date: 08/29/2024

## PREPARED BY

ngervacio@firstam.com



*First American Title*

Customer Service Department  
503-476-8735  
csfirst@firstam.com

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*First American Title*

Customer Service Department  
503-476-8735  
csfirst@firstam.com  
Date: 08/29/2024

**OWNERSHIP INFORMATION**

Owner: Monika Development LLC  
CoOwner:  
Site: McMinnville OR 97128  
Mail: 2470 SW West Wind Dr McMinnville OR 97128

Parcel #: 125607  
Ref Parcel #: R4409DC01100  
TRS: 04S / 04W / 09 / SE  
County: Yamhill

**PROPERTY DESCRIPTION**

Map Grid: 770-J2  
Census Tract: 030602 Block: 3015  
Neighborhood: McMinnville General  
School Dist: 40 McMinnville  
Impr Type: 0  
Subdiv/Plat:  
Land Use: 190 - Residential - Potential development - Vacant  
Std Land Use: RSFR - Single Family Residence  
Zoning: R-3 - Two-Family Residential  
Lat/Lon: 45.230404 / -123.185075  
Watershed: North Yamhill River  
Legal: See Metes & Bounds

**ASSESSMENT AND TAXATION**

Market Land: \$488,578.00  
Market Impr: \$0.00  
Market Total: \$488,578.00 (2023)  
% Improved: 0.00%  
Assessed Total: \$150,006.00 (2023)  
Levy Code: 40.0  
Tax: \$2,535.48 (2023)  
Millage Rate: 16.4925  
Exemption:  
Exemption Type:

**PROPERTY CHARACTERISTICS**

Bedrooms:	Total SqFt:	Year Built:
Baths, Total:	First Floor:	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size Ac: 2.93 Acres
Baths, Half:	Basement Fin:	Lot Size SF: 127,630 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories:	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling:	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls:
Building Style:	Garage:	Const Type:

**SALES AND LOAN INFORMATION**

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
Monika Development LLC	01/25/2022	2022-		Deed		Conv/Unk
MONIKA DEVELOPMENT LLC	01/25/2022	2022-01226				
PREMIER DEV LLC	11/04/2021	2021-21888	\$870,000.00	Deed		Conv/Unk
LEONARD JOHNSON	01/17/2018	2018-00776	\$720,000.00	Deed		Conv/Unk
JOHN C LAUTENBACH	12/29/2017	2017-20714		Deed		Conv/Unk
LAUTENBACH JOHN C & MONIKA TRUST	12/29/2017	2017-20715		Deed		Conv/Unk
RECORD OWNER	01/01/1999	1999-21523		Deed		Conv/Unk
JOHN C LAUTENBACH	07/02/1987	1987-05182	\$25,000.00	Deed		Conv/Unk
	01/01/1984	1984-00365		Deed		Conv/Unk
RECORD OWNER				Deed		Conv/Unk

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

After recording return to:  
Monika Development, LLC  
2470 SW West Wind Dr  
McMinnville, OR 97128

OFFICIAL YAMHILL COUNTY RECORDS  
BRIAN VAN BERGEN, COUNTY CLERK

202201226



\$86.00

All tax statements shall be sent to the following:  
Monika Development, LLC  
2470 SW West Wind Dr  
McMinnville, OR 97128

01/25/2022 01:53:06 PM

DMR-DDMR Cnt=1 Stn=3 SUTTONS  
\$10.00 \$5.00 \$11.00 \$60.00

WARRANTY DEED - - STATUTORY FORM

Premier Development, LLC, 2470 SW West Wind Dr, McMinnville, OR 97128, Grantor(s), conveys and warrants to Monika Development, LLC, 2470 SW West Wind Dr, McMinnville, OR 97128. Grantee(s), The following described real property, free of encumbrances except as specifically set forth herein, to wit:

See attached Exhibit A: legal description

The true consideration for this conveyance is \$0.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 25 day of January, 2022

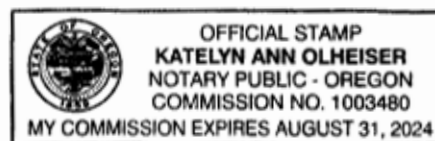
Premier Development, LLC

BY: Lori L. Zumwalt, Member  
Lori L. Zumwalt, Member

State of Oregon, County of Yamhill ) SS.

This instrument was acknowledged before me on January 25<sup>th</sup>, 2022 by Lori L. Zumwalt, Member of Premier Development, LLC

Katelyn Ann Olheiser  
Notary Public for Oregon  
My Commission Expires August 31, 2024



Statutory Warranty Deed  
- continued

**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Yamhill, State of Oregon, described as follows:

**BEING A PART OF THE JAMES T. HEMBREE AND WIFE DONATION LAND CLAIM, NOTIFICATION NO. 1215, CLAIM NO. 46, IN SECTIONS 9 AND 16, TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON, WHICH SAID PART IS MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:**

**BEGINNING AT A POINT 467.82 FEET SOUTH 00°44' WEST AND 1,653.56 FEET EAST OF THE NORTHEAST CORNER OF THE JOHN G. BAKER DONATION LAND CLAIM NO. 49 IN SAID TOWNSHIP AND RANGE, SAID POINT BEING ALSO THE NORTHEAST CORNER OF THE TEN ACRE TRACT OF LAND CONVEYED BY DELIA M. STOUT AND M. ALICE BURDETT AND HUSBAND TO G. W. MEAD, BY DEED RECORDED IN BOOK 110, PAGE 230, DEED RECORDS OF YAMHILL COUNTY, OREGON; THENCE NORTH FROM THIS POINT, 108.23 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST, 402.50 FEET; THENCE NORTH, 324.66 FEET; THENCE EAST 402.50 FEET TO THE WEST LINE OF THE COUNTY ROAD, NOW THERE; THENCE SOUTH 324.66 FEET TO THE PLACE OF BEGINNING.**

**SAVE AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF MCMINNVILLE, A MUNICIPAL CORPORATION OF THE STATE OF OREGON IN STREET DEED RECORDED SEPTEMBER 14, 1990 IN FILM VOLUME 247, PAGE 1332, DEED AND MORTGAGE RECORDS.**

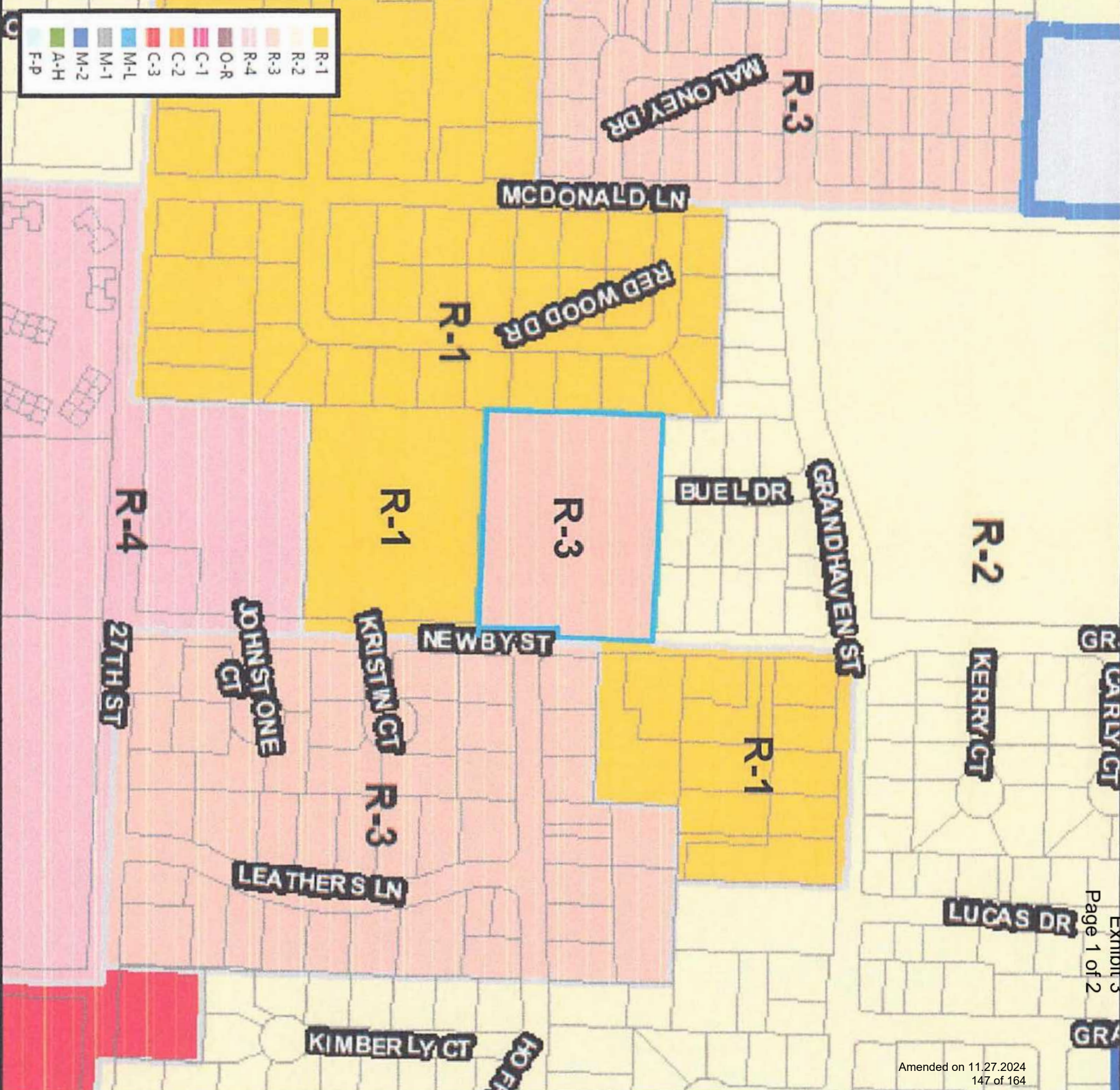
**NOTE: This Legal Description was created prior to January 01, 2008.**







Yellow	R-1
Light Yellow	R-2
Light Orange	R-3
Light Pink	R-4
Light Purple	O-R
Light Blue	C-1
Light Green	C-2
Light Cyan	C-3
Light Blue-Green	M-1
Light Blue	M-2
Light Green	A-H
Light Cyan	F-P



## NOTICE OF NEIGHBORHOOD MEETING

DATE: June 12, 2024

TIME: 6:00 PM

LOCATION: McMinnville Community Center, Room 201

### PROPOSAL AND PROJECT DESCRIPTION

This proposal is a land use application for a zone change for the 2.93 acre property located between NE Newby Street and Buel Street in McMinnville, Oregon in Yamhill County (Tax Lot 1100, Section 9 DC, T. 4 S., R. 4 W., W. M.)

The proposal is to change the zone from an R-3 residential zone to an R-4 residential zone.

The R-3 zone allows for single family lots, duplex and triplex lots with a minimum square footage of 6000 square feet, as well as, middle housing. The R-4 zone will allow for single family lots with a minimum of 5000 square feet, as well as, middle housing and apartments. This change in zoning would allow for increased density, some added flexibility in design layout, and sensitivity to the open storm drainage. There is no specific development plan at time.

### TENTATIVE MEETING AGENDA ON ~~MAY 22, 2024~~ June 12 2024

6:00 pm - 6:05 pm. Introductions

6:05 pm - 6:15 pm. Proposal for zone change

6:15 pm - 7:00 pm. Opportunity for attendees to speak and ask questions

If you have any questions about the meeting, please contact Lori Zumwalt.

CONTACT NAME: Lori Zumwalt

CONTACT EMAIL: [loriz.premier@gmail.com](mailto:loriz.premier@gmail.com)

CONTACT NUMBER: 503-437-0477





## MINUTES

November 7, 2024  
Planning Commission  
Regular Meeting

6:30 pm  
Hybrid Meeting  
McMinnville, Oregon

**Members Present:** Sidonie Winfield, Dan Tucholsky, Matthew Jones, Beth Rankin, Brian Randall, Rachel Flores, Sylla McClellan, and Elena Mudrak

**Members Absent:** Meg Murray

**Staff Present:** Heather Richards – Community Development Director, Tom Schauer – Senior Planner, Taylor Graybehl – Senior Planner, and Bill Kabeiseman – Bateman Seidel

---

### 1. Call to Order

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

### 2. Citizen Comments

None

### 3. Public Hearings

#### A. Quasi-Judicial Hearing: Planned Development Amendment (PDA 1-24) and Amendment to Subdivision Tentative Plan (S 3-24), No Site Address (Undeveloped), Tax Lot R4524 00801

**Request:** **PDA 1-24.** The applicant is requesting approval of a Planned Development Amendment to the current Planned Development approval applicable to the property for the remaining undeveloped phases, approximately 106 remaining acres. Principal elements of the proposed amendment include requests to: reconfigure parts of the street layout, change the number of remaining residential lots from 394 to 392, provide tracts for open space and recreation and pedestrian connections (approximately 13 acres) and stormwater management (approximately 1.6 acres), modify phasing boundaries, and request modifications to certain development standards, including reduced setbacks, lot size averaging with average lot size of 7,960 sf and minimum lot size of 5,000 sf, and flexibility to street/alley standards for address frontage for three lots, and request to remove all trees as necessary to accommodate the proposed development plan.

The proposal would also revise 43 of the lots currently approved for attached housing to standard lots proposed as detached housing.

**S 3-24.** The applicant is also requesting approval of an amendment to the corresponding Subdivision Tentative Plan for the property, to be consistent with the requested Planned Development Amendment.

Applicant: Holt Homes, Inc. c/o Applicant's Consultant: Zach Pelz, AKS Engineering & Forestry, LLC

Chair Winfield opened the public hearing and read the hearing statement. She 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.

Chair Winfield had known the owners of the site for a long time, but it would not impact her ability to make an unbiased decision.

Chair Winfield asked if any Commissioners had visited the site. Commissioners McClellan, Jones, Tucholsky, Flores, and Winfield had visited the site. 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 Report: Senior Planner Schauer presented the staff report. This was a request for a Planned Development amendment and Subdivision Tentative Plan amendment for the remaining phases of the Hillcrest Planned Development, approximately 106 acres. The amendments would revise the street layout with substantially the same connections external to the site, 392 lots and open space tracts vs. 394 lots, smaller average lot size and reduced setbacks, and 43 multi-generational homes vs. 43 townhouse lots. He explained additional information entered into the record after the October 31 meeting packet, applications, criteria, subject property, proposed master plan/tentative plan, background on previous applications, project phases, open space tracts, streets and utilities, and staff's recommendation for approval with conditions.

Commissioner Questions: The Commission asked questions about the landscape plan for the open space tracts, how there were no restrictions on occupation of the ADU for the multi-generation housing, pump facility, drainage plan, natural hazards, how the applicant thought they were subject to the 2017 standards rather than current standards and how staff thought the amendments were subject to the current standards, flood risk to the lots adjacent to the wetlands, and how the drainage plan would ensure there would not be flooding,

James Lofton, City Engineer, discussed the drainage plan and how the project would need detention facilities. He described the engineering process that took place after the land use decision was rendered. He explained how the Natural Hazards Overlay applied to this project and how a full geotechnical analysis would be done on the site. They would not be able to eliminate flooding on some of the lots. There would be easements for drainageways and the boundary of the easements would be at the 100 year flood event level to keep the home construction out of the flood area.

Applicant's Testimony: Zach Pelz, AKS Engineering & Forestry, LLC was representing the applicant. He gave a project background and discussed the subdivisions approved in 2007 and 2017, reasons for the modifications including road realignment, how the road realignment was substantially similar to the 2017 plan, summary of the planned modifications, how the



current plan improved on the 2017 plan, mid-block pedestrian pathways, more open space, and community amenities. Regarding Condition of Approval #13, there was a strikeout shown that no longer allowed them to exempt trees located in the rights-of-way. He would like confirmation that the intent was they would not be penalized for removing trees that were in the rights-of-way.

Garret Stephenson, legal counsel for the applicant, said under the current condition, for the trees they would remove, they would have to provide tree mitigation or a fee in lieu. If they were providing land to the public for rights-of-way, he did not think they had to mitigate for the trees that were removed.

Commissioner Questions: There was discussion regarding how the stormwater facilities and the open spaces would be owned and maintained by an HOA.

Senior Planner Schauer said the reason for the strike out in Condition #13 was to be consistent with the language of the zoning ordinance.

There was further discussion regarding connectivity of the streams and roadways and how the applicant would use culverts in those areas to allow the water to flow underneath the roadway.

There was concern about stormwater drainage and it was suggested the applicant use permeable pavement. Mr. Pelz stated they would install two stormwater facilities for water detention. There were long term maintenance issues with permeable pavement. Mr. Lofton explained why permeable pavement was not appropriate for this area with slide susceptibility.

The Commission suggested the applicant work with McMinnville Water & Light for better water pressure to the adjacent neighborhood. Mr. Pelz said even though the pressure was low, it was in the range and they would be operating in a different pressure zone.

Mr. Pelz confirmed the playground in Area F would include a play structure, open area, and walking paths. They were not planning to include a public restroom due to the cost.

There was further discussion regarding how the housing designs would satisfy all of the applicable design guidelines, how adding left turn lanes at some intersections was required, blasting and noise, excavation and fill, clustering housing to save trees, the challenge of putting streets through the site and grading, how this would provide needed homes for residents and protect open spaces, and how there would be room for bus stops on the roads.

Proponents: Linda Berlin, McMinnville resident, had not been notified of the neighborhood meeting. She was concerned about the construction traffic on her street as well as fire and emergency traffic accessing the development. She was in support of the project as long as the water and sewer were on different systems and would be charged differently.

Steven Goldsmith, McMinnville resident, was concerned about urban heat island effect and lack of a lighting plan. He thought the growth should be managed in a responsible way.

Howard Aster, McMinnville resident, was one of the families planning to sell their property to be developed. He and the other two families had been working with the developer on this transaction for two years now and thought Holt Homes was honest and would build good homes. This proposal added housing variety and open space to this area.

Opponents: Kristi Bahr, McMinnville resident, discussed Phase 9, and how a proposed road extension went through her home. Mr. Schauer said the issue was included in Condition #27. At this point in time, the road would stub out at her property line and the intention was in the future that this was how the property would be served with street infrastructure if it was annexed and developed.

Rebuttal: Mr. Pelz discussed the issues they had with Condition #13 regarding the tree mitigation. Up until today, he thought the number was based on trees that were going to exist in the boundaries of the developed lots as well as the street trees they would have to install. Changing the language could be a substantial mitigation cost. He proposed going back to the original version to remove trees in the rights-of-way without paying a fee in lieu. He suggested closing the hearing but keeping the record open for 7 days until November 14 for the applicant to work with staff on the matter, and then keeping the record open for another 7 days for public testimony which would be due by November 21. They would waive the 7 day period for final written arguments. The Planning Commission would then make a decision on November 21.

Commissioner McClellan MOVED to CLOSE the hearing but keep the record open for Planned Development Amendment (PDA 1-24) and Amendment to Subdivision Tentative Plan (S 3-24) until November 14, 2024 for the applicant and until November 21, 2024 for rebuttal. SECONDED by Commissioner Jones. The motion PASSED 8-0.

**B. Quasi-Judicial Hearing: Hearing: Zone Change (ZC 3-24), No Site Address (Undeveloped), Tax Lot R4409DC0110**

Request: The applicant is requesting approval of a Zone Change application from R-3 (Medium-Density, 6000 SF Lot Residential Zone) to R-4 (Medium, High-Density, 5000 SF Lot Residential Zone) for a 2.93-acre parcel located at Tax Lot R4409DC 01100, west of the NE Newby Street and NE Hoffman Drive Intersection. This is for a zone change only. No development is currently proposed for the site

Applicant: Monika Development

Chair Winfield opened the public hearing and read the hearing statement. She 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 Commissioners had visited the site. Many Commissioners had visited the site. 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 Report: Senior Planner Graybehl presented the staff report. This was a request for a zone change for a 2.93 acre property from R-3, medium density residential, to R-4, medium high density residential. No development was proposed at this time. Staff recommended approval. He described the existing conditions on the site, review procedures, review criteria and compliance, needed housing, Comprehensive Plan findings, Great Neighborhood Principles findings, Statewide Planning Goals, what was required for Goal 10: transportation, and how the Traffic Impact Analysis showed the project did not create a significant impact due to the new zoning.

There was discussion regarding when development might occur on the site, additional number of units allowed in the new zone, and height and setbacks for the R-4 zone.

Applicant's Testimony: Wendy Kellington, representing the applicant, said the applicant might or might not develop the property. The zone change was a tool to deliver increased housing within the City. It would allow this site to be developed with different housing types per the Great Housing Principles. Due to the wetland on the property, it was the only way to achieve the amount of housing needed to help meet the significant deficit. Without upzoning, it would be difficult to achieve the housing. Rezones were allowed without development proposals so long as they met the standards. This application met all of the standards. The Comprehensive Plan said all housing types shall be allowed, and the City should encourage rezoning to maintain land supply to meet housing objectives. Regarding adding conditions of approval, it would deprive the City of the developer's flexibility to comply with the design standards. The time to impose conditions was when there was a specific development application, and they would know the impacts and how to mitigate them. This application would allow the City significant infill and increase housing.

There was discussion regarding previous applications on this site and applicant's plans for the site.

Proponents: None

Opponents: Jerry Lanier, McMinnville resident, did not think they had to rezone the property as they could already put denser development on it. At its current zoning, it would not be different from the other adjacent properties. It was surrounded by nice neighborhoods of single family, duplexes, and triplexes and building high rise apartments next to these homes would be hard on the neighborhood. There was not any greenspace in the area as it was, and adding more people would make it worse.

Travis Cameron, McMinnville resident, was concerned about people from this site parking in the neighborhood, which was a beautiful neighborhood currently.

Rebuttal: Ms. Kellington said the decision had to be based on the standards and criteria, which stated neighborhoods shall have different housing types. Neighborhood integration and diversity was important to the City and without honoring the standards, the City could not meet their housing targets. This property was well suited to be a beautiful addition to the neighborhood and would have to meet strict standards for development. Parking standards were imposed by the City and would be part of the application. She read a State Statute as a basis for not putting conditions on the zone change.

Commissioner Tucholsky MOVED to CLOSE the public hearing, SECONDED by Commissioner McClellan. The motion PASSED 8-0.

Chair Winfield closed the public hearing.

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

Commissioner Deliberation: The Commission discussed short term rentals in the R-4 zone, struggle with the number of units that were possible with the upzone, what they would be gaining and the neighborhood losing with this application, how it met the criteria, future height

concessions and being a good neighbor, questioning if this was the right location for higher density, and adding a condition for the height and setback from the existing neighborhoods.

Commissioner Randall suggested adding a condition for a minimum setback of 15 feet along the abutting single family residences based on the human scale design in the Great Neighborhood Principles.

Commissioner Tucholsky was not in favor of approving the application, even with the condition. There were 14 properties adjacent to this property that would be negatively affected only to add 12 more units. He thought they should not change the zoning on a property that had no plan and was not ideal for the extra density. Changing the setback would not give the neighbors privacy that they had bought into as they had signed up for R-3.

Commissioner McClellan said the applicant wanted to set the property up for the best development opportunities, but she agreed that R-4 might not be the best option for the property. She did not know a criterion that could reasonably deny the request.

The Commission discussed the zone change criteria and what might be used for denial and if the condition proposed by Commissioner Randall followed the code.

No criteria could be found to deny the application.

Community Development Director Richards said the applicant was limited in the number of units based on the footprint of the site itself. They could have a tall, narrow building, but it had not been determined how the site would be designed. She cautioned the Commission not to get caught up in the 120 units that the Traffic Impact Analysis stated was the maximum number of units for the site. She did not know how feasible that would be. One of the complications of R-3 was they had to parcelize the site to create parcels for the housing products. Parcelizing with the drainage ditch was problematic because of the street access to get to the parcels. That was one reason the applicant wanted to change it to R-4 to provide more flexibility. Once they went over three stories, they would be in a different code in terms of structural development, and it would be more expensive. They did not see that in McMinnville.

Commissioner Randall MOVED to RECOMMEND City Council APPROVAL of Zone Change ZC 3-24 with a condition for a minimum setback of 15 feet to the foundation along the north and west property lines. SECONDED by Commissioner McClellan. The motion PASSED 6-2 with Commissioner Mudrak and Tucholsky opposed.

C. **Legislative Hearing: Proposed Amendments To The Comprehensive Plan To Support The Parks, Recreation And Open Space Plan (Docket G 5-24).**

Request: A proposal to adopt the June 2024 Parks Recreation and Open Space Plan as a supplemental document to the McMinnville Comprehensive Plan, and to amend Volume I, Background Information, Volume II, Goals and Policies and Volume III, McMinnville Growth Management and Urbanization Plan's Framework Plan, to support the Parks, Recreation, and Open Space (PROS) Plan.

Applicant: City of McMinnville

Chair Winfield opened the public hearing and read the hearing statement. She 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.

Staff Report: Community Development Director Richards presented the staff report. This was a request to approve the Comprehensive Plan amendment to adopt the Parks, Recreation, and Open Space Plan as part of the Comprehensive Plan. She explained the reasons for including it in the land use program, purpose of the Parks Plan, table of contents for the Parks Plan, proposed changes to Comprehensive Plan Volume I, background information, Volume II, goals and policies, Volume III, implementing ordinances, and appendices, and amendments to the Framework Plan. She then reviewed the public testimony and addressed the issues raised regarding the number of acres in the Framework Plan, buildable acres vs. unbuildable acres, policies about locations, and Comprehensive Plan Policy #170.18.

Proponents: Mark Davis, McMinnville resident, was in support of the Parks Plan. He requested changes to the document, clarifying Exhibit 3 related to the recently approved Housing Needs Analysis and clarifying parks would be built on unbuildable land.

Opponents: Paula Lang, McMinnville resident, was not opposed to the Parks Plan as a whole. However, the information meeting for the Quarry Park project left people with more questions than answers. There was a perception that the affluent residents in the area would like to keep the park for themselves. She would like open access to the park. The walking paths were relegated to the outside border of the park and the interior would be dedicated to BMX biking. This site flooded every year, and she was concerned about the flora and fauna of the area. The neighbors needed more information.

Susan Muir, Parks and Recreation Director, said Quarry Park was in the five year action plan, not as a BMX, but as a bike park. That was the first outreach to the neighborhood and there would be more community engagement.

Chair Winfield closed the public hearing.

There was discussion regarding the implications to the Fox Ridge Area Plan and the community park in that plan if these amendments were approved. Community Development Director Richards said the community park was not in the Parks Plan, but the Parks Plan did include a minimum 5 acre neighborhood park in this area.

Bill Kabeiseman, City Attorney, said it was not inconsistent and plans did change over time.

The Commission had worked hard on the Fox Ridge Area Plan and this change felt like a bait and switch. They wanted to continue the hearing to have staff bring back a recommendation to address the issue.

Commissioner McClellan MOVED to CLOSE the hearing and CONTINUE deliberations for the proposed amendments to the Comprehensive Plan to support the Parks, Recreation and Open Space Plan (Docket G 5-24) to December 5, 2024. SECONDED by Commissioner Tucholsky. The motion PASSED 8-0.



**D. Legislative Hearing: Proposed Amendments To Chapters 17.57 Landscaping and 17.58 Trees Regarding Landscape Plans, Landscape Standards, and Street Tree Plans (Docket G 2-24).**

**Request:** This is a proposed legislative amendment to the Zoning Ordinance initiated by the City of McMinnville. The proposal would amend various provisions of Chapter 17.57 Landscaping and Chapter 17.58 Trees regarding landscape plans, landscape standards, and street tree plans. The proposal would amend Chapter 17.57 to expand the purpose and intent, clarify when landscaping is required, allow for review by staff when a plan complies with standards, update information required on plans, address landscape requirements for additions or expansions to building or parking lots, create clear and objective landscaping standards, and provide minor text amendments for ease of reading. Chapter 17.58 Trees would be amended to allow for review by staff when a street tree plan complies with standards.

**Applicant:** City of McMinnville

Chair Winfield opened the public hearing and read the hearing statement. She 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.

**Staff Report:** Senior Planner Graybehl presented the staff report. This was a request to amend the zoning ordinance for landscape and street tree plans. He gave a background on the amendments, changes that were proposed, and street tree plan standards. Staff recommended approval.

There was no public testimony.

Chair Winfield closed the public hearing.

Commissioner McClellan MOVED to RECOMMEND City Council APPROVAL of the proposed amendments to Chapters 17.57 Landscaping and 17.58 Trees Regarding Landscape Plans, Landscape Standards, and Street Tree Plans (Docket G 2-24). SECONDED by Commissioner Jones. The motion PASSED 8-0.

**4. Commissioner Comments**

None

**5. Staff Comments**

Community Development Director Richards discussed the open Planning Manager position and thanked those who attended the Planning Conference.

**6. Adjournment**

Chair Winfield adjourned the meeting at 11:42 p.m.

# MINUTES

**November 7, 2024  
Planning Commission  
Regular Meeting**

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

**Members Present:** Sidonie Winfield, Dan Tucholsky, Matthew Jones, Beth Rankin, Brian Randall, Rachel Flores, Sylla McClellan, and Elena Mudrak

**Members Absent:** Meg Murray

**Staff Present:** Heather Richards – Community Development Director, Tom Schauer – Senior Planner, Taylor Graybehl – Senior Planner, and Bill Kabeiseman – Bateman Seidel

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## 1. Call to Order

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

## 2. Citizen Comments

None

## 3. Public Hearings

### A. Quasi-Judicial Hearing: Planned Development Amendment (PDA 1-24) and Amendment to Subdivision Tentative Plan (S 3-24), No Site Address (Undeveloped), Tax Lot R4524 00801

**Request:** **PDA 1-24.** The applicant is requesting approval of a Planned Development Amendment to the current Planned Development approval applicable to the property for the remaining undeveloped phases, approximately 106 remaining acres. Principal elements of the proposed amendment include requests to: reconfigure parts of the street layout, change the number of remaining residential lots from 394 to 392, provide tracts for open space and recreation and pedestrian connections (approximately 13 acres) and stormwater management (approximately 1.6 acres), modify phasing boundaries, and request modifications to certain development standards, including reduced setbacks, lot size averaging with average lot size of 7,960 sf and minimum lot size of 5,000 sf, and flexibility to street/alley standards for address frontage for three lots, and request to remove all trees as necessary to accommodate the proposed development plan.

The proposal would also revise 43 of the lots currently approved for attached housing to standard lots proposed as detached housing.

**S 3-24.** The applicant is also requesting approval of an amendment to the corresponding Subdivision Tentative Plan for the property, to be consistent with the requested Planned Development Amendment.

Applicant: Holt Homes, Inc. c/o Applicant's Consultant: Zach Pelz, AKS Engineering & Forestry, LLC

Chair Winfield opened the public hearing and read the hearing statement. She 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.

Chair Winfield had known the owners of the site for a long time, but it would not impact her ability to make an unbiased decision.

Chair Winfield asked if any Commissioners had visited the site. Commissioners McClellan, Jones, Tucholsky, Flores, and Winfield had visited the site. 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 Report: Senior Planner Schauer presented the staff report. This was a request for a Planned Development amendment and Subdivision Tentative Plan amendment for the remaining phases of the Hillcrest Planned Development, approximately 106 acres. The amendments would revise the street layout with substantially the same connections external to the site, 392 lots and open space tracts vs. 394 lots, smaller average lot size and reduced setbacks, and 43 multi-generational homes vs. 43 townhouse lots. He explained additional information entered into the record after the October 31 meeting packet, applications, criteria, subject property, proposed master plan/tentative plan, background on previous applications, project phases, open space tracts, streets and utilities, and staff's recommendation for approval with conditions.

Commissioner Questions: The Commission asked questions about the landscape plan for the open space tracts, how there were no restrictions on occupation of the ADU for the multi-generation housing, pump facility, drainage plan, natural hazards, how the applicant thought they were subject to the 2017 standards rather than current standards and how staff thought the amendments were subject to the current standards, flood risk to the lots adjacent to the wetlands, and how the drainage plan would ensure there would not be flooding,

James Lofton, City Engineer, discussed the drainage plan and how the project would need detention facilities. He described the engineering process that took place after the land use decision was rendered. He explained how the Natural Hazards Overlay applied to this project and how a full geotechnical analysis would be done on the site. They would not be able to eliminate flooding on some of the lots. There would be easements for drainageways and the boundary of the easements would be at the 100 year flood event level to keep the home construction out of the flood area.

Applicant's Testimony: Zach Pelz, AKS Engineering & Forestry, LLC was representing the applicant. He gave a project background and discussed the subdivisions approved in 2007 and 2017, reasons for the modifications including road realignment, how the road realignment was substantially similar to the 2017 plan, summary of the planned modifications, how the

current plan improved on the 2017 plan, mid-block pedestrian pathways, more open space, and community amenities. Regarding Condition of Approval #13, there was a strikeout shown that no longer allowed them to exempt trees located in the rights-of-way. He would like confirmation that the intent was they would not be penalized for removing trees that were in the rights-of-way.

Garret Stephenson, legal counsel for the applicant, said under the current condition, for the trees they would remove, they would have to provide tree mitigation or a fee in lieu. If they were providing land to the public for rights-of-way, he did not think they had to mitigate for the trees that were removed.

Commissioner Questions: There was discussion regarding how the stormwater facilities and the open spaces would be owned and maintained by an HOA.

Senior Planner Schauer said the reason for the strike out in Condition #13 was to be consistent with the language of the zoning ordinance.

There was further discussion regarding connectivity of the streams and roadways and how the applicant would use culverts in those areas to allow the water to flow underneath the roadway.

There was concern about stormwater drainage and it was suggested the applicant use permeable pavement. Mr. Pelz stated they would install two stormwater facilities for water detention. There were long term maintenance issues with permeable pavement. Mr. Lofton explained why permeable pavement was not appropriate for this area with slide susceptibility.

The Commission suggested the applicant work with McMinnville Water & Light for better water pressure to the adjacent neighborhood. Mr. Pelz said even though the pressure was low, it was in the range and they would be operating in a different pressure zone.

Mr. Pelz confirmed the playground in Area F would include a play structure, open area, and walking paths. They were not planning to include a public restroom due to the cost.

There was further discussion regarding how the housing designs would satisfy all of the applicable design guidelines, how adding left turn lanes at some intersections was required, blasting and noise, excavation and fill, clustering housing to save trees, the challenge of putting streets through the site and grading, how this would provide needed homes for residents and protect open spaces, and how there would be room for bus stops on the roads.

Proponents: Linda Berlin, McMinnville resident, had not been notified of the neighborhood meeting. She was concerned about the construction traffic on her street as well as fire and emergency traffic accessing the development. She was in support of the project as long as the water and sewer were on different systems and would be charged differently.

Steven Goldsmith, McMinnville resident, was concerned about urban heat island effect and lack of a lighting plan. He thought the growth should be managed in a responsible way.

Howard Aster, McMinnville resident, was one of the families planning to sell their property to be developed. He and the other two families had been working with the developer on this transaction for two years now and thought Holt Homes was honest and would build good homes. This proposal added housing variety and open space to this area.

Opponents: Kristi Bahr, McMinnville resident, discussed Phase 9, and how a proposed road extension went through her home. Mr. Schauer said the issue was included in Condition #27. At this point in time, the road would stub out at her property line and the intention was in the future that this was how the property would be served with street infrastructure if it was annexed and developed.

Rebuttal: Mr. Pelz discussed the issues they had with Condition #13 regarding the tree mitigation. Up until today, he thought the number was based on trees that were going to exist in the boundaries of the developed lots as well as the street trees they would have to install. Changing the language could be a substantial mitigation cost. He proposed going back to the original version to remove trees in the rights-of-way without paying a fee in lieu. He suggested closing the hearing but keeping the record open for 7 days until November 14 for the applicant to work with staff on the matter, and then keeping the record open for another 7 days for public testimony which would be due by November 21. They would waive the 7 day period for final written arguments. The Planning Commission would then make a decision on November 21.

Commissioner McClellan MOVED to CLOSE the hearing but keep the record open for Planned Development Amendment (PDA 1-24) and Amendment to Subdivision Tentative Plan (S 3-24) until November 14, 2024 for the applicant and until November 21, 2024 for rebuttal. SECONDED by Commissioner Jones. The motion PASSED 8-0.

**B. Quasi-Judicial Hearing: Hearing: Zone Change (ZC 3-24), No Site Address (Undeveloped), Tax Lot R4409DC0110**

Request: The applicant is requesting approval of a Zone Change application from R-3 (Medium-Density, 6000 SF Lot Residential Zone) to R-4 (Medium, High-Density, 5000 SF Lot Residential Zone) for a 2.93-acre parcel located at Tax Lot R4409DC 01100, west of the NE Newby Street and NE Hoffman Drive Intersection. This is for a zone change only. No development is currently proposed for the site

Applicant: Monika Development

Chair Winfield opened the public hearing and read the hearing statement. She 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 Commissioners had visited the site. Many Commissioners had visited the site. 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 Report: Senior Planner Graybehl presented the staff report. This was a request for a zone change for a 2.93 acre property from R-3, medium density residential, to R-4, medium high density residential. No development was proposed at this time. Staff recommended approval. He described the existing conditions on the site, review procedures, review criteria and compliance, needed housing, Comprehensive Plan findings, Great Neighborhood Principles findings, Statewide Planning Goals, what was required for Goal 10: transportation, and how the Traffic Impact Analysis showed the project did not create a significant impact due to the new zoning.



There was discussion regarding when development might occur on the site, additional number of units allowed in the new zone, and height and setbacks for the R-4 zone.

Applicant's Testimony: Wendy Kellington, representing the applicant, said the applicant might or might not develop the property. The zone change was a tool to deliver increased housing within the City. It would allow this site to be developed with different housing types per the Great Housing Principles. Due to the wetland on the property, it was the only way to achieve the amount of housing needed to help meet the significant deficit. Without upzoning, it would be difficult to achieve the housing. Rezones were allowed without development proposals so long as they met the standards. This application met all of the standards. The Comprehensive Plan said all housing types shall be allowed, and the City should encourage rezoning to maintain land supply to meet housing objectives. Regarding adding conditions of approval, it would deprive the City of the developer's flexibility to comply with the design standards. The time to impose conditions was when there was a specific development application, and they would know the impacts and how to mitigate them. This application would allow the City significant infill and increase housing.

There was discussion regarding previous applications on this site and applicant's plans for the site.

Proponents: None

Opponents: Jerry Lanier, McMinnville resident, did not think they had to rezone the property as they could already put denser development on it. At its current zoning, it would not be different from the other adjacent properties. It was surrounded by nice neighborhoods of single family, duplexes, and triplexes and building high rise apartments next to these homes would be hard on the neighborhood. There was not any greenspace in the area as it was, and adding more people would make it worse.

Travis Cameron, McMinnville resident, was concerned about people from this site parking in the neighborhood, which was a beautiful neighborhood currently.

Rebuttal: Ms. Kellington said the decision had to be based on the standards and criteria, which stated neighborhoods shall have different housing types. Neighborhood integration and diversity was important to the City and without honoring the standards, the City could not meet their housing targets. This property was well suited to be a beautiful addition to the neighborhood and would have to meet strict standards for development. Parking standards were imposed by the City and would be part of the application. She read a State Statute as a basis for not putting conditions on the zone change.

Commissioner Tucholsky MOVED to CLOSE the public hearing, SECONDED by Commissioner McClellan. The motion PASSED 8-0.

Chair Winfield closed the public hearing.

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

Commissioner Deliberation: The Commission discussed short term rentals in the R-4 zone, struggle with the number of units that were possible with the upzone, what they would be gaining and the neighborhood losing with this application, how it met the criteria, future height

concessions and being a good neighbor, questioning if this was the right location for higher density, and adding a condition for the height and setback from the existing neighborhoods.

Commissioner Randall suggested adding a condition for a minimum setback of 15 feet along the abutting single family residences based on the human scale design in the Great Neighborhood Principles.

Commissioner Tucholsky was not in favor of approving the application, even with the condition. There were 14 properties adjacent to this property that would be negatively affected only to add 12 more units. He thought they should not change the zoning on a property that had no plan and was not ideal for the extra density. Changing the setback would not give the neighbors privacy that they had bought into as they had signed up for R-3.

Commissioner McClellan said the applicant wanted to set the property up for the best development opportunities, but she agreed that R-4 might not be the best option for the property. She did not know a criterion that could reasonably deny the request.

The Commission discussed the zone change criteria and what might be used for denial and if the condition proposed by Commissioner Randall followed the code.

No criteria could be found to deny the application.

Community Development Director Richards said the applicant was limited in the number of units based on the footprint of the site itself. They could have a tall, narrow building, but it had not been determined how the site would be designed. She cautioned the Commission not to get caught up in the 120 units that the Traffic Impact Analysis stated was the maximum number of units for the site. She did not know how feasible that would be. One of the complications of R-3 was they had to parcelize the site to create parcels for the housing products. Parcelizing with the drainage ditch was problematic because of the street access to get to the parcels. That was one reason the applicant wanted to change it to R-4 to provide more flexibility. Once they went over three stories, they would be in a different code in terms of structural development, and it would be more expensive. They did not see that in McMinnville.

Commissioner Randall MOVED to RECOMMEND City Council APPROVAL of Zone Change ZC 3-24 with a condition for a minimum setback of 15 feet to the foundation along the north and west property lines. SECONDED by Commissioner McClellan. The motion PASSED 6-2 with Commissioner Mudrak and Tucholsky opposed.

C. **Legislative Hearing: Proposed Amendments To The Comprehensive Plan To Support The Parks, Recreation And Open Space Plan (Docket G 5-24).**

Request: A proposal to adopt the June 2024 Parks Recreation and Open Space Plan as a supplemental document to the McMinnville Comprehensive Plan, and to amend Volume I, Background Information, Volume II, Goals and Policies and Volume III, McMinnville Growth Management and Urbanization Plan's Framework Plan, to support the Parks, Recreation, and Open Space (PROS) Plan.

Applicant: City of McMinnville

Chair Winfield opened the public hearing and read the hearing statement. She 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.

Staff Report: Community Development Director Richards presented the staff report. This was a request to approve the Comprehensive Plan amendment to adopt the Parks, Recreation, and Open Space Plan as part of the Comprehensive Plan. She explained the reasons for including it in the land use program, purpose of the Parks Plan, table of contents for the Parks Plan, proposed changes to Comprehensive Plan Volume I, background information, Volume II, goals and policies, Volume III, implementing ordinances, and appendices, and amendments to the Framework Plan. She then reviewed the public testimony and addressed the issues raised regarding the number of acres in the Framework Plan, buildable acres vs. unbuildable acres, policies about locations, and Comprehensive Plan Policy #170.18.

Proponents: Mark Davis, McMinnville resident, was in support of the Parks Plan. He requested changes to the document, clarifying Exhibit 3 related to the recently approved Housing Needs Analysis and clarifying parks would be built on unbuildable land.

Opponents: Paula Lang, McMinnville resident, was not opposed to the Parks Plan as a whole. However, the information meeting for the Quarry Park project left people with more questions than answers. There was a perception that the affluent residents in the area would like to keep the park for themselves. She would like open access to the park. The walking paths were relegated to the outside border of the park and the interior would be dedicated to BMX biking. This site flooded every year, and she was concerned about the flora and fauna of the area. The neighbors needed more information.

Susan Muir, Parks and Recreation Director, said Quarry Park was in the five year action plan, not as a BMX, but as a bike park. That was the first outreach to the neighborhood and there would be more community engagement.

Chair Winfield closed the public hearing.

There was discussion regarding the implications to the Fox Ridge Area Plan and the community park in that plan if these amendments were approved. Community Development Director Richards said the community park was not in the Parks Plan, but the Parks Plan did include a minimum 5 acre neighborhood park in this area.

Bill Kabeiseman, City Attorney, said it was not inconsistent and plans did change over time.

The Commission had worked hard on the Fox Ridge Area Plan and this change felt like a bait and switch. They wanted to continue the hearing to have staff bring back a recommendation to address the issue.

Commissioner McClellan MOVED to CLOSE the hearing and CONTINUE deliberations for the proposed amendments to the Comprehensive Plan to support the Parks, Recreation and Open Space Plan (Docket G 5-24) to December 5, 2024. SECONDED by Commissioner Tucholsky. The motion PASSED 8-0.

**D. Legislative Hearing: Proposed Amendments To Chapters 17.57 Landscaping and 17.58 Trees Regarding Landscape Plans, Landscape Standards, and Street Tree Plans (Docket G 2-24).**

**Request:** This is a proposed legislative amendment to the Zoning Ordinance initiated by the City of McMinnville. The proposal would amend various provisions of Chapter 17.57 Landscaping and Chapter 17.58 Trees regarding landscape plans, landscape standards, and street tree plans. The proposal would amend Chapter 17.57 to expand the purpose and intent, clarify when landscaping is required, allow for review by staff when a plan complies with standards, update information required on plans, address landscape requirements for additions or expansions to building or parking lots, create clear and objective landscaping standards, and provide minor text amendments for ease of reading. Chapter 17.58 Trees would be amended to allow for review by staff when a street tree plan complies with standards.

**Applicant:** City of McMinnville

Chair Winfield opened the public hearing and read the hearing statement. She 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.

**Staff Report:** Senior Planner Graybehl presented the staff report. This was a request to amend the zoning ordinance for landscape and street tree plans. He gave a background on the amendments, changes that were proposed, and street tree plan standards. Staff recommended approval.

There was no public testimony.

Chair Winfield closed the public hearing.

Commissioner McClellan MOVED to RECOMMEND City Council APPROVAL of the proposed amendments to Chapters 17.57 Landscaping and 17.58 Trees Regarding Landscape Plans, Landscape Standards, and Street Tree Plans (Docket G 2-24). SECONDED by Commissioner Jones. The motion PASSED 8-0.

**4. Commissioner Comments**

None

**5. Staff Comments**

Community Development Director Richards discussed the open Planning Manager position and thanked those who attended the Planning Conference.

**6. Adjournment**

Chair Winfield adjourned the meeting at 11:42 p.m.