



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

www.mcminnvilleoregon.gov

Landscape Review Committee
Community Development Center, 231 NE 5th Street
May 16, 2018
12:00 PM

Committee Members	Agenda Items
Rob Stephenson Chair Sharon Gunter Vice-Chair Josh Kearns RoseMarie Caughran Tim McDaniel	<ol style="list-style-type: none"> 1. Call to Order 2. Citizen Comments 3. Approval of Minutes <ol style="list-style-type: none"> A. January 17, 2018 Meeting Minutes (Exhibit 1) 4. Action Items <ol style="list-style-type: none"> A. L 1-18 – Street Tree and Landscape Plan (Exhibit 2) Baker Creek West and Baker Creek East Subdivisions B. L 10-18 – Landscape Plan (Exhibit 3) 1615 NE Riverside Drive C. L 11-18 – Street Tree Removal (Exhibit 4) 1719 NW Troon Court D. L 12-18 – Landscape Plan (Exhibit 5) 1045 SE Brooks Street 5. Discussion Items 6. Old/New Business 7. Committee Member Comments 8. Staff Comments 9. Adjournment

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

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EXHIBIT 1 - MINUTES

January 17, 2018
Landscape Review Committee
Regular Meeting

12:00 pm
Community Development Center
McMinnville, Oregon

Members Present: Sharon Gunter, Josh Kearns, Rob Stephenson, and Rose Marie Caughran
Members Absent: Tim McDaniel
Staff Present: Chuck Darnell – Associate Planner
Guests Present: Scott Hill –Mayor and Brad Bassitt

1. Call to Order

Chair Stephenson called the meeting to order at 12:00 p.m.

2. Citizen Comments

None

3. Approval of Minutes

None

4. Action/Docket Item (repeat if necessary)

A. Election of Chair and Vice-Chair

Committee Member Caughran nominated Rob Stephenson for Chair and Sharon Gunter for Vice Chair. The nominations were approved unanimously.

B. L 47-17 – Landscape Plan

Associate Planner Darnell said this was an application for a landscape plan for a new multiple-family development site. It would be two triplexes for a total of six units. He explained the layout of the site. The landscaping proposed was primarily perimeter plantings around the north and east sides. There were some existing Maple trees in the right-of-way area and back on the east property line that were proposed to be retained.

Chair Stephenson suggested adding a ground cover that would help cover the barkdust and a few boulders to decorate it more. Associate Planner Darnell said there was a condition to clean up the ground cover.

Associate Planner Darnell said there were single family homes and an apartment complex nearby. There were existing fences on the north, south, and east sides. There was a condition that the applicant work on updating and maintaining the fence on the east side which was currently in poor condition. The planting plan had a variation between Emerald Green Arborvitae, Sweet Flag Grass, and Boxwood along the northern property line which would provide screening.

Brad Bassitt, applicant, explained how it was unclear who owned the fence.

Chair Stephenson suggested using one type of plant material all of the way down, such as arborvitae, which would make it more cohesive and easier to maintain.

Committee Member Caughran suggested putting in a taller shrub in the blank one foot planting strip, such as a tall, slender evergreen. Chair Stephenson suggested growing something flat onto the wall of the house to break up that area or use a metal frame or trellis.

There was consensus to change the condition for the north side to have the applicant only plant arborvitae at a spacing of 2.5 feet on center and to continue that planting along the east side as well. The condition regarding the fence could be removed as it was unclear who the owner of the fence was and the arborvitae hedge could substitute for the fence. A condition should be added to include a flat planting along the trellis on the north side of the two units between the sidewalk and the building. The flat planting suggestions were Evergreen Clematis or Camellia Sasanqua.

Mr. Bassitt was planning to leave the backyards open as a common area. Chair Stephenson thought something with height should be planted, such as a Vine Maple, one on each side of each patio, to give each person a sense of privacy. Associate Planner Darnell would add the requirement for Vine Maples in the patio areas as a new condition.

Chair Stephenson left the meeting.

Committee Member Caughran moved to approve L 47-17 with the conditions as amended. The motion was seconded by Committee Member Kearns and passed 3-0.

C. L 2-18 – Street Tree Removal

Associate Planner Darnell reviewed the application for a street tree removal on the Gospel Rescue Mission property on NE 14th Street. It was a large Sitka spruce tree and the trunk of the tree was located partially in the public right-of-way. The tree roots would be in too close a proximity to the new building that would be constructed on the site. The applicant was proposing to remove the tree and an arborist report recommended that the roots would be greatly impacted by the construction and the tree would not be safe. It was unfortunate that the tree would be removed, however the application met the street tree removal criteria. The applicant provided a landscape plan that showed the intent for replacement trees to be planted in the same general area as the existing tree. Staff recommended approval with the condition that they plant three replacement trees at minimum and that the applicant submit a landscape plan for review by the Landscape Review Committee prior to the submittal of building permits for the new building on the site.

Committee Member Caughran was opposed to the removal of old trees in the community.

Associate Planner Darnell said this was part of an approved development project that went through the Conditional Use process. If they denied the application, the City would be liable if the tree fell over onto the new building because they did not allow the tree to be removed.

There was discussion regarding the impact of the project on the tree's roots.

Committee Member Caughran was not convinced that the construction would destabilize the tree. Associate Planner Darnell said the only other option was to have the applicant go back through the Conditional Use review to change the site layout. That was a long process.

Vice Chair Gunter did not like the idea of taking the tree down, but the need for the housing outweighed that concern. It would be complicated and expensive to have the applicant change the layout.

Associate Planner Darnell said Chair Stephenson left comments about this application. He also had mixed feelings about it, but he did not see another option.

Committee Member Kearns said the property owner had an approved project and had the right to develop their property. If a tree was in the way, it needed to be removed. In the planning review, they could have required that the building be moved ten to twenty feet to save the tree,

Committee Member Kearns moved to approve L 2-18. The motion was seconded by Committee Member Gunter and passed 3-0.

There was consensus for the Committee to send a letter to the Planning Commission encouraging them to retain large existing trees.

5. Discussion Items

None

6. Old/New Business

None

7. Committee/Commissioner Comments

None

8. Staff Comments

None

9. Adjournment

Vice Chair Gunter adjourned the meeting at 12:45 p.m.



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EXHIBIT 2 - STAFF REPORT

DATE: May 16, 2018
TO: McMinnville Landscape Review Committee
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4A: L 1-18

Report in Brief:

An application for a street tree plan and for landscaping of open space tracts within multiple phases of a subdivision (L 1-18) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Baker Creek Development, LLC, submitted a street tree plan for the Baker Creek West and Baker Creek East subdivisions that are located, generally, south of Baker Creek Road and east of Hill Road, near the existing Shadden Claim and Cottonwood subdivisions. The subdivisions are in the early stages of being developed, and infrastructure is currently being installed on the property. The street tree plan also includes details on the landscaping of open space and detention area tracts within the subdivision. The subject properties are more specifically described as Tax Lots 200, 203, 205, and 206, Section 18, T. 4 S., R. 4 W., W.M.

Discussion:

The Baker Creek subdivisions were approved as a Planned Development by the City Council in April 2017. The overall development plan consists of two separate developments in the area described above. The development near the intersection of Hill Road and Baker Creek Road is referred to as Baker Creek West, and the development south of the existing Shadden Claim subdivision and adjacent to Michelbook Golf Course is referred to as Baker Creek East. The Baker Creek West development consists of 125 single family residential lots and one lot approved for a multiple family development. The Baker Creek East development consists of 83 single family lots. The subject site can be seen below:

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree and Landscape Plan for the Baker Creek West and Baker Creek East Subdivisions

Site Reference Map

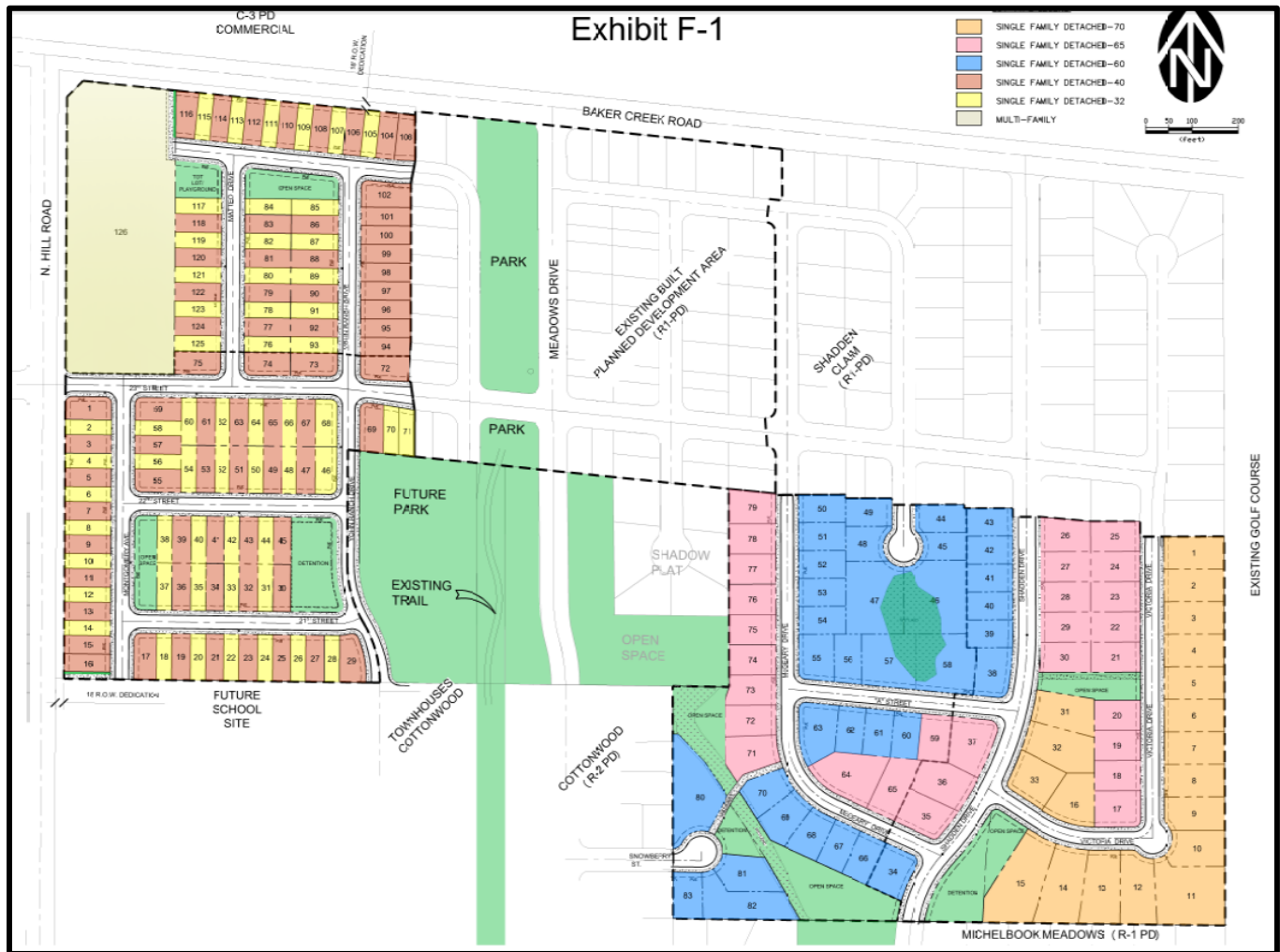


The overall development plan that was approved by the City Council is provided below. The Baker Creek West development includes smaller lots and the multiple family development site, and the Baker Creek East development includes larger lots more consistent with the size of lots in the surrounding existing subdivisions.

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Approved Development Plan



Street Tree Review:

In reviewing a street tree plan, Section 17.58.090 (Street Tree Standards) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to consider the following standards:

- A. The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.

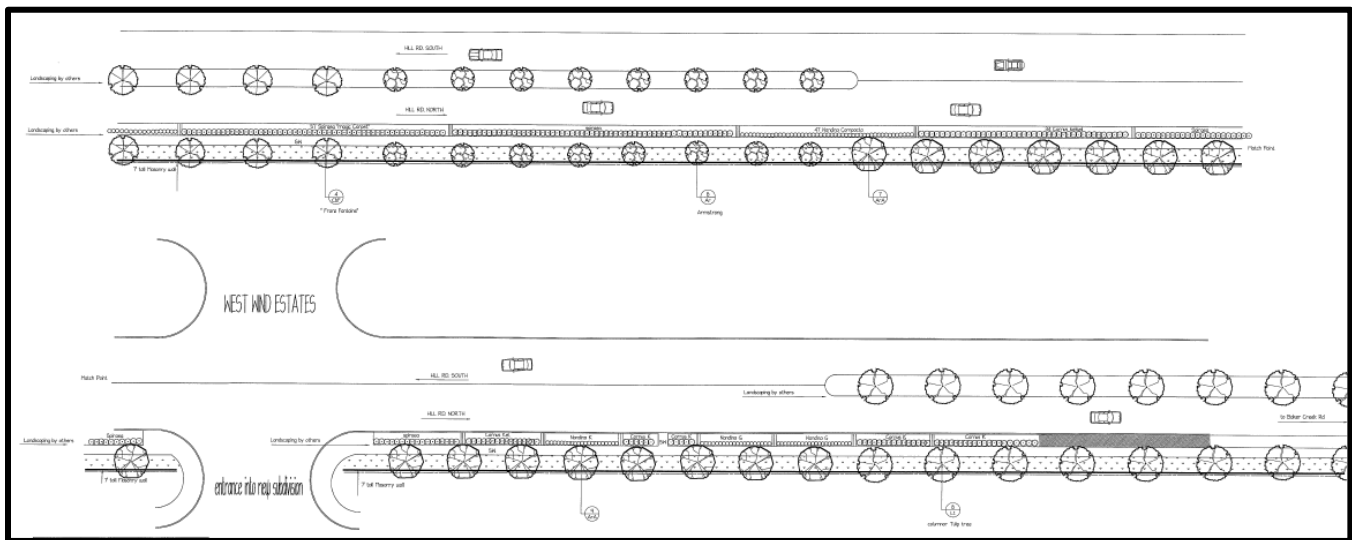
The applicant is proposing to install Red Sunset Red Maple (*Acer rubrum* 'Franksred') trees as the street tree species in the Baker Creek West subdivision. The applicant is also proposing to install Fastigiata Common Hornbeam (*Carpinus betulus* 'Fastigiata') trees as the street tree species in the Baker Creek East subdivision. Both of these tree species are listed on the McMinnville Street Tree list as approved species, and both are considered to be medium sized trees on the McMinnville Street Tree list. The other trees being proposed on the street tree and landscape plan will not be located within public right-of-way, and therefore are not considered street trees. The use of the other tree species will

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be discussed in more detail in the review of the landscaping of the open space and detention tracts further below.

The applicant was proposing to install a continuous row of arborvitae along the western perimeter of the Baker Creek West subdivision adjacent to Hill Road. However, the approval of the Planned Development (in condition of approval #41) included a requirement that “street tree specifications will be provided by the City of McMinnville for Hill Road and Baker Creek Road”. In place of the proposed arborvitae, the City developed a street tree plan for this portion of the Baker Creek West subdivision adjacent to Hill Road. The plan includes the installation of an alternating variety of Armstrong Red Maple, Autumn Spire Red Maple, Fastigiata Common Hornbeam, and Tulip trees. These tree species were selected to coincide with the street trees that will be installed in the center of Hill Road as part of the reconstruction of that street. Along Baker Creek Road, the City will require that the existing street trees be retained and continuously maintained. A condition of approval has been included to require this street tree plan be followed for the Hill Road frontage, as described in a memorandum to the developer on May 4, 2018. The street tree plan for the area along the Baker Creek West frontage on Hill Road is provided below:



- B. Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.

The street tree plan as provided does not identify the size of the proposed trees. A condition of approval is included to specify that the trees be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. The condition of approval also states that all trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety.

- C. Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. [...]

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The Baker Creek West subdivision was approved with variances to lot sizes and allowed for lots with widths of 32 and 40 feet, alternating between those lot widths along each street within the subdivision. The Planned Development also allowed for reduced setbacks on the smaller lots, and the locations of driveways is fairly well defined at this point given the small building areas allowable on the lots. After the addition of utilities and driveways to each lot, the planter strip space left to plant street trees and still meet required setbacks from all adjacent infrastructure is constrained. This was considered during the land use review, and a condition of approval (condition #31) of the Planned Development required that consideration be given to the locations of utilities during the development of the street tree plan, and that the Landscape Review Committee could consider other planting techniques in areas that may be constrained. The developers placed the sanitary sewer laterals serving each lot under the driveways, locating that infrastructure in an area that will be impervious surface and will not introduce another utility that trees must be setback from. The other infrastructure that still creates some conflicts with street tree locations are driveways and water meters.

Based on all of the infrastructure conflicts, the required street tree spacing for medium trees, as the Red Sunset Red Maple (*Acer rubrum* 'Franksred') are described in the McMinnville Street Tree List, cannot be achieved in most locations in the Baker Creek West subdivision. The applicant is proposing to meet the required 30 foot maximum spacing in the areas where there are not utility conflicts, including exterior side yards and planter strips adjacent to open space tracts or detention areas. Where the spacing cannot be achieved in the Baker Creek West subdivision, the applicant is proposing street trees at a spacing of between 35 and 40 feet, which is the smallest spacing possible given the conflicts described above.

In the Baker Creek East subdivision, the lot sizes are larger and the lot widths are more typical of other residential subdivision lots in McMinnville. The lots in the Baker Creek East subdivision range from 60 to 75 feet in width, which leaves a much larger area available for the planting of street trees while still meeting necessary setbacks from infrastructure. With larger potential buildable areas on the Baker Creek East lots, the construction plans for homes will likely be more varied, but driveway locations were finalized during the construction of the street and curb infrastructure. Given the larger lots, the maximum street tree spacing of 30 feet for medium trees, as the Fastigiata Common Hornbeam (*Carpinus betulus* 'Fastigiata') are described in the McMinnville Street Tree List, should be more attainable. However, the applicant has not shown the street tree spacing to be at the required maximum of 30 feet. The spacing shown on the street tree plan for the Baker Creek East subdivision is closer to a typical of 40 feet.

While there will be constraints based on utilities serving the lots, there are areas where the maximum 30 foot spacing can easily be achieved. The 30 foot spacing will be achievable on the exterior sides of corner lots, and along any of the open space tracts and detention area tracts. A condition of approval has been included to require that the street tree spacing in the Baker Creek East subdivision be no more than 30 feet on the exterior side yard of any corner lot, or along any open space or detention area tract. The condition of approval also requires that street trees be planted at the maximum spacing of 30 feet in any other possible location, to be determined during building permit review.

- D. When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half (2 1/2) feet from the face of a curb. These standards may be superseded by design drawings and specifications as periodically developed and adopted by the City.

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The subdivision includes local residential streets. The applicant has provided a five (5) foot wide planting strip along all streets within the subdivisions, which is greater than the three (3) foot minimum requirement. Both species of street trees being proposed are considered “medium” sized trees in the McMinnville Street Tree List. Medium sized trees require a five (5) foot wide planter strip based on the requirements of the McMinnville Street Tree List, and this is being satisfied with the proposed planter strip.

- E. Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.

As discussed above, a condition of approval (condition #31) of the Planned Development required that consideration be given to the locations of utilities during the development of the street tree plan, and that the Landscape Review Committee could consider other planting techniques in areas that may be constrained. In the Baker Creek West subdivision, where there are narrower lots, the applicant is proposing to locate most of the street trees in a roughly 10 foot long planter strip that will be between the driveways on neighboring lots. With the slightly wider driveway approaches on the ends of the driveways, this creates some areas where the street trees will be less than the required five (5) feet from driveway approaches. To address this constrained planting space, a condition of approval has been included to require that root barrier protection be provided around the entire planting strip in these areas between driveways. This condition is warranted given the constrained planting space and will mitigate any future potential impacts to infrastructure required to be maintained by the future property owner. Condition of approval #31 from the Planned Development approval gave the Landscape Review Committee the ability to require alternative planting techniques, and this additional root barrier protection would be an example of a planting technique that is required based on the constrained planting space created by the dense development pattern.

In some other areas of the Baker Creek West subdivision, the applicant is proposing to place street trees less than 10 feet from water meters in order to decrease the street tree spacing to a distance more consistent with the required maximum street tree spacing standard. A condition of approval has been included to require root barrier protection along the sidewalk and curb sides of the entire five (5) foot wide planting strip and immediately adjacent to the water meter, between the sidewalk and curb, in these locations where the street trees will be less than 10 feet from a water meter. Again, this condition is allowed by condition of approval #31 from the Planned Development approval and is required in order to mitigate for any future potential impacts to infrastructure required to be maintained by the future property owner.

Other utilities were identified on the street tree plan for both the Baker Creek West and Baker Creek East subdivisions, and a condition of approval is included to require that the setbacks from utilities be maintained.

Landscape Plan Review

The landscape plan submitted by the applicant includes proposed landscaping of the open space and detention area tracts within the subdivisions. These open space and detention areas were required to be landscaped by multiple conditions of approval (conditions #4 and #39) from the Planned Development approval.

In Baker Creek West, there are six of these areas proposed to be landscaped. There are three open space tracts, one detention area, and two pedestrian accessways. In Baker Creek East, there is one

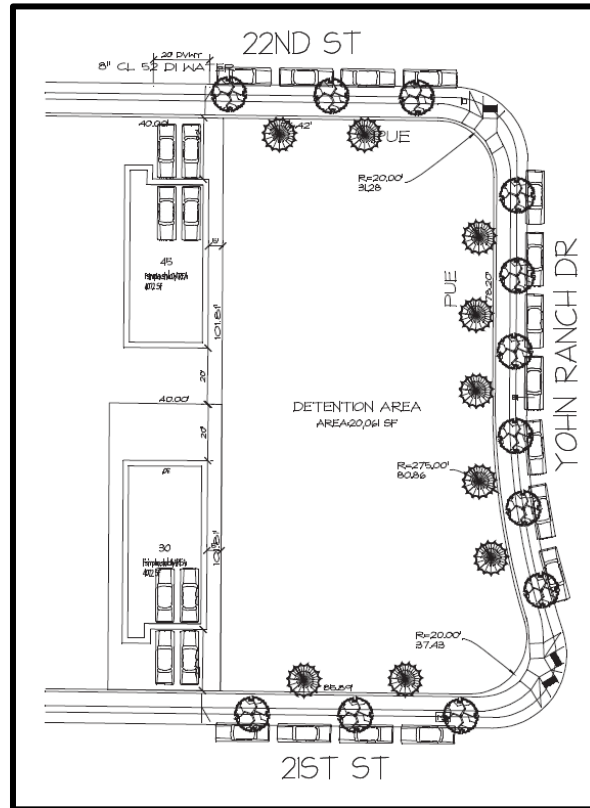
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open space tract, two detention areas, and one additional pedestrian accessway through the largest detention and natural drainage area.

In Baker Creek West, the applicant is proposing the following landscaping:

Detention Area (Tract A):

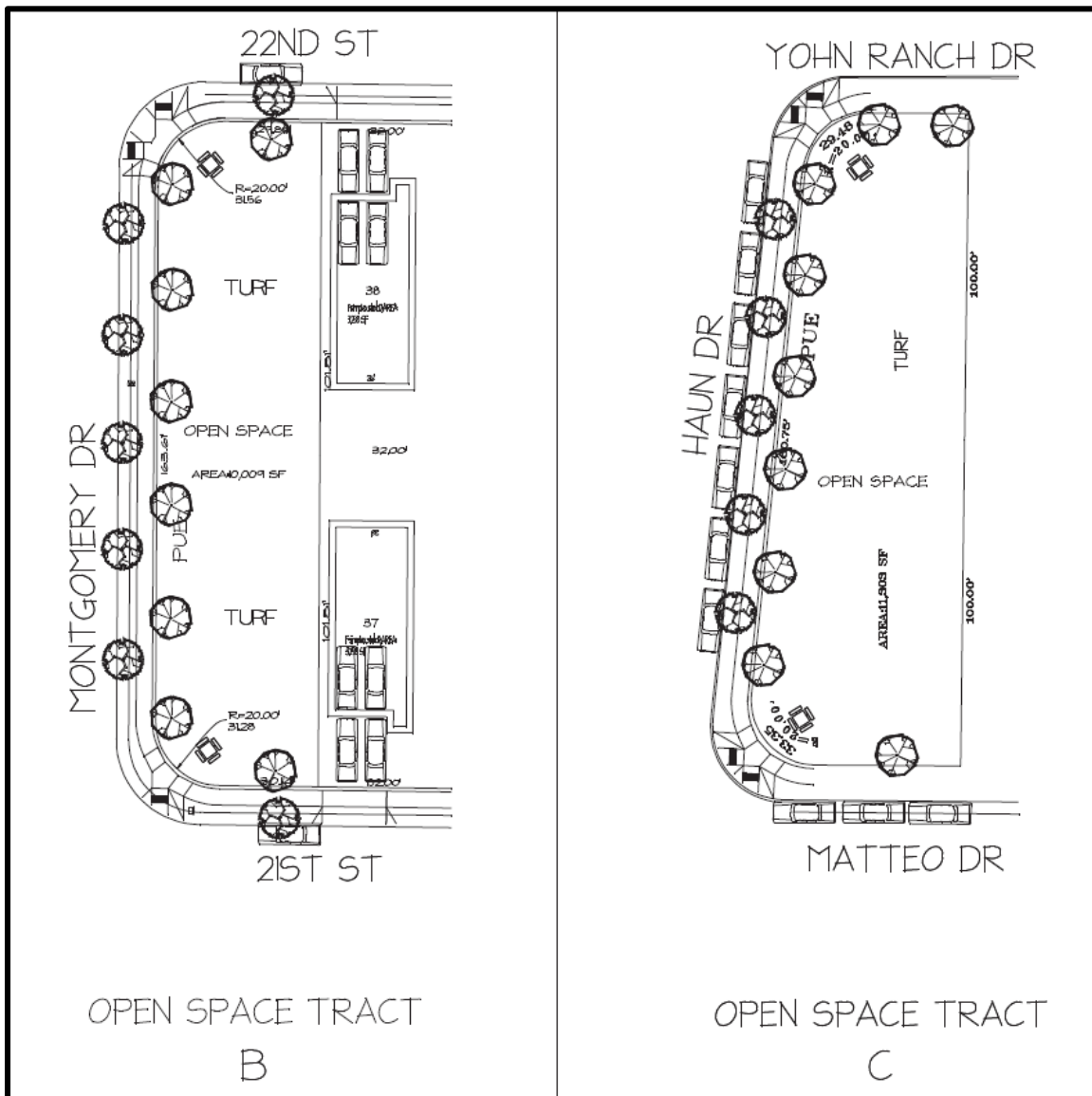


In the detention area in Tract A, the applicant is proposing to plant nine Excelsa Western Red Cedar (*Thuja plicata* ‘Excelsa’) trees along the outer perimeter of the detention area, and then install water quality seed mix within the graded detention area. The applicant provided details for the water quality seed mix being proposed, which includes a mixture of Slough Sedge, Small Fruited Bulrush, Dense Sedge, and Creeping Spikerush.

Open Spaces (Tract B and Tract C):

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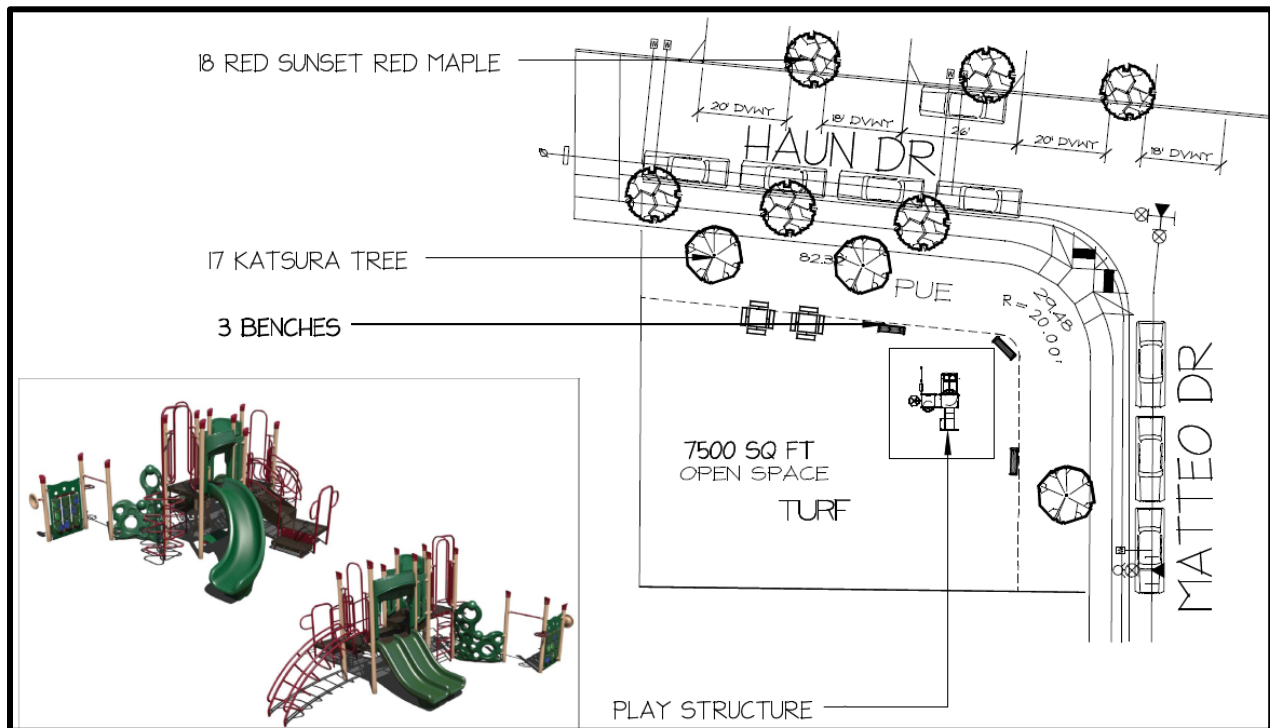


In these open space tracts, the applicant is proposing to install Katsura (*Cercidiphyllum japonicum*) trees along the outer perimeter of the open space tracts, and then to install turf grass throughout the remainder of the tract. Staff is supportive of the use of turf grass in a majority of the open space area. These open space areas were required during the Planned Development to provide for usable open space for residents of the subdivision, based on the smaller lots and yards that were allowed to be constructed. The applicant is also proposing to install picnic tables at the corners of each of the open space tracts to provide seating for users of the open spaces. These improvements were also required by the Planned Development approval (condition of approval #4) subject to the Planning Director’s approval, and the Planning Director has approved the type and placement of picnic tables as shown on the landscape plan.

Open Space (Tract D):

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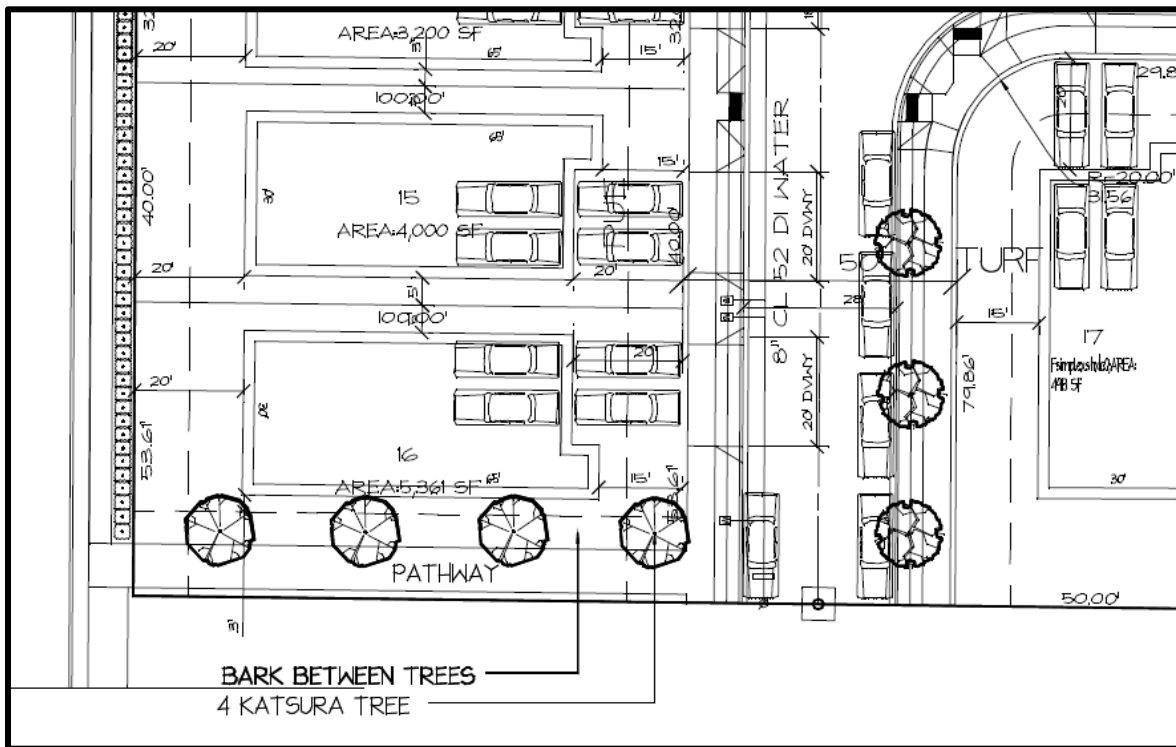


Similar to the other Baker Creek West open space tracts, the applicant is proposing to install Katsura (*Cercidiphyllum japonicum*) trees along the outer perimeter of Tract D, and then to install turf grass throughout the majority of the open space tract. However, the Planned Development approval (condition of approval #4) required that play equipment be provided in this open space tract. The applicant is also proposing to install picnic tables on the north side of the open space tract, play equipment internally oriented near the northeast corner of the open space tract, and then three benches surrounding the play equipment space. All of these improvements will be within the site, setback at least 10 feet from the property lines, to provide for some buffering between the usable features and the street. The applicant is proposing to finish the play equipment area with wood chips. These improvements were required by the Planned Development approval (condition of approval #4) subject to the Planning Director’s approval, and the Planning Director has approved the type and placement of picnic tables as shown on the landscape plan.

Pedestrian Accessways (on Lot 16 and Multifamily Lot):

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The pedestrian accessways were required by the Planned Development approval (condition of approval #4, #37, and #39) to provide additional pedestrian accessibility within the subdivision and to also connect to other areas outside of the subdivision. The accessway on Lot 16 will provide a pedestrian connection between Montgomery Drive and Hill Road. The applicant is proposing to include a 10 foot wide pathway, and then a planter strip between the pathway and the buildable area of Lot 16. The applicant is proposing to improve the planter strip with four evenly spaced Katsura trees and bark dust between the trees.

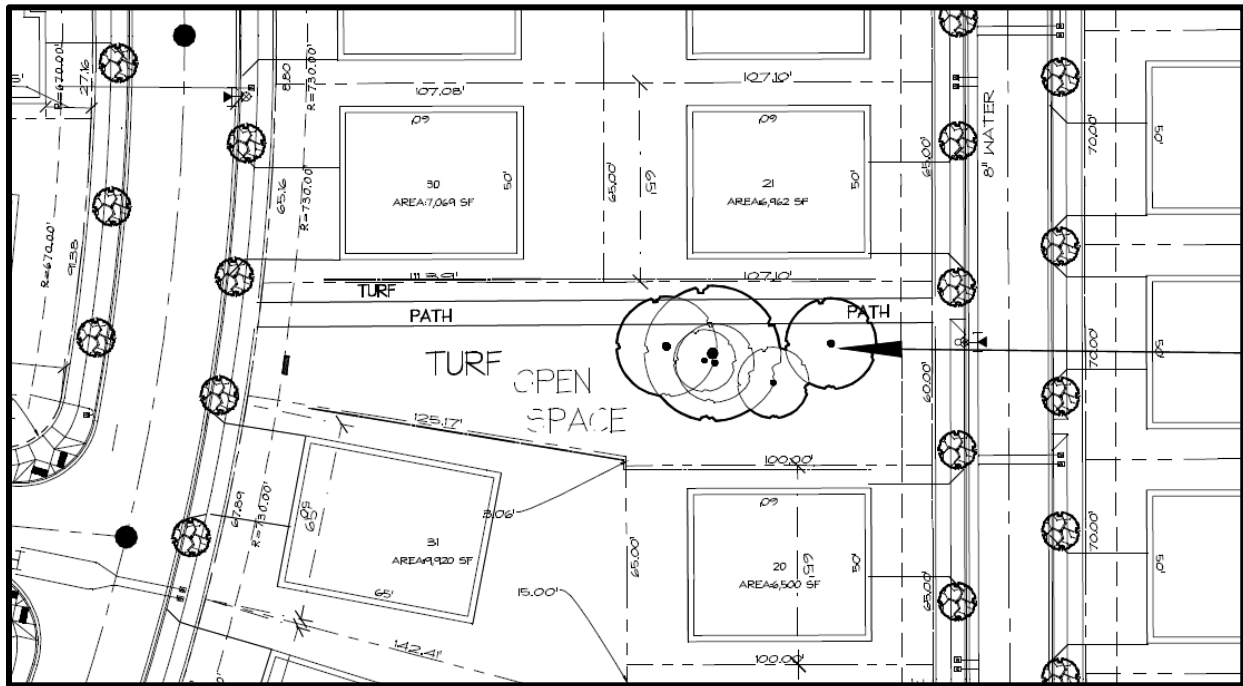
The other pedestrian accessway will be located on the multifamily site, providing a pedestrian connection between Haun Drive and Baker Creek Road. The landscaping for this pedestrian connection was not shown on the submitted street tree and landscape plan, and therefore will be deferred to and reviewed during the review of the landscape plan for the multifamily site.

In Baker Creek East, the applicant is proposing the following landscaping:

Open Space and Pedestrian Accessway (Tract A):

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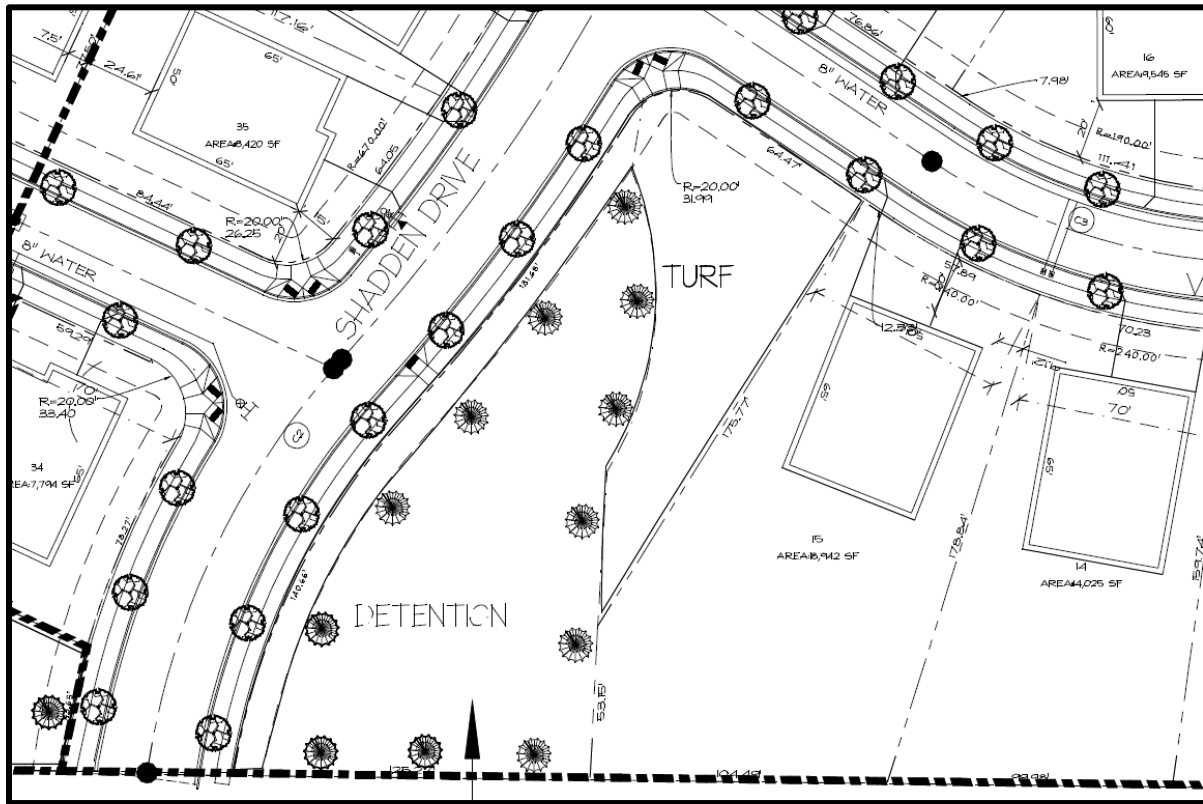


In this open space tract, the applicant is proposing to install a 10 foot wide pathway, and then provide turf for usable open space in the remainder of the open space tract. The applicant is proposing to maintain and preserve some large, existing trees in this location, which will provide some interest and shade in the open space tract. The Planned Development approval (in condition of approval #39) allowed for the applicant to propose only turf in open space areas that were identified as “open active spaces” in the original Planned Development submittal. The applicant is exercising this option by just proposing to provide open turf area. Staff supports this treatment to provide for some additional usable open space in the Baker Creek East subdivision, given that some of the existing trees will be maintained.

Open Space and Detention Area (Tract B):

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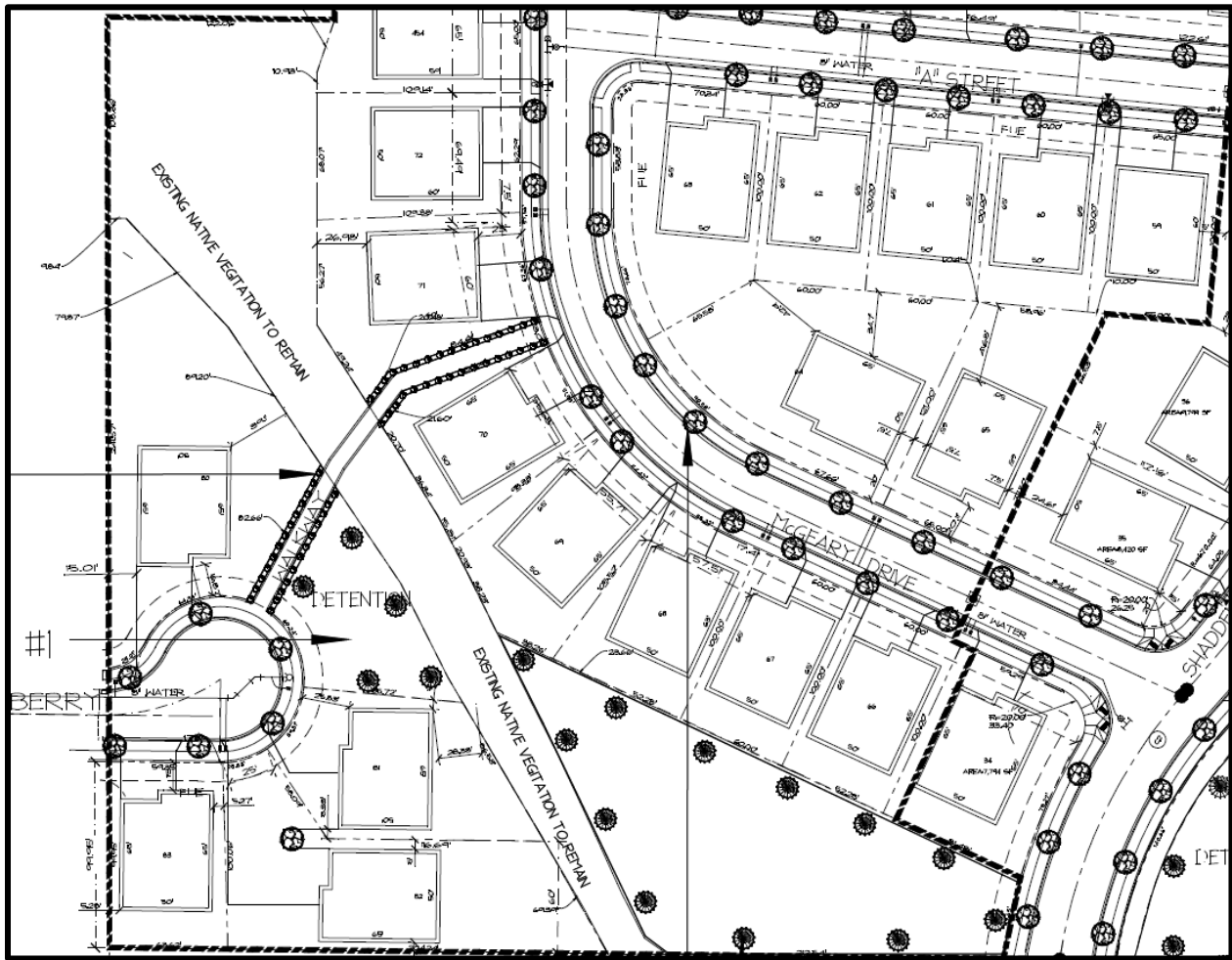


This open space tract will include some level area, proposed by the applicant to be just turf, and also a detention area. The applicant is proposing a similar treatment in this detention area as proposed in Baker Creek West, with Excelsa Western Red Cedar (*Thuja plicata* 'Excelsa') trees along the outer perimeter of the detention area and water quality seed mix within the graded detention area.

Detention Area and Pedestrian Accessway (Tract C):

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This larger detention area, which includes a detention pond on the southeast corner of the tract near Shadden Drive and a detention pond on the east end of the Snowberry Street cul-de-sac, will primarily be maintained with the existing native vegetation. The detention pond areas will be treated again with Excelsa Western Red Cedar (*Thuja plicata* 'Excelsa') trees along the outer perimeter of the detention areas and water quality seed mix within the graded detention areas. The tract also includes a required pedestrian accessway between Snowberry Street and McGeary Drive. The applicant is proposing a 10 foot pathway through the tract with a slightly narrower bridge over the existing natural drainageway. Along the accessway, the applicant is proposing to install continuous rows of Nootka Rose (*Rosa nutkana*) on each side of the accessway.

In reviewing a landscape plan, Section 17.57.050(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to also consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

Overall, the proposed landscape plan is compatible with the proposed project and the surrounding and abutting properties. The open space areas will be planted with additional trees along the outer perimeter, providing shade and buffering between the open space interiors of the tracts and the street. The turf areas will provide for usable open space for residents of the subdivisions. The detention areas

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will be improved with larger trees along the upper perimeter of the graded pond areas, and then treated with low maintenance grass mixtures within the graded detention areas. The pedestrian accessways that do not contain adjacent open space or turf areas will be improved with rows of either trees or smaller shrubs to provide additional buffering.

- 2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The open space and detention tracts do not include permanent structures, other than the play equipment and picnic tables, so the proposed plantings do not need to screening any specific structure or use. The open space and detention tracts will be improved with additional trees along the perimeters, which will provide for additional shade and some buffering between the usable open spaces and the adjacent streets.

- 3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The applicant is proposing to retain some existing trees in the open space tract in Baker Creek East, and also to maintain the existing vegetation in the existing drainageway through Tract C in Baker Creek East. In other locations, there are not any existing natural areas or vegetation to be retained.

- 4. The development and use of islands and plantings therein to break up parking areas.

The open space and detention area tracts do not include any parking areas, so this criteria is not applicable.

- 5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Street trees will be installed within the right-of-way adjacent to all of the open space and detention tracts where a planting strip will be created.

- 6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The applicant include specific irrigation plans for the open space tracts, detention areas, pedestrian accessways, and the other common space areas that will be the responsibility of the eventual Homeowner’s Association.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree and Landscape Plan for the Baker Creek West and Baker Creek East Subdivisions

- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Based on the findings described above, staff is recommending that the street tree plan be approved with the following conditions:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during planting process.
2. That the tree species approved for the planting strips in the Baker Street West subdivision is Red Sunset Red Maple (*Acer rubrum* 'Franksred'), and that the tree species approved for the planting strips in the Baker Street East subdivision is Fastigiata Common Hornbeam (*Carpinus betulus* 'Fastigiata').
3. That the street trees to be installed in the Hill Road right-of-way space adjacent to the west boundary of the Baker Creek West subdivision be consistent with the street tree plan provided to the applicant and developer in a memorandum on May 4, 2018.
4. That the street tree spacing in the Baker Creek East subdivision be no more than 30 feet on the exterior side yard of any corner lot, or along any open space or detention area tract. Street trees planted in other areas in the Baker Creek East subdivision shall be planted at the maximum spacing of 30 feet in any other possible location, to be determined during building permit review.
5. That all trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.
6. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
7. That each street tree shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of each tree and the curb side of each tree. The root barrier protection shall be placed in 10-foot lengths, centered on each tree, and to a depth of eighteen (18) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
8. In the Baker Creek West subdivision, where street trees are planted in the approximately 10 foot long planter strips between driveways on neighboring lots, root barrier protection shall be provided around the perimeter of the entire planting strip.
9. In the Baker Creek West subdivision, where street trees are planted in any location less than 10 feet from a water meter, root barrier protection shall be provided along the sidewalk and curb as required by condition #6, and root barrier protection shall also be provided immediately adjacent to the water meter between the sidewalk and curb.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree and Landscape Plan for the Baker Creek West and Baker Creek East Subdivisions

10. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to schedule a planting inspection prior to backfilling.
11. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
12. That the street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 1-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree and Landscape Plan for the Baker Creek West and Baker Creek East Subdivisions



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

Office Use Only:	
File No.	<u>L1-18</u>
Date Received	<u>1-5-18</u>
Fee	<u>145.00</u>
Receipt No.	_____
Received by	<u>ST</u>

Landscape Plan Review Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other Owner/Applicant

Applicant Name Stafford Development Company, LLC & Baker Creek Development, LLC Phone 503-305-7647

Contact Name Morgan Will Phone 971-206-8615
(If different than above)

Address 485 S State St

City, State, Zip Lake Oswego, OR 97034

Contact Email morgan@staffordlandcompany.com

Property Owner Information

Property Owner Name _____ Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

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

Property Address Tax Lot 203, 200, & 205

Assessor Map No. R4 - 4 - 18 Total Site Area ~44.51 Acres

Subdivision Baker Creek East & Baker Creek West Block _____ Lot _____

Comprehensive Plan Designation R1-PD Zoning Designation R1-PD

Landscaping Information

1. Total Landscaped Area: SEE Plans

2. Percent Landscaped: N/A

3. Building Floor Area: N/A
New Structure: _____ Existing Structure: _____ Addition: _____

4. Architect Name Russ Swalberg Phone _____
(Landscape Architect, Engineer, or Other Designer)

Contact Name Exterior Spaces Phone 503-521-5041

Address 16175 SW Blue Goose Ln

City, State, Zip Beaverton, OR 97007

Contact Email info@exteriorspacesdesign.com


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

- Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.
- 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.


Applicant's Signature

1/2/2018
Date


Property Owner's Signature

1/2/2018
Date

Chuck Darnell

From: Morgan Will <morgan@staffordlandcompany.com>
Sent: Wednesday, April 11, 2018 3:11 PM
To: Chuck Darnell
Cc: Heather Richards
Subject: Baker Creek - Playground 1 of 2
Attachments: REVISED BC EAST LANDSCAPE PLAN.pdf; REVISED BC WEST TRACT 'D' APR 2018.pdf

Chuck,

Please accept the attached four sheets to replace the previous four sheets in our submittal to the Landscape Review Committee. There is no significant change to the BCE Tract A drawing or Sheet F-8 and the application forms.

I would be happy to get you a full size to scale copy of the BCW and BCE (Street Tree) Landscape Plans attached as soon as I can get it couriered out to you.

As discussed in our previous meeting it would be very much appreciated if the City could place us on the April Landscape Review Committee agenda in order for us to get timely approval and install the improvements with the current phases under construction.

Below are some key points to the updated landscaping and street tree plans:

1. Detention areas will have Western Red Cedar evergreen trees planted within the tracts around the top edge of the bank to provide habitat and shade in addition to the seed mix on the slopes and bottoms of the ponds that will allow for soil stability and ease of maintenance for the Homeowners Association.
2. All the tracts have a water meter service to irrigate street trees and turf in the planter strip in front of the tract and area within the tract. This irrigation will be design build by the contractor hired to install it.
 - a. Water meters include service to the path between proposed Snowberry cul-de-sac and another from McGeary.
 - b. Water meter service is also provided to the easement on Lot 16, which will provide irrigation to the trees proposed along the path easement, but also irrigation to the grass and arborvitae trees in the Hill Road ROW planned to be maintained by the HOA.
3. Arborvitae centered in a 4' wide strip west of the rear property line underlain with bark dust is proposed, with a 4' wide strip of turf west of the arborvitae at the back of sidewalk, within the 8' of Hill Road ROW between the property line and the back of the sidewalk that the City is installing with its improvements there. This will mimic the existing improvement along the north side of the PUD area along Baker Creek Road. The applicant proposes to install a white rail fence between the arborvitae and the grassy strip, which it will maintain, to also mimic the fence along Baker Creek Road, if permitted by the City.
4. The tree benches around the playground in Tract D of BCW are oriented on the north east side to protect children from stepping into the street and will face the playground. They will be placed outside of the PUD. Thus, there will be an approximately 10' wide grass turf strip around the playground behind the benches along the back of sidewalk on Haun and Matteo. The playground will be in wood chips within a 32' x 32' border southwest of the benches, all outside of the PUE. Two picnic tables are also propose to the west of the playground. Specifications where sent by separate email to the Planning Director.
5. A picnic table on each end of the active open space in BCW Tracts B & C were added as requested by the Planning Director, and are shown.
6. Path locations will be where shown at widths approved by the Planning Director. A span of the drainage area is proposed for the mid-block path between Snowberry and McGeary in BCE Phase 2.

7. No fences are proposed in the open space tracts, except that required by City engineering review in Baker Creek East for the storm water detention area on Shadden Drive similar to the existing fencing on the adjacent property..
8. Fencing adjacent to tracts will be built on lots meeting requirements of the CC&Rs for the development as approved by the Planning Director.

Please let me know the date of the meeting and if you have any more questions.

Thanks,

MORGAN WILL

Development Manager, Acquisitions & Development

STAFFORD LAND COMPANY, INC

971.206.8615 | desk

503.305.7647 x203 | office

503.939.3902 | cell

morgan@staffordlandcompany.com

485 South State St, Lake Oswego, OR 97034

StaffordLandCompany.com

From: Heather Richards [<mailto:Heather.Richards@mcminnvilleoregon.gov>]

Sent: Tuesday, April 10, 2018 6:21 PM

To: Morgan Will <morgan@staffordlandcompany.com>

Cc: Chuck Darnell <Charles.Darnell@mcminnvilleoregon.gov>

Subject: RE: Baker Creek - Playground

Thanks Morgan,

We will review and get back to you shortly.

Heather Richards, PCED

Planning Director

City of McMinnville

231 NE Fifth Street

McMinnville, OR 97128

503-474-5107 (work)

541-604-4152 (cell)

www.mcminnvilleoregon.gov

From: Morgan Will [<mailto:morgan@staffordlandcompany.com>]

Sent: Tuesday, April 10, 2018 6:19 PM

To: Heather Richards <Heather.Richards@mcminnvilleoregon.gov>

Cc: Chuck Darnell <Charles.Darnell@mcminnvilleoregon.gov>

Subject: RE: Baker Creek - Playground

Heather,

Attached are also the specifications you asked for, playground, bench and picnic table.

I think I had not yet sent these to you as you requested verbally in our recent meeting, until now.

Please confirm acceptance.

Best,

MORGAN WILL

Development Manager, Acquisitions & Development

STAFFORD LAND COMPANY, INC

971.206.8615 | desk

503.305.7647 x203 | office

503.939.3902 | cell

morgan@staffordlandcompany.com

485 South State St, Lake Oswego, OR 97034

StaffordLandCompany.com

From: Morgan Will

Sent: Tuesday, April 10, 2018 4:02 PM

To: Heather Richards <Heather.Richards@mcminnvilleoregon.gov>

Cc: 'Chuck Darnell' <Charles.Darnell@mcminnvilleoregon.gov>

Subject: Baker Creek - Playground

Heather,

For your review and approval, attached is the updated playground structure that will be installed in BCW.

It has 11 features, one more than the condition requires:

1. Steering Wheel
2. Dinosaur Panel
3. Crunch Bar
4. Chin/Turn Bar
5. Bubble Wall Climber
6. Vertical Ladder
7. Triple Rail Slide
8. Deep Rung Arch Climber
9. 90 Degree Curve Slide
10. Versa Panel (bench underneath, the "fort" throne)
11. Clover Climber

The Deep Rung Climber and Vertical Ladder are the two new features.

The transition stair (as well as the main stairs) are still part of the equipment.

Best,

MORGAN WILL

Development Manager, Acquisitions & Development

STAFFORD LAND COMPANY, INC

971.206.8615 | desk

503.305.7647 x203 | office

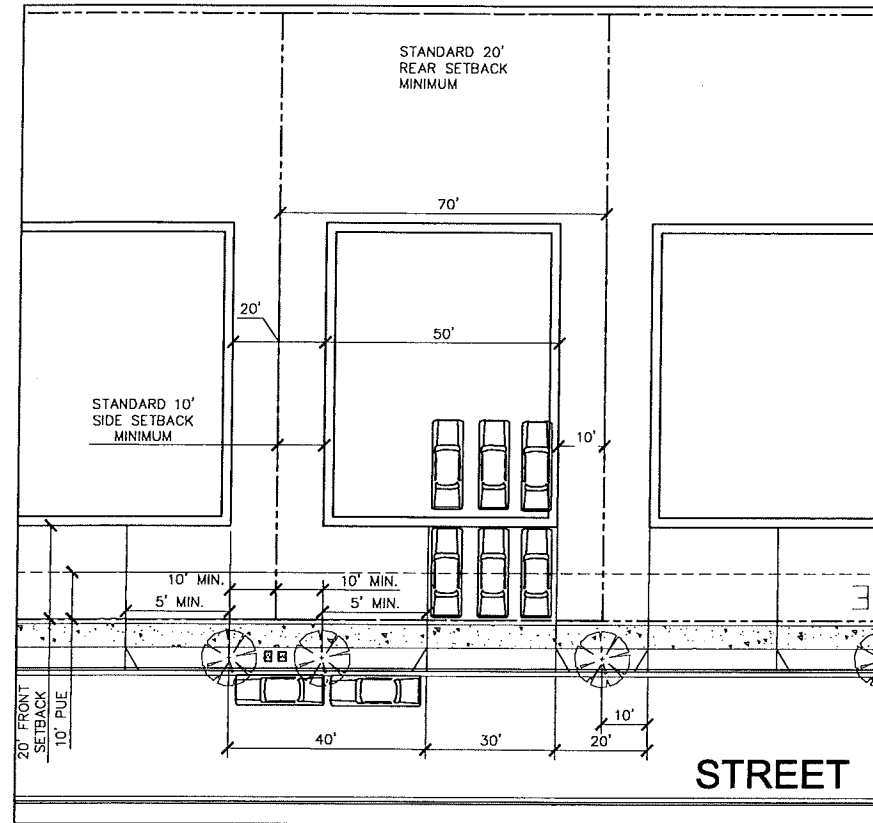
503.939.3902 | cell

morgan@staffordlandcompany.com

485 South State St, Lake Oswego, OR 97034

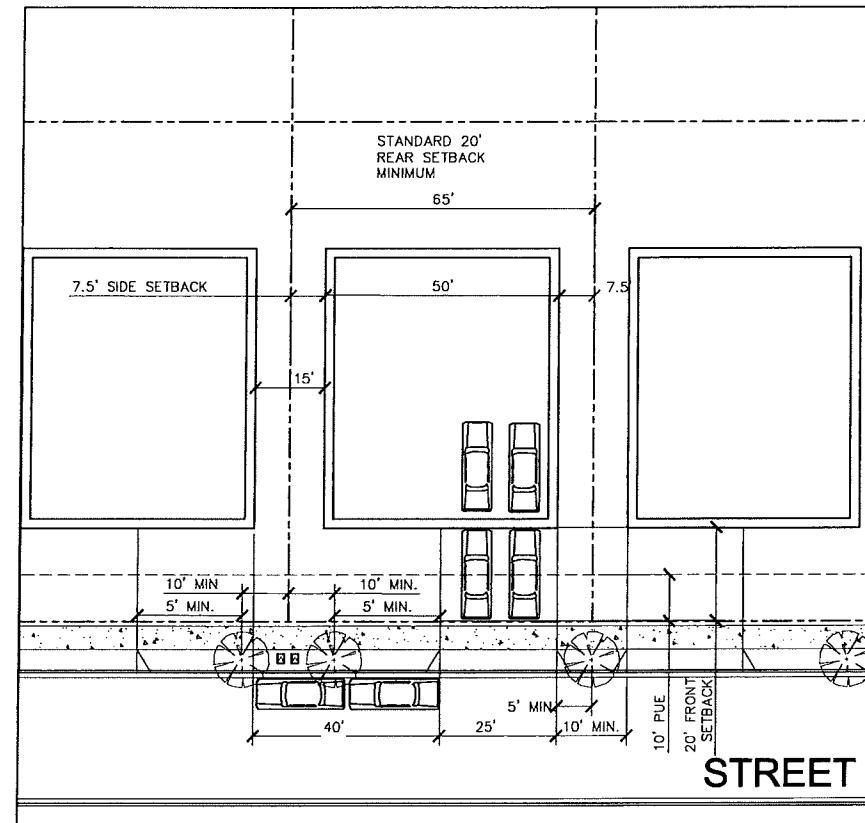
StaffordLandCompany.com

BAKER CREEK EAST



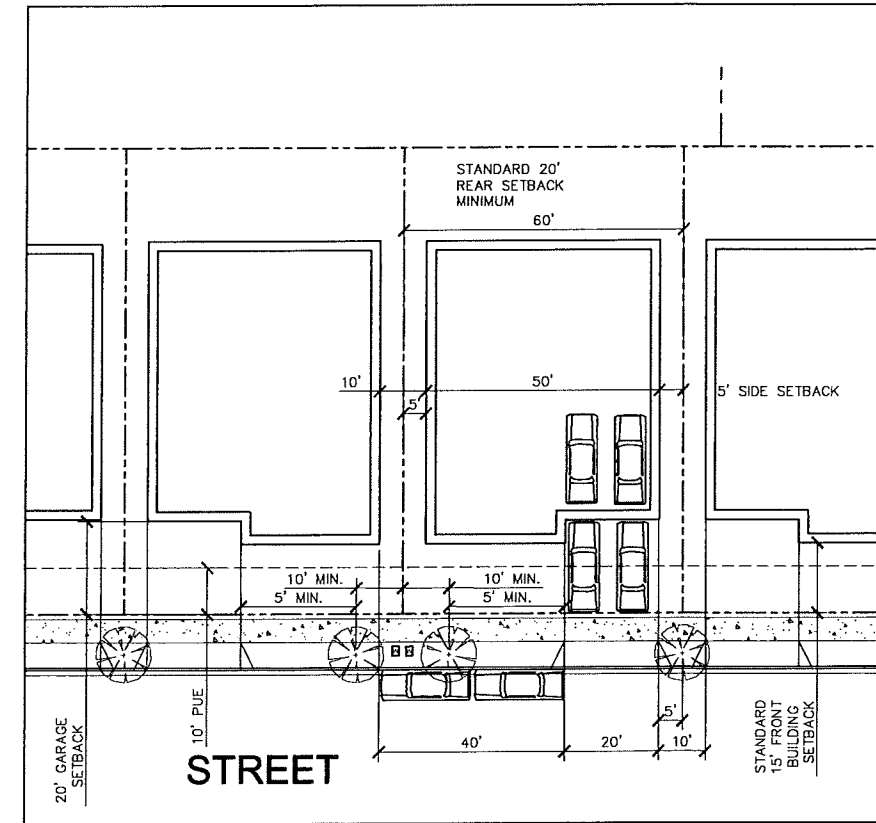
SFD-70
N.T.S.

- STANDARD R-1 LOT



SFD-65
N.T.S.

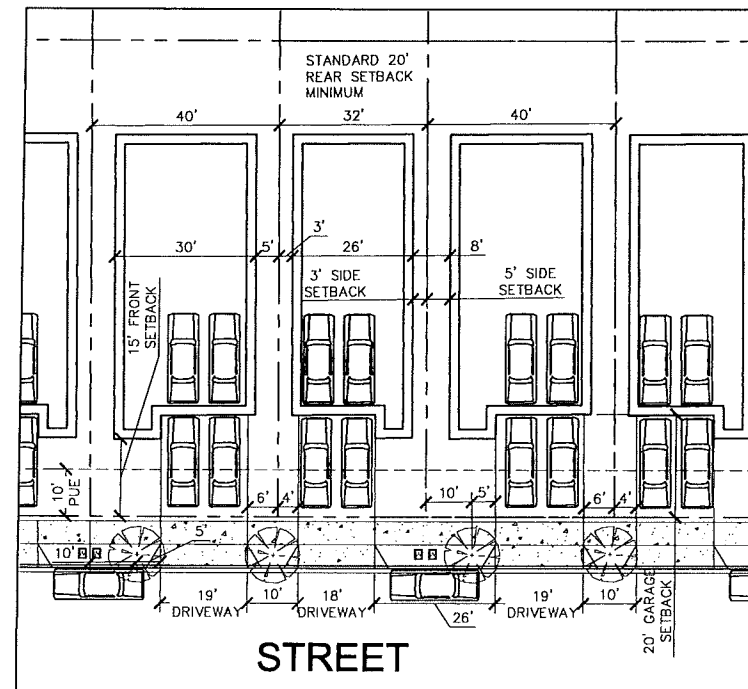
- 7.5' INTERIOR SIDE SETBACK
- LOT AREA VARIES
- ALL OTHER DIMENSIONS MEET R-1 LOT STANDARDS



SFD-60
N.T.S.

- 5' INTERIOR SIDE SETBACK
- 15' FRONT SETBACK
- LOT AREA VARIES
- ALL OTHER DIMENSIONS MEET R-1 LOT STANDARDS

BAKER CREEK WEST



SFD-40 & SFD-32
N.T.S.

SFD-40

- 5' INTERIOR SIDE SETBACK
- 15' FRONT BUILDING & STREET SIDE SETBACK
- LOT AREA 4,000 SF MINIMUM
- ALL OTHER DIMENSIONS MEET R-1 LOT STANDARDS

SFD-32

- 3' INTERIOR SIDE SETBACK
- 15' FRONT BUILDING & STREET SIDE SETBACK
- LOT AREA 3,200 SF MINIMUM
- ALL OTHER DIMENSIONS MEET R-1 LOT STANDARDS

Exhibit F-8

TABLE A - TYPICAL LOT MIX:		
BAKER CREEK EAST (BCE)	SFD-70	19
	SFD-65	29
	SFD-60	35
TOTAL BCE		83
BAKER CREEK WEST (BCW)	SFD-40	69
	SFD-32	56
TOTAL BCW		125

NO.	DATE	DESCRIPTION	BY
1	MAR 2017		

REGISTERED PROFESSIONAL ENGINEER
REVIEW
 WILLIAM J. STEWART
 02/22/2016

WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3841 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-3986
 E-mail: westtech@westtech-eng.com

BAKER CREEK DEVELOPMENT, LLC
 BAKER CREEK SUBDIVISION
STREET TREES - TYPICAL LOTS

DRAWING
F-8
 JOB NUMBER
2940.1000.0

1/17/2018 3:52:07 PM R:\Work\Stationing\Land Company\Baker Creek\BC WEST\Civil\PLATS\2-1.1 - TYPICAL LOTS.dwg. (P=1 tab)



Qty	Botanical Name	Common Name
Trees		
147	<i>Carpinus betulus</i> 'Fastigiata'	FASTIGIATA COMMON HORNBEAM
Shrubs		
57	<i>Rosa nutkana</i> var. <i>Nutkana</i>	Nootka Rose
Trees		
29	<i>Thuja plicata</i> 'Excelsa'	EXCELSA WESTERN RED CEDAR

57 NOOTKA ROSE

WATER QUALITY SEED MIX #1

SNOWBERRY ST.

147 COMMON FASTIGIATA HORNBEAM STREET TREES

29 EXCELSA WESTERN RED CEDAR

WATER QUALITY SEED MIX #1

EXISTING TREES

NOTES

STREET TREE PLANTING PLAN

BAKER CREEK EAST SUBDIVISION

BAKER CREEK DEVELOPMENT, LLC

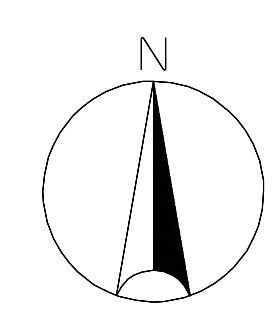
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1		ISSUING

EXTERIOR SPACES LLC
DESIGN BY: RUSS SWALBERG

EXTERIOR SPACES LLC
DESIGN BY: RUSS SWALBERG

EXTERIOR SPACES LLC
DESIGN BY: RUSS SWALBERG

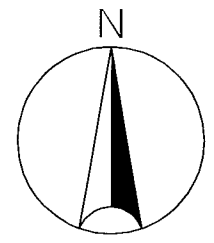
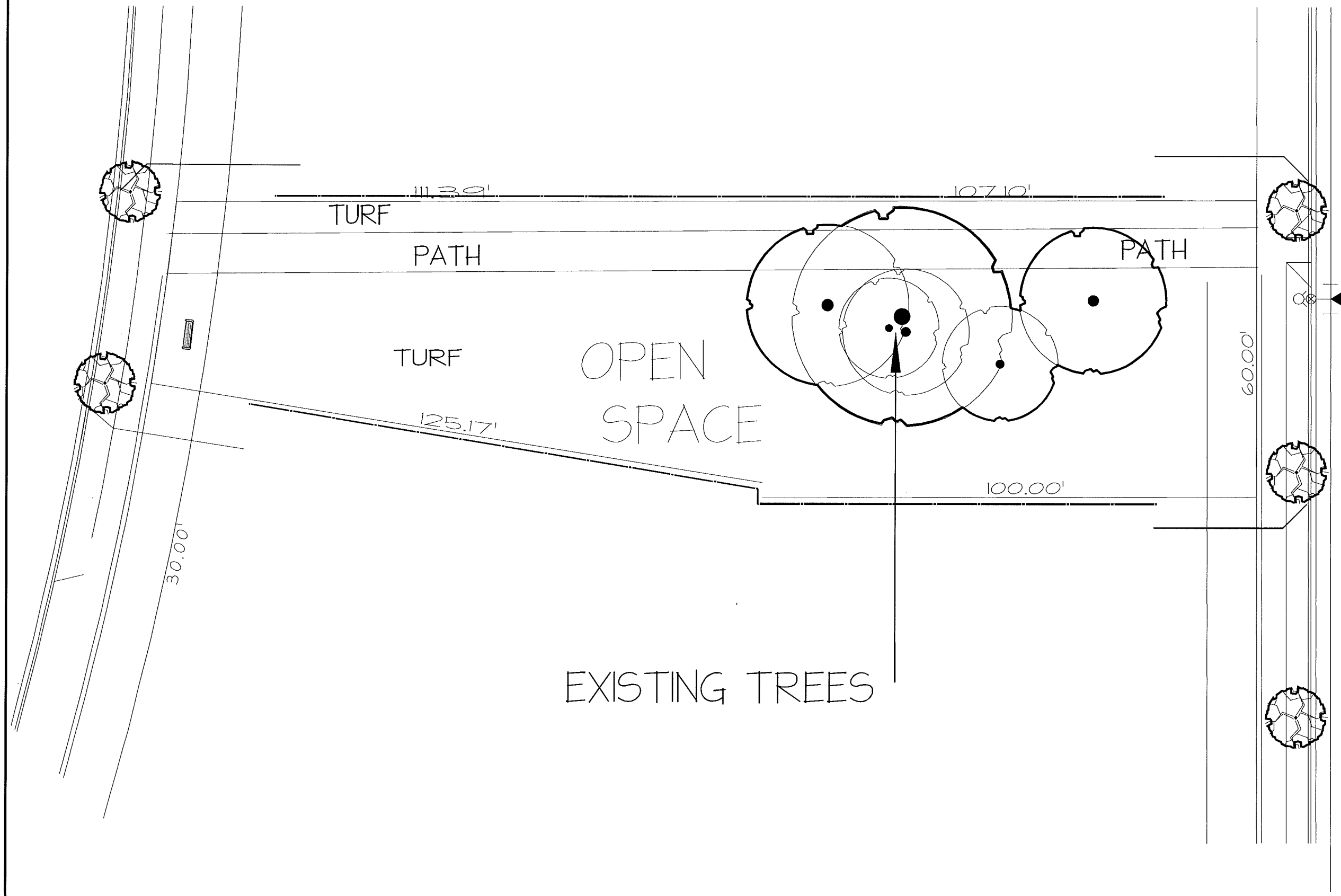
 exterior spaces
[DESIGN - PLAN - CREATE]
503-521-5041
www.exteriorspacesdesign.com



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DRAWN BY	RUSS SWALBERG
CHECKED BY	
DATE	4-10-18
DATE OF PRINT	4-10-18

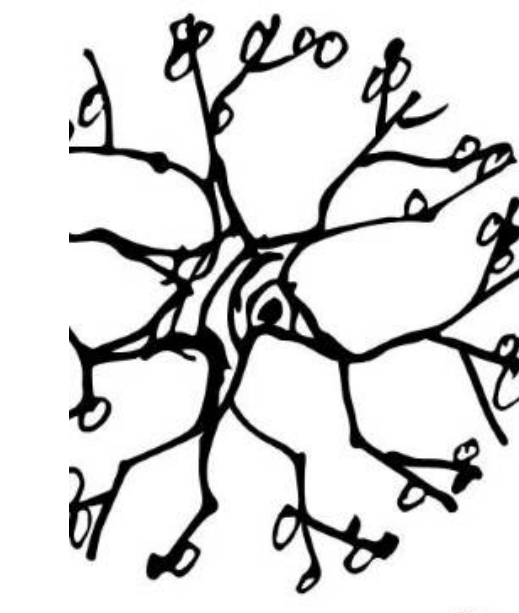
PROJECT NO.	
SHEET NO.	

BC EAST OPEN TRACT A



BAKER CREEK LLC
BAKER CREEK EAST OPEN TRACT A

SCALE 1:20
DATE 9/1/17
DRAWING #



exterior spaces

[DESIGN - PLAN - CREATE]

503-521-5041

Landscape Design - Outdoor Living - Swimming Pools - Water Features - Lighting

www.exteriorspacesdesign.com

NOTES

STREET TREE PLANTING PLAN

BAKER CREEK WEST STREET TREE LAYOUT

BAKER CREEK DEVELOPMENT, LLC

21 RED SUNSET RED MAPLE

12 KATSURA TREE

22 RED SUNSET RED MAPLE

21 RED SUNSET RED MAPLE

Qty	Botanical Name	Common Name
Trees		
177	<i>Acer rubrum</i> 'Franksred'	RED SUNSET RED MAPLE
24	<i>Cercidiphyllum japonicum</i>	KATSURA TREE
236	<i>Thuja occidentalis</i> 'Smaragd'	EMERALD ARBORVITAE
9	<i>Thuja plicata</i> 'Excelsa'	EXCELSA WESTERN RED CEDAR

236 EMERALD ARBORVITAE

22 RED SUNSET RED MAPLE

21 RED SUNSET RED MAPLE

8 KATSURA TREE

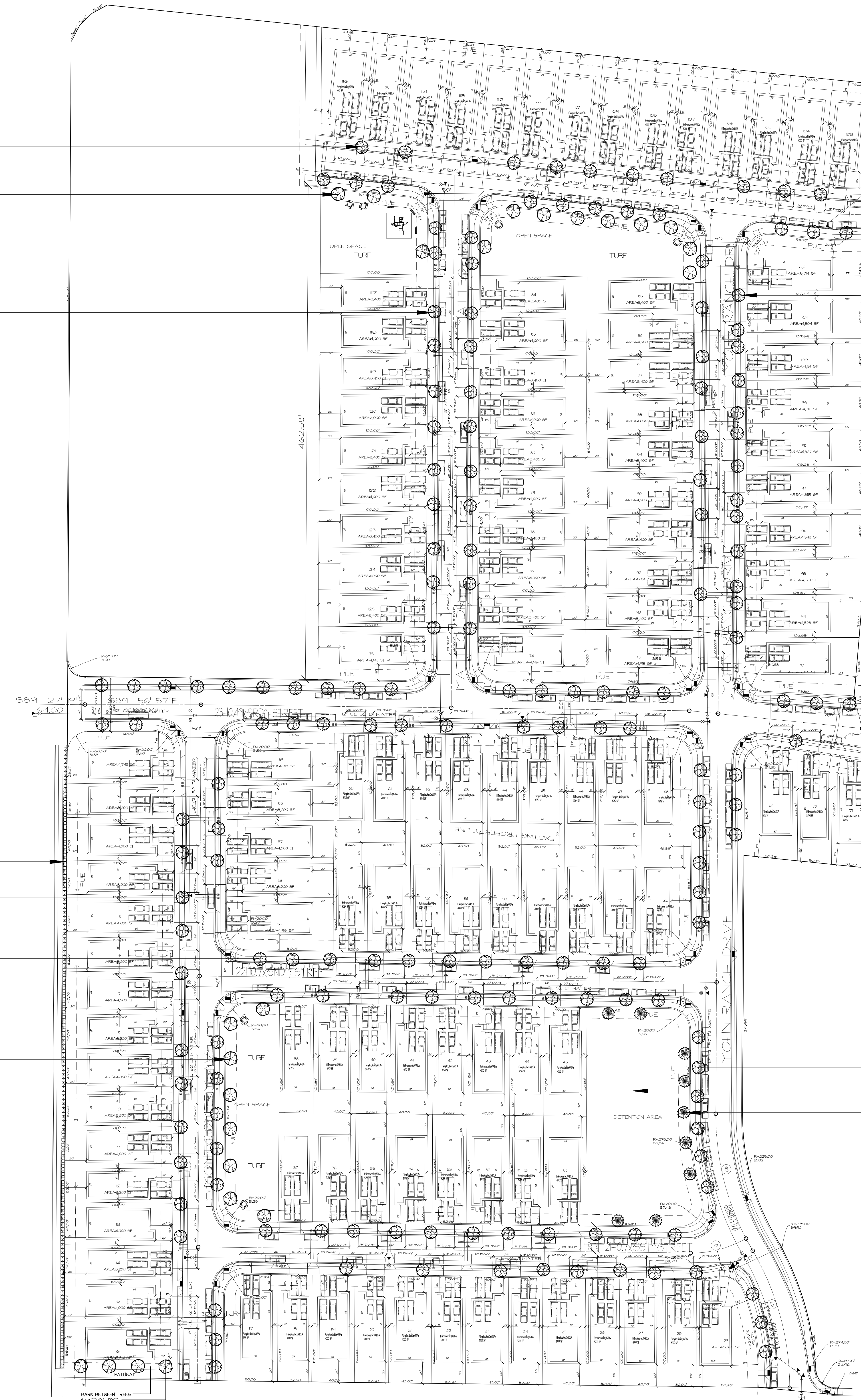
33 RED SUNSET RED MAPLE

18 RED SUNSET RED MAPLE

WATER QUALITY SEED MIX #1

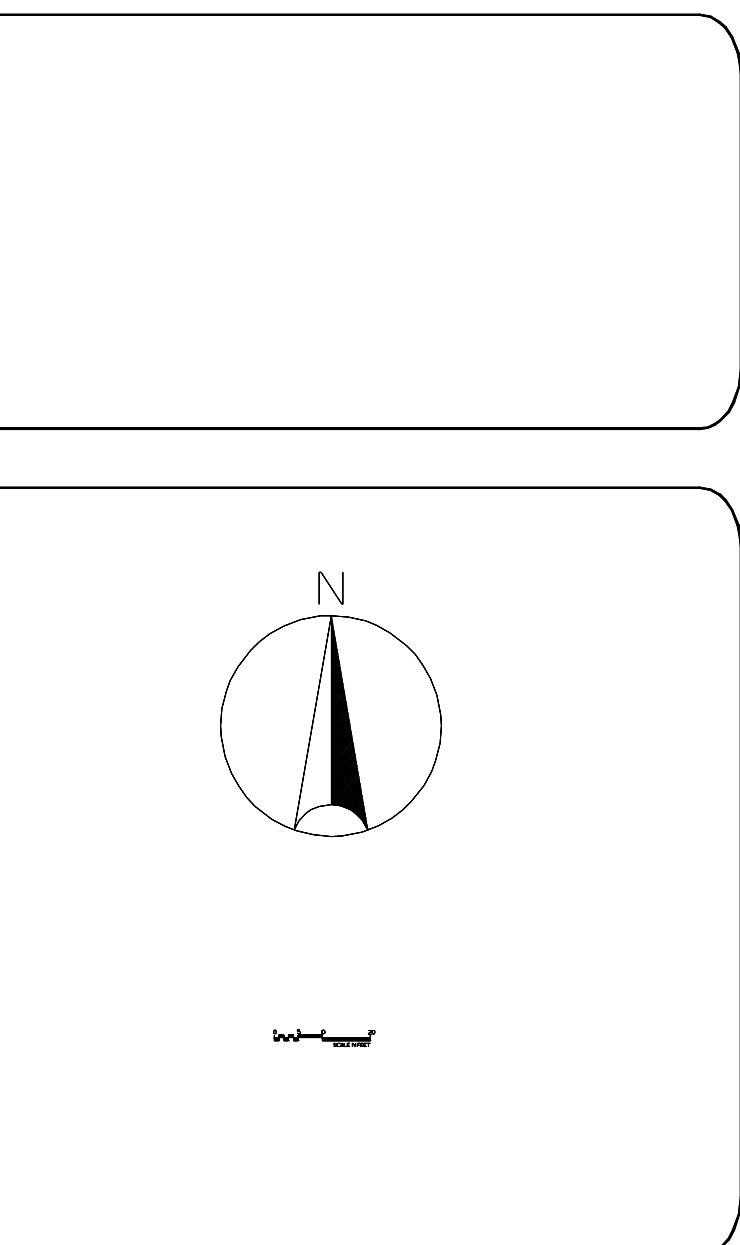
9 EXCELSA WESTERN RED CEDAR

19 RED SUNSET RED MAPLE

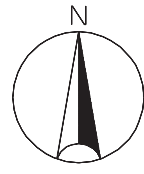


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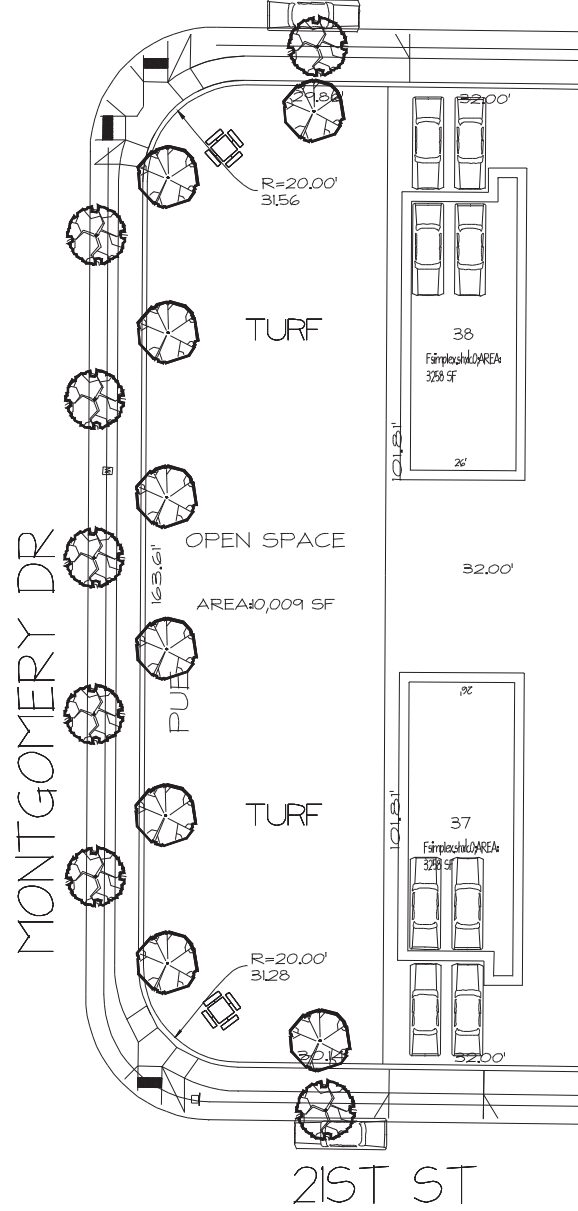
EXTERIOR SPACES LLC
 503-521-5041
 DESIGNER: RUSSELL SWALBERG
 WWW.EXTERIORSAPCESDESIGN.COM



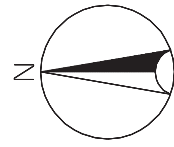
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DATE: 4/10/18	
DATE OF PRINT: 4/10/18	



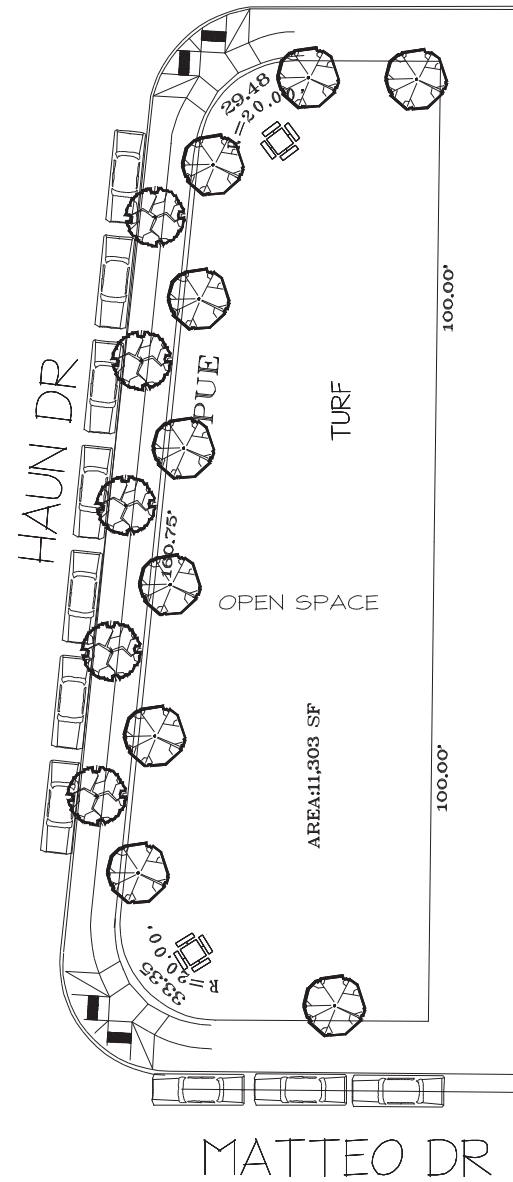
22ND ST



OPEN SPACE TRACT
B



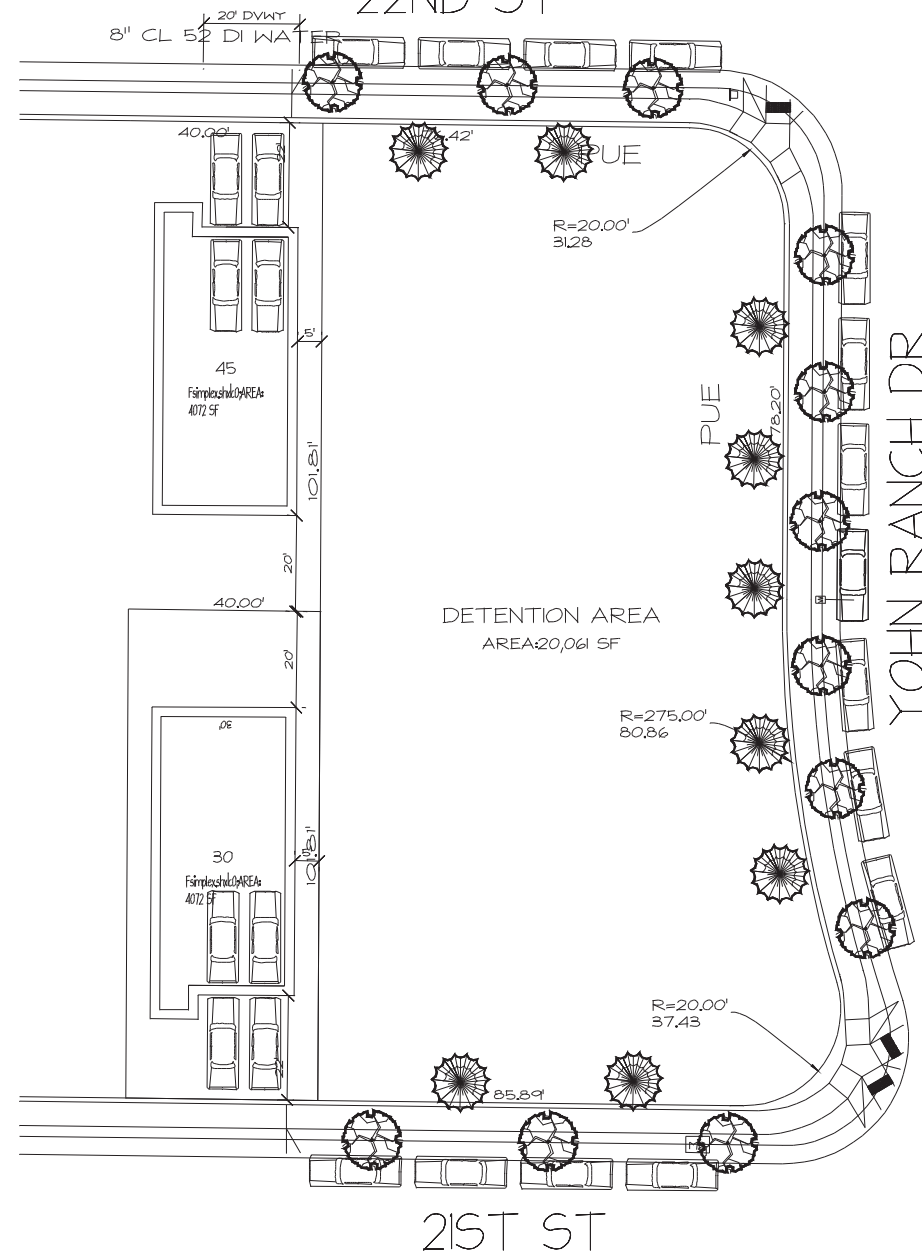
YOHAN RANCH DR



OPEN SPACE TRACT
C



22ND ST



WATER DETENTION AREA
A

BAKER CREEK LLC
 BAKER CREEK WEST OPEN SPACE TRACTS A,B,C
 DRAWING #
 DATE 4/10/18
 SCALE 1:40

18 RED SUNSET RED MAPLE

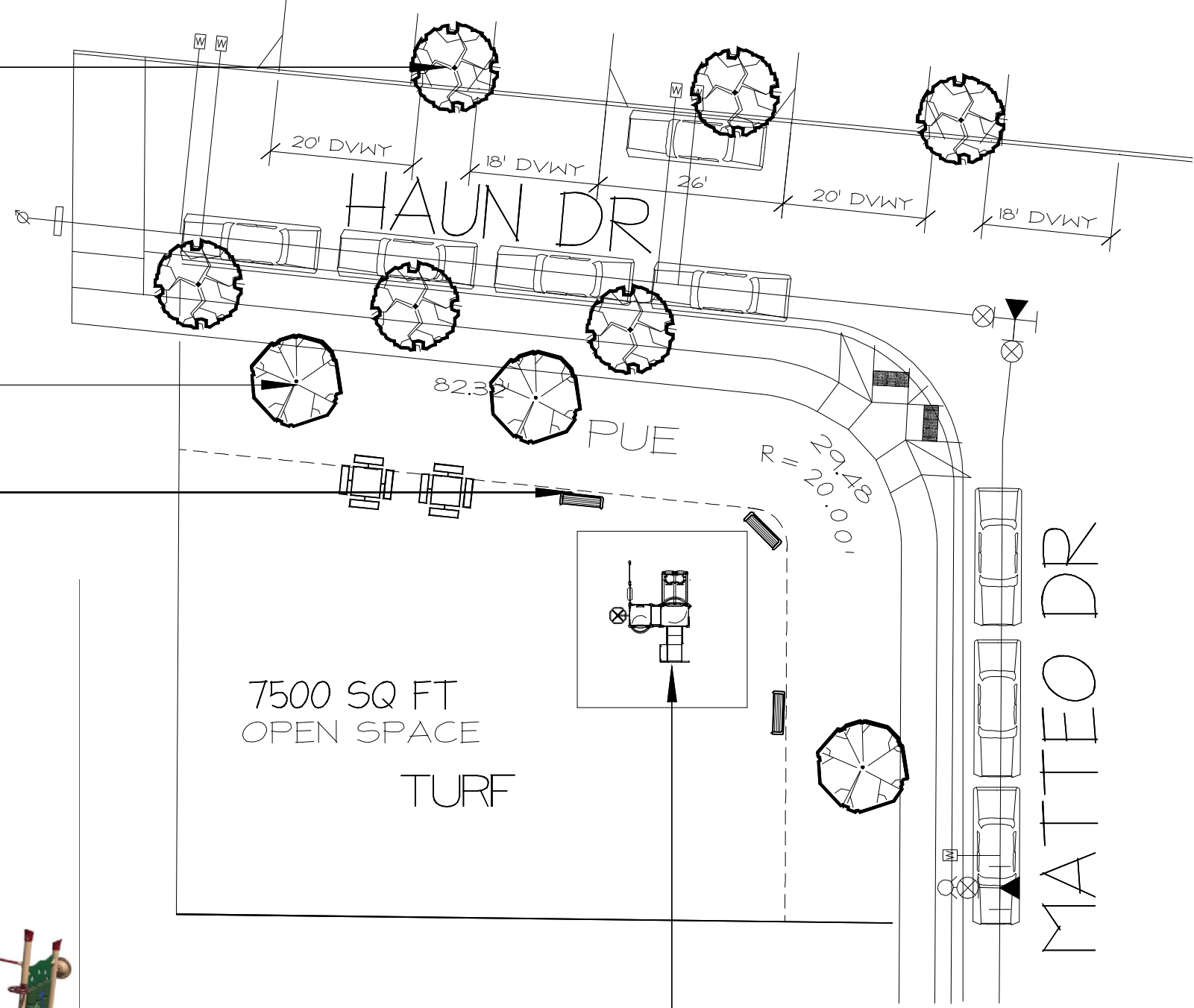
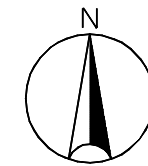
17 KATSURA TREE

3 BENCHES

7500 SQ FT
OPEN SPACE
TURF

PLAY STRUCTURE

OPEN SPACE TRACT D AND PLAYGROUND



Recreation Services Inc
Baker Creek

STRUCTURE P53-31052
For residential purposes only. Colors may vary.

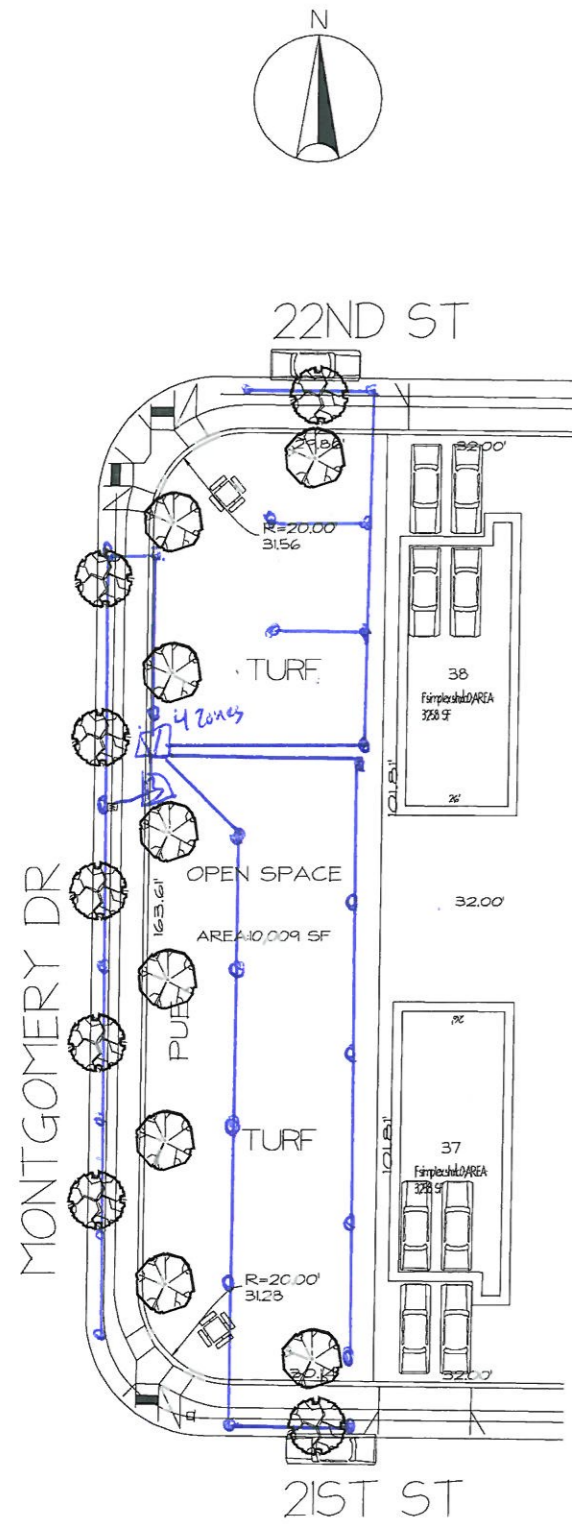
COLOR KEY

- Posts | Iced Coffee
- Metals | Burgundy
- Plastics | Green
- Panels | Green
- Decks | Brown

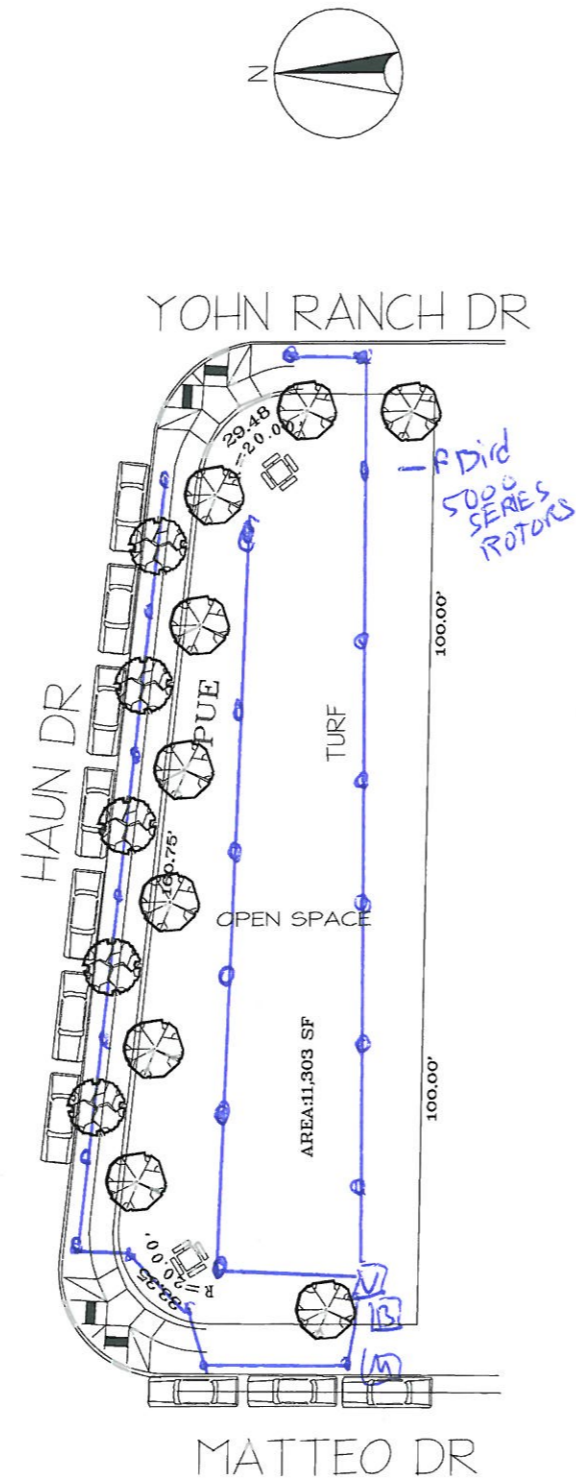


BAKER CREEK LLC
TRACT "D" OPEN SPACE & PLAYGROUND TRACT

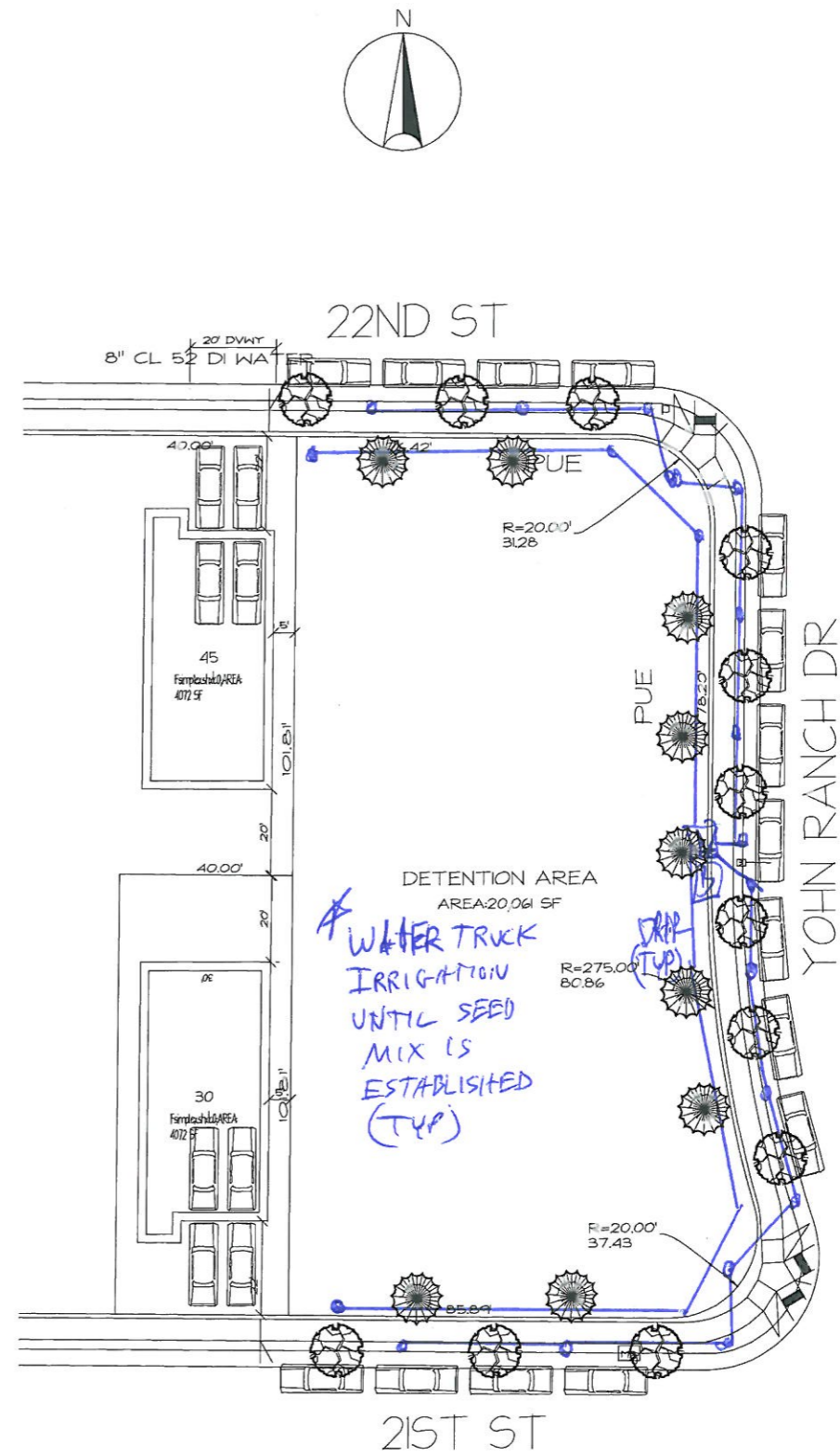
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DATE 4/10/18
DRAWING #



OPEN SPACE TRACT
B



OPEN SPACE TRACT
C



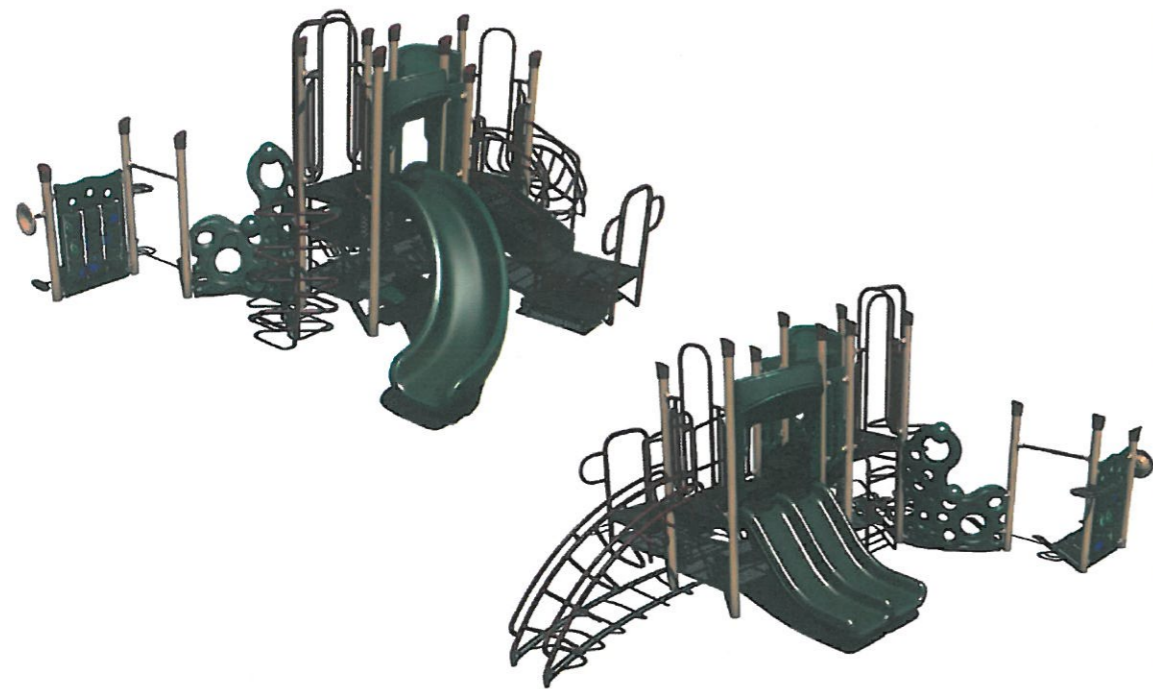
WATER DETENTION AREA
A

BAKER CREEK LLC
BAKER CREEK WEST OPEN SPACE TRACTS A,B,C
DRAWING #
DATE 4/10/18
SCALE 1:40

18 RED SUNSET RED MAPLE

17 KATSURA TREE

3 BENCHES

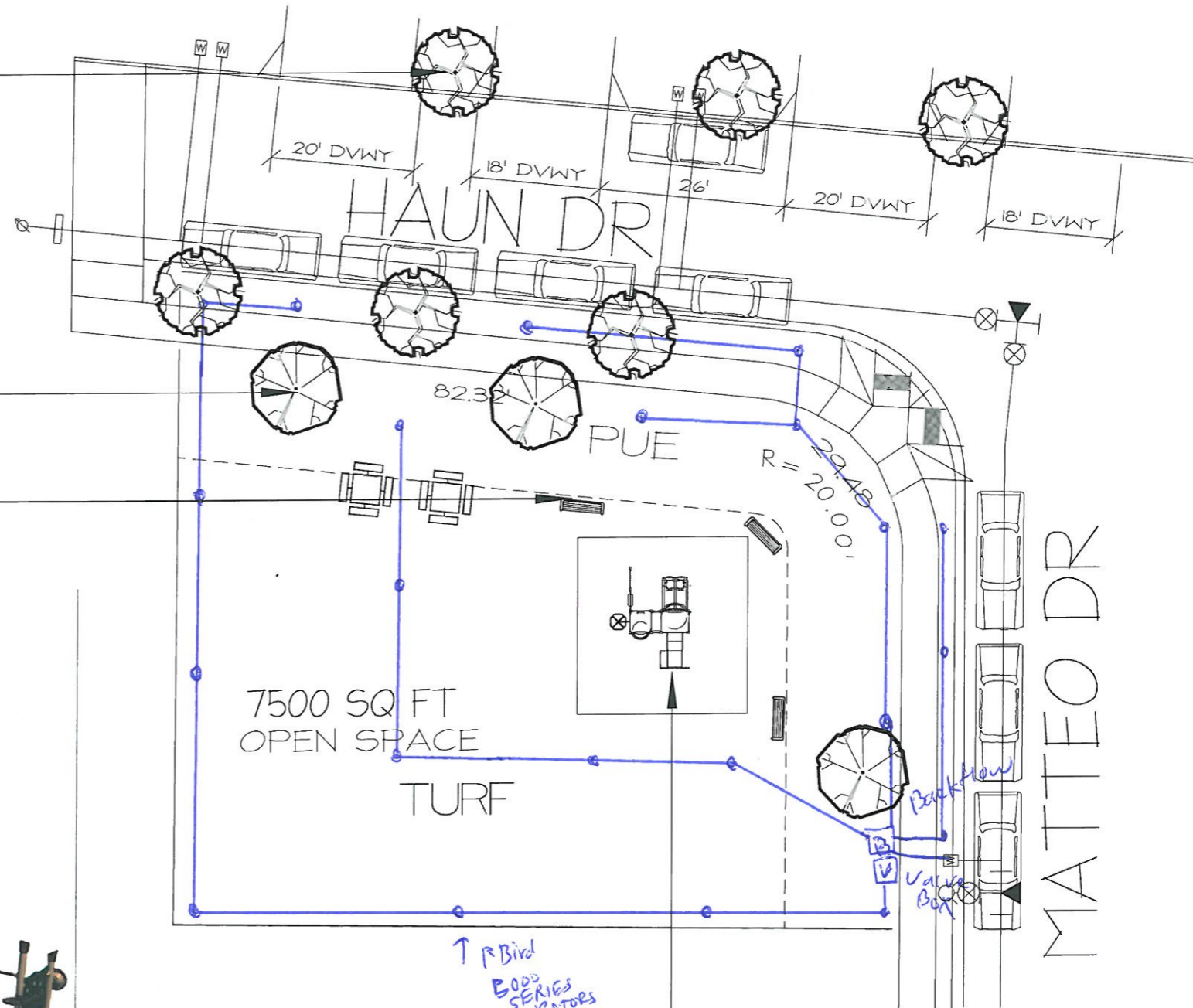


Recreation Services Inc
Baker Creek

STRUCTURE PS3-31052

COLOR KEY

Posts | Iced Coffee
 Metals | Burgundy
 Plastics | Green
 Panels | Green
 Decks | Brown



PLAY STRUCTURE

OPEN SPACE TRACT D AND PLAYGROUND



BAKER CREEK LLC
 TRACT "D" OPEN SPACE & PLAYGROUND TRACT

DRAWING #

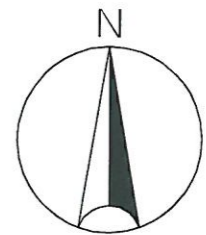
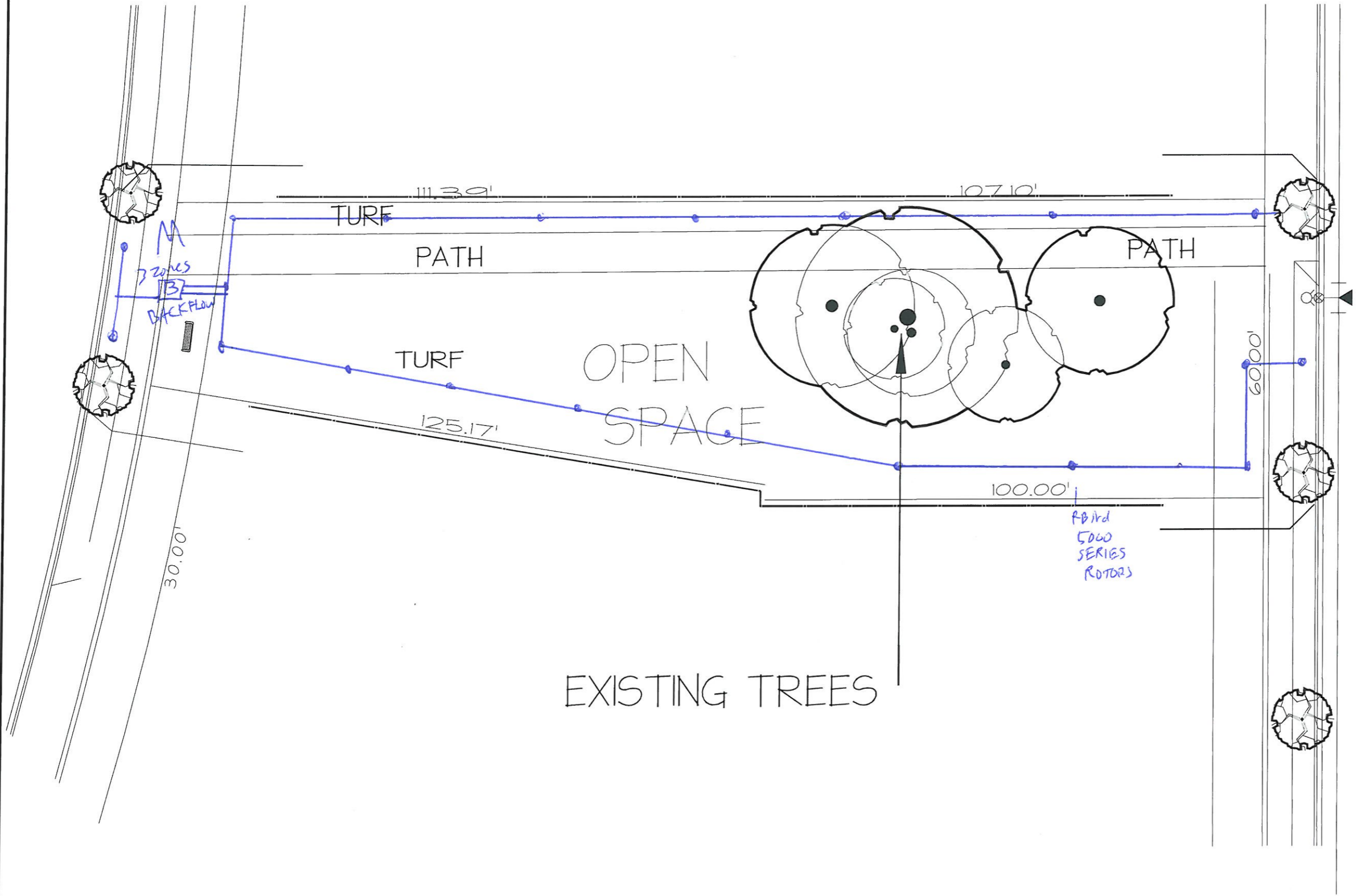
DATE

4/10/18

SCALE

1:20

BC EAST OPEN TRACT A



BAKER CREEK LLC
BAKER CREEK EAST OPEN TRACT A
SCALE 1:20
DATE 9/1/17
DRAWING #



exterior spaces

[DESIGN - PLAN - CREATE]

503-521-5041

Landscape Design - Outdoor Living - Swimming Pools - Water Features - Lighting

www.exteriorspacesdesign.com

NOTES

STREET TREE PLANTING PLAN
BAKER CREEK WEST STREET TREE LAYOUT
BAKER CREEK DEVELOPMENT, LLC

21 RED SUNSET RED MAPLE

12 KATSURA TREE

22 RED SUNSET RED MAPLE

21 RED SUNSET RED MAPLE

Qty	Botanical Name	Common Name
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177	<i>Acer rubrum</i> 'Franksred'	RED SUNSET RED MAPLE
24	<i>Cercidiphyllum japonicum</i>	KATSURA TREE
236	<i>Thuja occidentalis</i> 'Smaragd'	EMERALD ARBORVITAE
9	<i>Thuja plicata</i> 'Excelsa'	EXCELSA WESTERN RED CEDAR

33 RED SUNSET RED MAPLE

236 EMERALD ARBORVITAE

22 RED SUNSET RED MAPLE

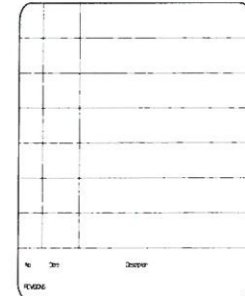
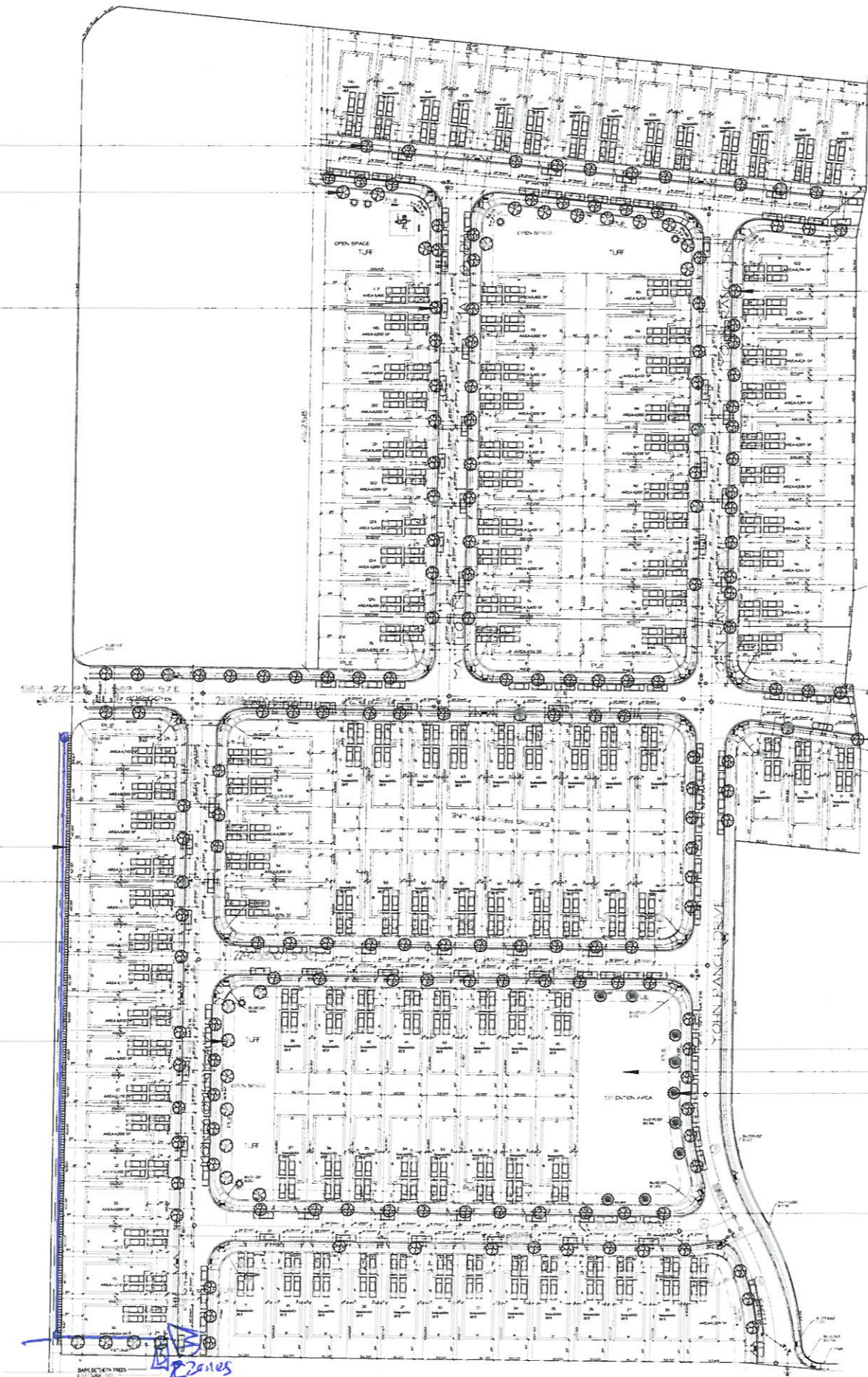
21 RED SUNSET RED MAPLE

8 KATSURA TREE

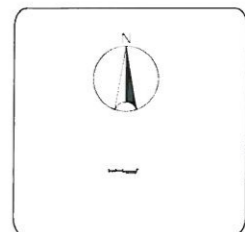
18 RED SUNSET RED MAPLE
WATER QUALITY SEED MX #1
9 EXCELSA WESTERN RED CEDAR

12 RED SUNSET RED MAPLE

HOSE DRIP IRR. (TYP)



EXTERIOR SPACES LLC
503-521-5041
DESIGNER: RUSSELL SWALLBERG
WWW.EXTERIORSPACESDESIGN.COM



SCALE: 1" = 40'	DATE:
DRAWN BY: [Signature]	REVISION:
CHECKED BY: [Signature]	DATE: 4/10/18
DATE: 4/10/18	SCALE: 1" = 40'

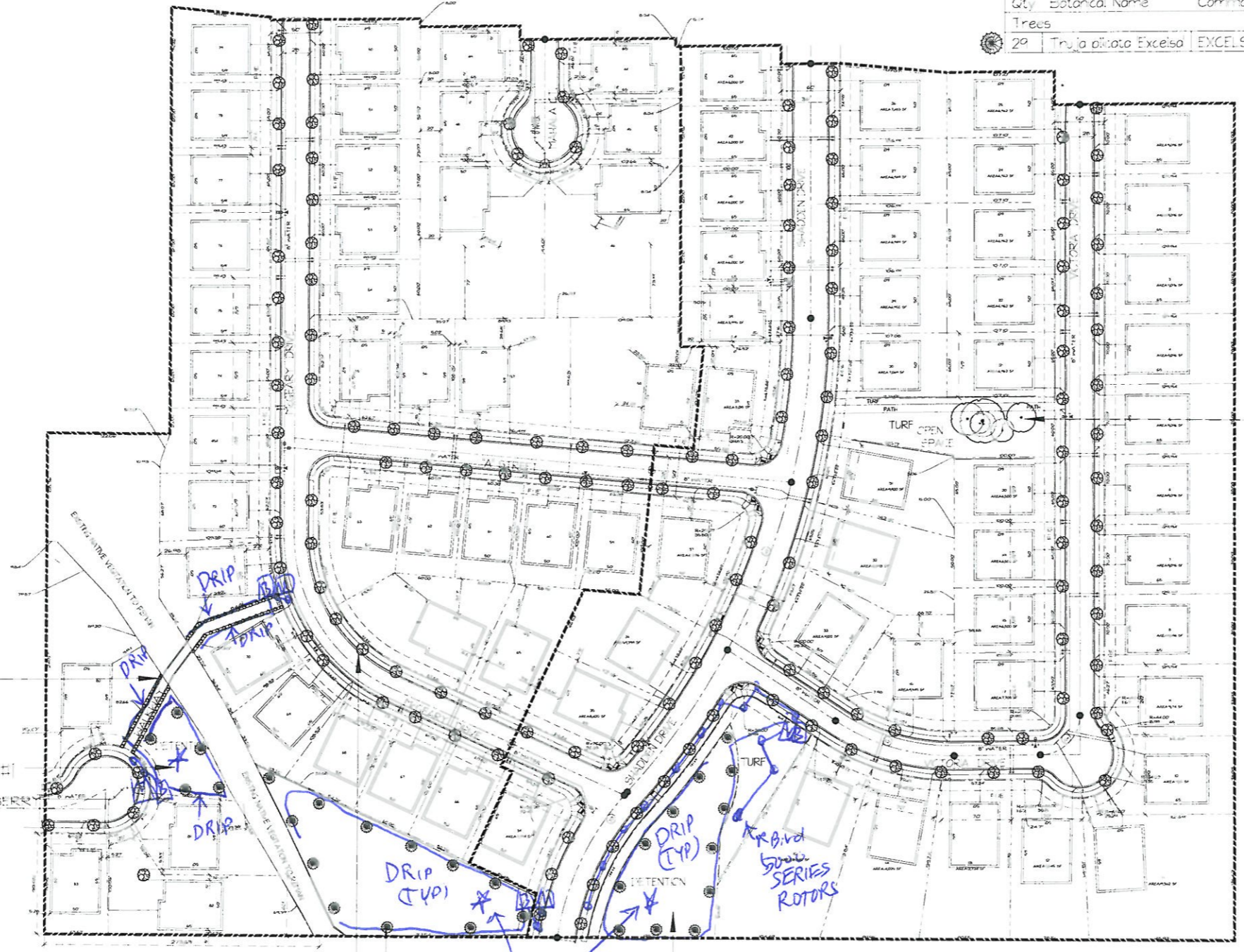
Qty	Botanical Name	Common Name
Trees		
147	<i>Corylus heterophylla</i>	FASTIGIATA COMMON HORNBEAM
Shrubs		
57	<i>Rosa nutkana</i> var. <i>Nutkana</i>	Nootka Rose
Trees		
29	<i>Thuja plicata</i> Excelsa	EXCELSA WESTERN RED CEDAR

NOTES

STREET TREE PLANTING PLAN

BAKER CREEK EAST SUBDIVISION

BAKER CREEK DEVELOPMENT, LLC



57 NOOTKA ROSE

WATER QUALITY SEED MIX #1

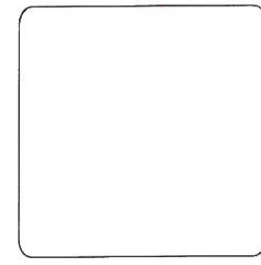
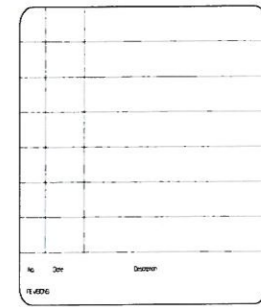
SNOWBERRY ST.

147 COMMON FASTIGIATA HORNBEAM STREET TREES
29 EXCELSA WESTERN RED CEDAR

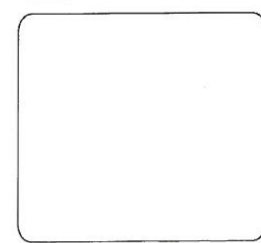
WATER TRUCK IRR. UNTIL SEED MIX IS EST. (TRIP)

WATER QUALITY SEED MIX #1

EXISTING TREES



EXTERIOR SPACES LLC
DESIGN BY RUGS SWALBERG



DATE: 11-14-20
DRAWN BY: RUGS SWALBERG
DATE: 4-10-18
PROJECT: 2-0-18

PROJECT: 2-0-18

exterior spaces
[DESIGN - PLAN - CREATE]
503-521-5041
www.exteriorspacesdesign.com



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**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS OF APPROVAL OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF A STREET TREE PLAN AND LANDSCAPE PLAN FOR THE BAKER CREEK WEST AND BAKER CREEK EAST SUBDIVISIONS

- DOCKET:** L 1-18 (Street Tree and Landscape Plan)
- REQUEST:** The applicant requested the approval of a street tree plan and landscape plan for two new subdivisions. Street trees are required to be planted in any new residential subdivision that has a dedicated planting strip.
- LOCATION:** The subject property is located, generally, south of Baker Creek Road and east of Hill Road, near the existing Shadden Claim and Cottonwood subdivisions. The subject properties are more specifically described as Tax Lots 200, 203, 205, and 206, Section 18, T. 4 S., R. 4 W., W.M
- ZONING:** R-1 PD (Single Family Residential Planned Development)
- APPLICANT:** Baker Creek Development, LLC
- STAFF:** Chuck Darnell, Associate Planner
- DATE DEEMED COMPLETE:** May 3, 2018
- HEARINGS BODY:** McMinnville Landscape Review Committee
- DATE & TIME:** May 16, 2018. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the street tree plan (L 1-18) **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

Planning Staff: _____
Chuck Darnell, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

APPLICATION SUMMARY:

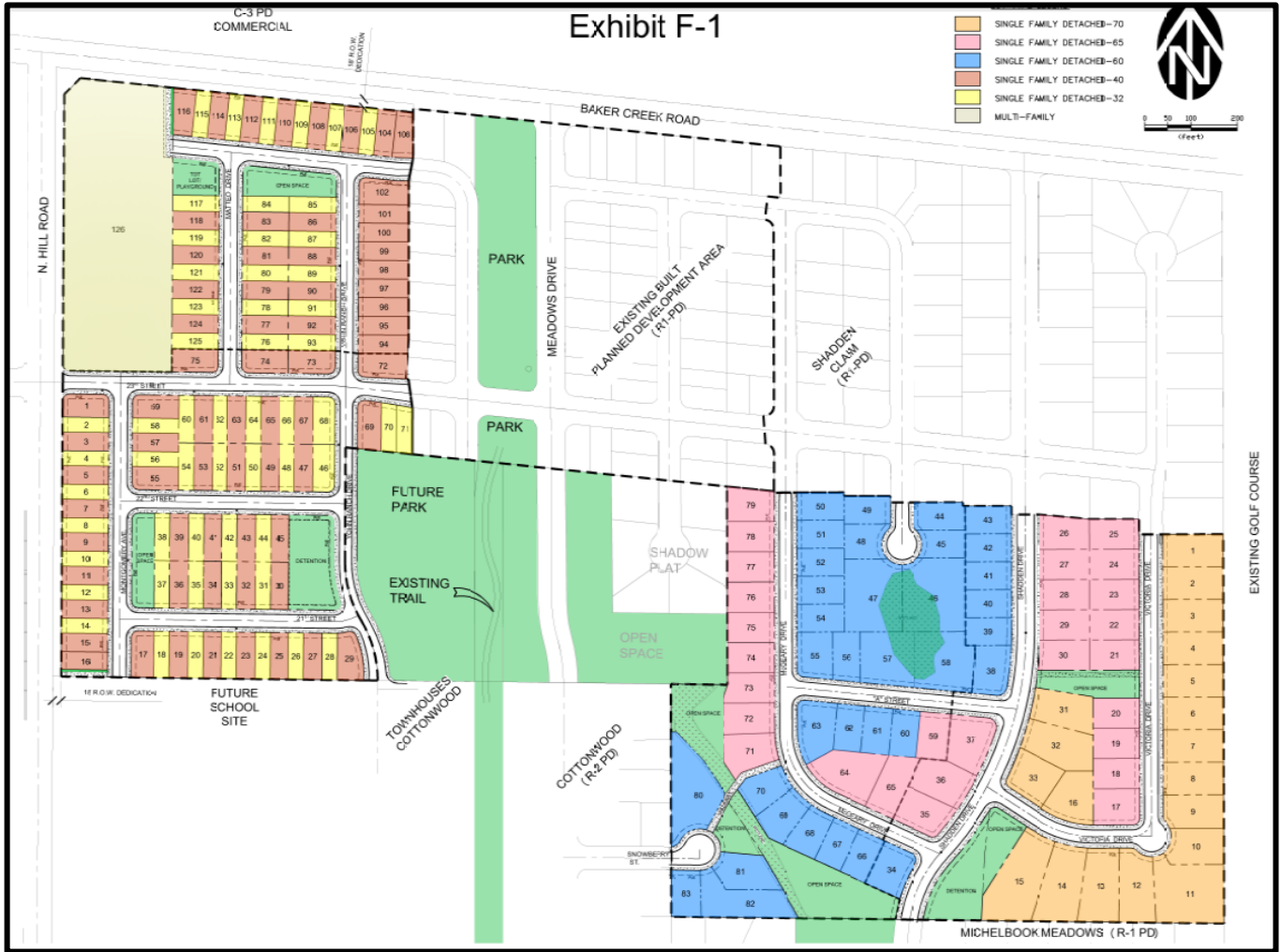
The Baker Creek subdivisions were approved as a Planned Development by the City Council in April 2017. The overall development plan consists of two separate developments in the area described above. The development near the intersection of Hill Road and Baker Creek Road is referred to as Baker Creek West, and the development south of the existing Shadden Claim subdivision and adjacent to Michelbook Golf Course is referred to as Baker Creek East. The Baker Creek West development consists of 125 single family residential lots and one lot approved for a multiple family development. The Baker Creek East development consists of 83 single family lots. The subject site can be seen below:

Site Reference Map



The overall development plan that was approved by the City Council is provided below. The Baker Creek West development includes smaller lots and the multiple family development site, and the Baker Creek East development includes larger lots more consistent with the size of lots in the surrounding existing subdivisions.

Approved Development Plan



CONDITIONS OF APPROVAL:

L 46-17 is approved subject to the following conditions:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during planting process.
2. That the tree species approved for the planting strips in the Baker Street West subdivision is Red Sunset Red Maple (*Acer rubrum* 'Franksred'), and that the tree species approved for the planting strips in the Baker Street East subdivision is Fastigiata Common Hornbeam (*Carpinus betulus* 'Fastigiata').
3. That the street trees to be installed in the Hill Road right-of-way space adjacent to the west boundary of the Baker Creek West subdivision be consistent with the street tree plan provided to the applicant and developer in a memorandum on May 4, 2018.
4. That the street tree spacing in the Baker Creek East subdivision be no more than 30 feet on the exterior side yard of any corner lot, or along any open space or detention area tract. Street trees planted in other areas in the Baker Creek East subdivision shall be planted at the maximum spacing of 30 feet in any other possible location, to be determined during building permit review.

5. That all trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.
6. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
7. That each street tree shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of each tree and the curb side of each tree. The root barrier protection shall be placed in 10-foot lengths, centered on each tree, and to a depth of eighteen (18) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
8. In the Baker Creek West subdivision, where street trees are planted in the approximately 10 foot long planter strips between driveways on neighboring lots, root barrier protection shall be provided around the perimeter of the entire planting strip.
9. In the Baker Creek West subdivision, where street trees are planted in any location less than 10 feet from a water meter, root barrier protection shall be provided along the sidewalk and curb as required by condition #6, and root barrier protection shall also be provided immediately adjacent to the water meter between the sidewalk and curb.
10. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to schedule a planting inspection prior to backfilling.
11. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
12. That the street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

ATTACHMENTS:

1. Application for Street Tree Removal (on file with the Planning Department)

COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.

FINDINGS OF FACT

1. Baker Creek Development, LLC requested the approval of a street tree and landscape plan for two new subdivisions. Street trees are required to be planted in any new residential subdivision that has a dedicated planting strip. The subject property is located, generally, south of Baker Creek Road and east of Hill Road, near the existing Shadden Claim and Cottonwood subdivisions. The subject properties are more specifically described as Tax Lots 200, 203, 205, and 206, Section 18, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned R-1 PD (Single Family Residential Planned Development), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided, and the comments provided by the Public Works Department and McMinnville Water and Light have been incorporated into the conditions of approval.
4. A public meeting was held by the Landscape Review Committee on May 16, 2018 to review the application and proposed street tree plan. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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.

Policy 122.00: The City of McMinnville shall encourage the following provisions for each of the three functional road classifications:

- 1. Major, minor arterials.*
–Landscaping should be encouraged along public rights-of-way.
- 2. Major, minor collectors.*
–Landscaping should be encouraged along public rights-of-way.
- 3. Local Streets*
–Landscaping should be encouraged along public rights-of-way.

Finding: Goal VI 1 and Policy 122.00 are satisfied in that trees will be installed along the public right-of-way along all new streets within the new subdivisions, and also in the right-of-way space adjacent to Hill Road. Existing street trees in the right-of-way adjacent to Baker Creek Road will be retained and maintained. The trees will be located within curb side planting strips, and will be of a species from the approved McMinnville Street Tree List. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards.

Policy 132.24.00: The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way. Examples of how the Compete Streets policy is implemented:

- 1. Incorporate features that create a pedestrian friendly environment, such as: [...]*

g. Street furniture, street trees, and landscaping

Finding: Policy 132.24.00 is satisfied in that trees will be installed along all new streets within the new subdivisions, and also in the right-of-way space adjacent to Hill Road. Existing street trees in the right-of-way adjacent to Baker Creek Road will be retained and maintained. The trees will be located within curb side planting strips, and will be of a species from the approved McMinnville Street Tree List. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards.

Policy 132.38.00: Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project.

Finding: Policy 132.38.00 is satisfied in that trees will be installed along all new streets within the new subdivisions, and also in the right-of-way space adjacent to Hill Road. Existing street trees in the right-of-way adjacent to Baker Creek Road will be retained and maintained. The trees will be located within curb side planting strips, and will be of a species from the approved McMinnville Street Tree List. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards.

Policy 132.43.05: Encourage Safety Enhancements – In conjunction with residential street improvements, the City should encourage traffic and pedestrian safety improvements that may include, but are not limited to, the following safety and livability enhancements:

- 3. Landscaping barriers between roadway and non-motorized uses;*
- 4. Landscaping that promotes a residential atmosphere;*

Finding: Policy 132.43.05 is satisfied in that trees will be installed along all new streets within the new subdivisions, and also in the right-of-way space adjacent to Hill Road. Existing street trees in the right-of-way adjacent to Baker Creek Road will be retained and maintained. The trees will be located within curb side planting strips, and will be of a species from the approved McMinnville Street Tree List. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards. The street trees will promote a residential atmosphere within the subdivision.

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

Policy 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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville's City Code:

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

Chapter 17.57 – Landscaping

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

Finding: The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

17.57.050 Plans—Submittal and review—Approval—Time limit for completion.

- C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;

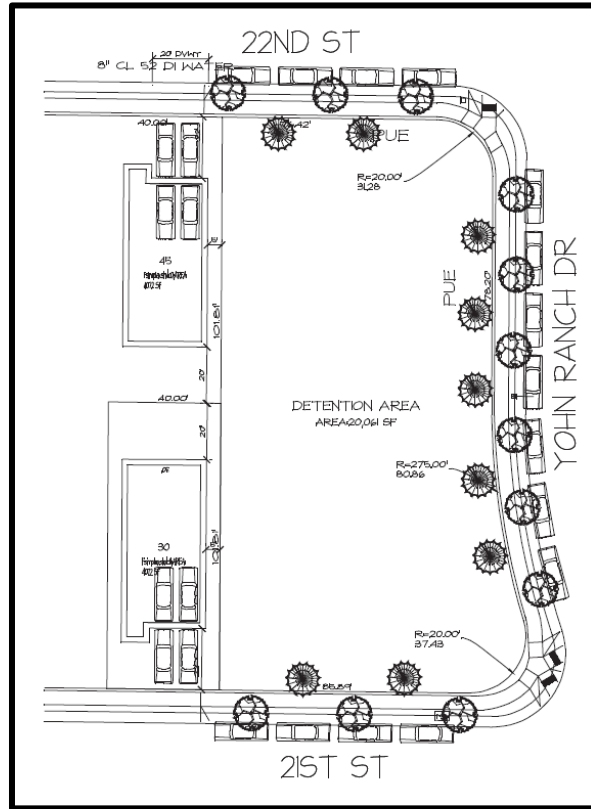
Finding: The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.070 Area Determination—Planning factors.

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

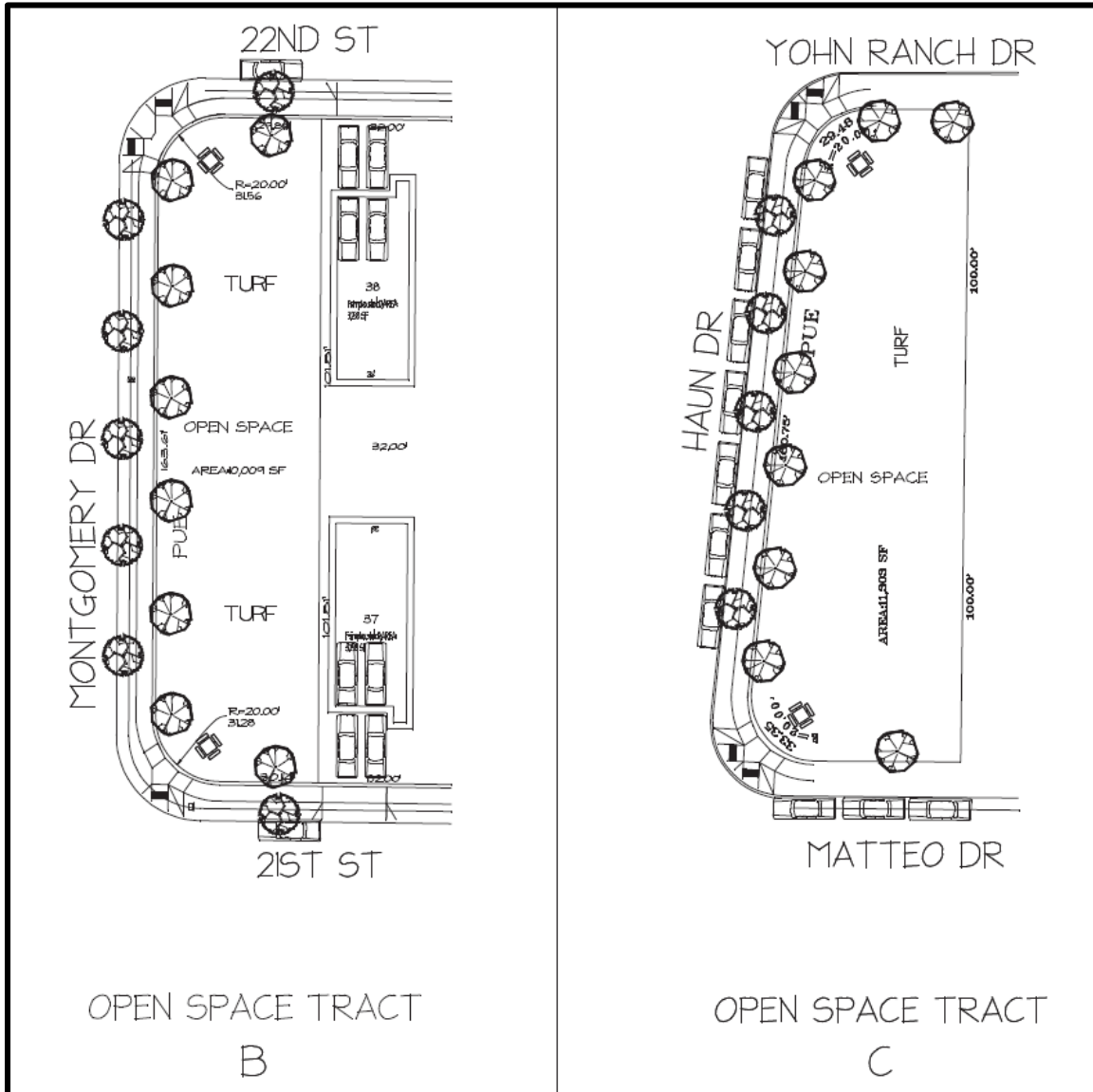
Finding: In Baker Creek West, the applicant is proposing the following landscaping:

Detention Area (Tract A):



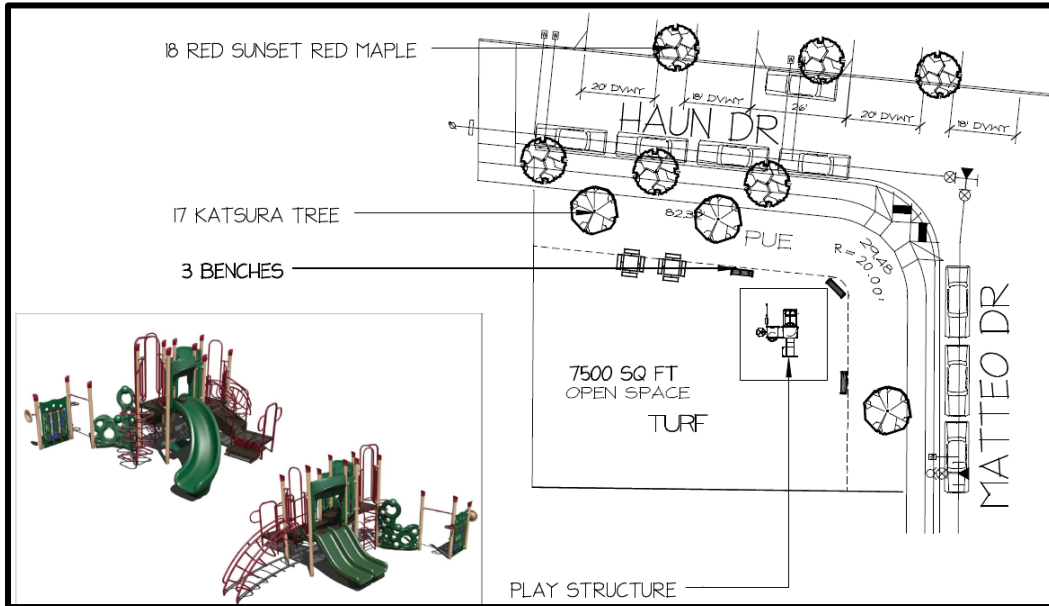
In the detention area in Tract A, the applicant is proposing to plant nine Excelsa Western Red Cedar (*Thuja plicata* 'Excelsa') trees along the outer perimeter of the detention area, and then install water quality seed mix within the graded detention area. The applicant provided details for the water quality seed mix being proposed, which includes a mixture of Slough Sedge, Small Fruited Bulrush, Dense Sedge, and Creeping Spikerush.

Open Spaces (Tract B and Tract C):



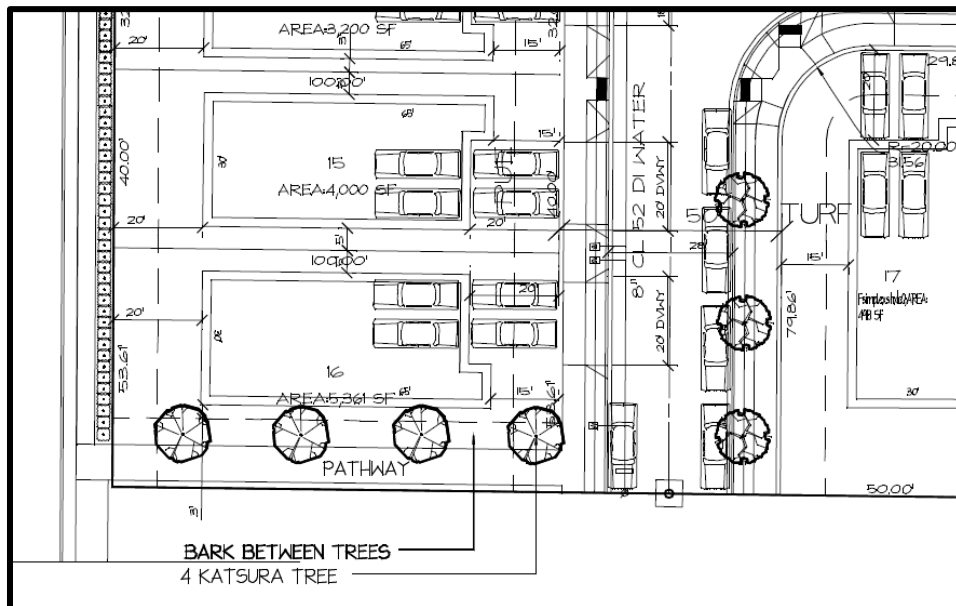
In these open space tracts, the applicant is proposing to install Katsura (*Cercidiphyllum japonicum*) trees along the outer perimeter of the open space tracts, and then to install turf grass throughout the remainder of the tract. Staff is supportive of the use of turf grass in a majority of the open space area. These open space areas were required during the Planned Development to provide for usable open space for residents of the subdivision, based on the smaller lots and yards that were allowed to be constructed. The applicant is also proposing to install picnic tables at the corners of each of the open space tracts to provide seating for users of the open spaces. These improvements were also required by the Planned Development approval (condition of approval #4) subject to the Planning Director's approval, and the Planning Director has approved the type and placement of picnic tables as shown on the landscape plan.

Open Space (Tract D):



Similar to the other Baker Creek West open space tracts, the applicant is proposing to install Katsura (*Cercidiphyllum japonicum*) trees along the outer perimeter of Tract D, and then to install turf grass throughout the majority of the open space tract. However, the Planned Development approval (condition of approval #4) required that play equipment be provided in this open space tract. The applicant is also proposing to install picnic tables on the north side of the open space tract, play equipment internally oriented near the northeast corner of the open space tract, and then three benches surrounding the play equipment space. All of these improvements will be within the site, setback at least 10 feet from the property lines, to provide for some buffering between the usable features and the street. The applicant is proposing to finish the play equipment area with wood chips. These improvements were required by the Planned Development approval (condition of approval #4) subject to the Planning Director's approval, and the Planning Director has approved the type and placement of picnic tables as shown on the landscape plan.

Pedestrian Accessways (on Lot 16 and Multifamily Lot):

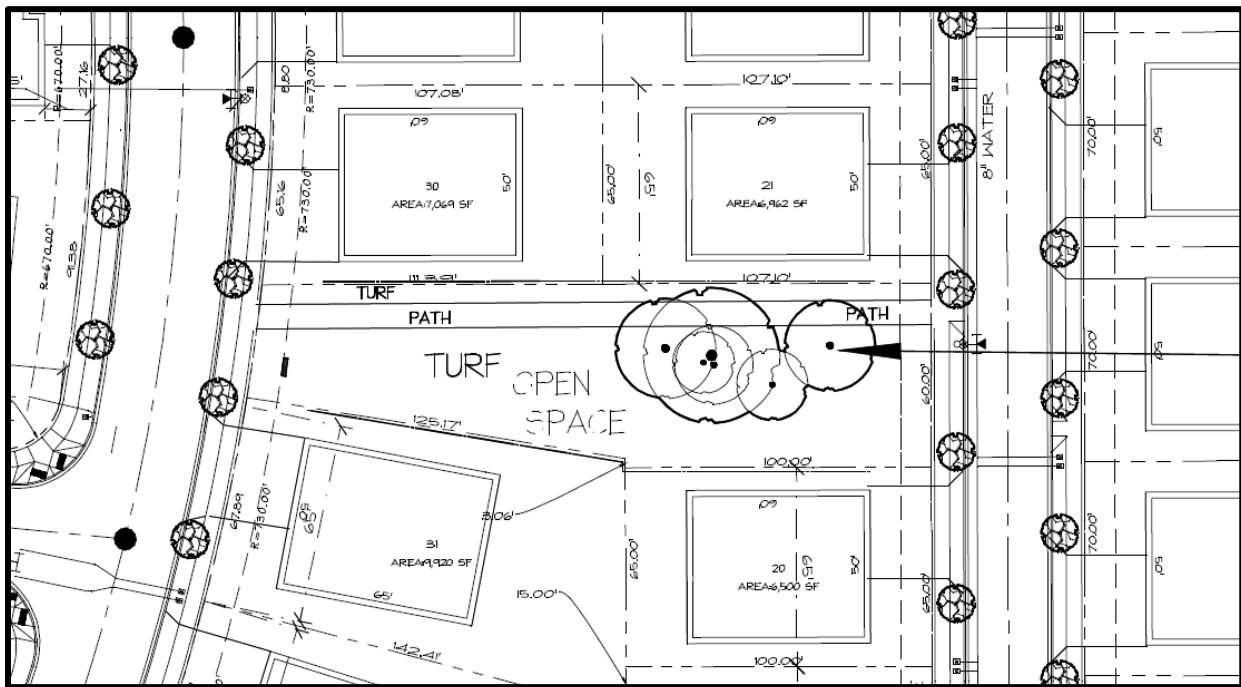


The pedestrian accessways were required by the Planned Development approval (condition of approval #4, #37, and #39) to provide additional pedestrian accessibility within the subdivision and to also connect to other areas outside of the subdivision. The accessway on Lot 16 will provide a pedestrian connection between Montgomery Drive and Hill Road. The applicant is proposing to include a 10 foot wide pathway, and then a planter strip between the pathway and the buildable area of Lot 16. The applicant is proposing to improve the planter strip with four evenly spaced Katsura trees and bark dust between the trees.

The other pedestrian accessway will be located on the multifamily site, providing a pedestrian connection between Haun Drive and Baker Creek Road. The landscaping for this pedestrian connection was not shown on the submitted street tree and landscape plan, and therefore will be deferred to and reviewed during the review of the landscape plan for the multifamily site.

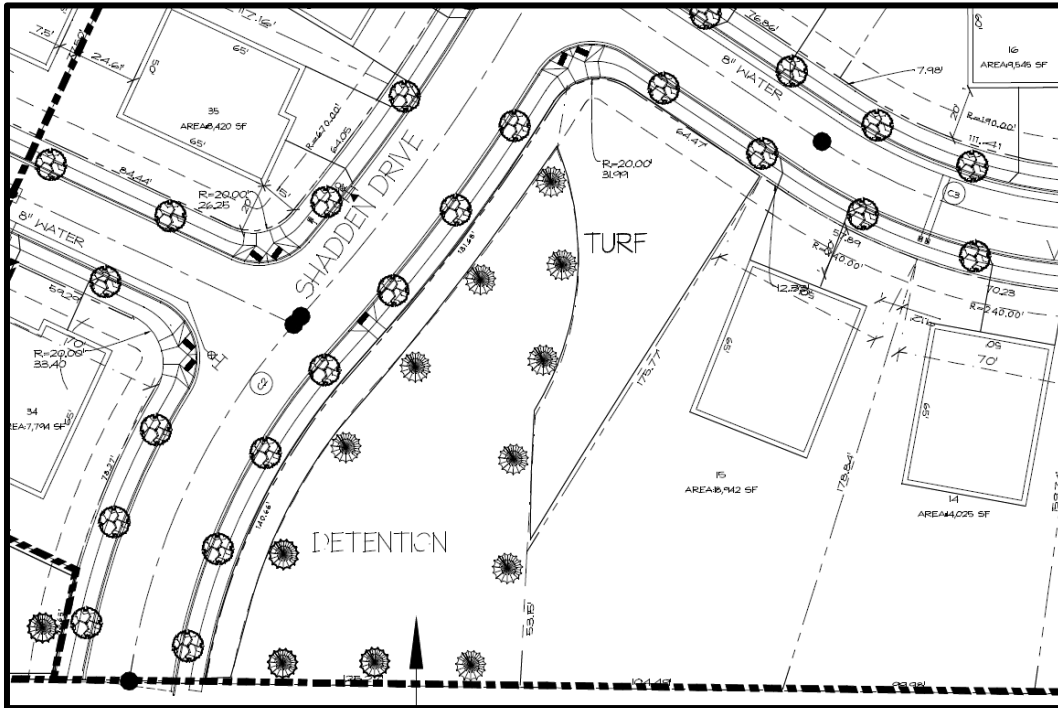
In Baker Creek East, the applicant is proposing the following landscaping:

Open Space and Pedestrian Accessway (Tract A):



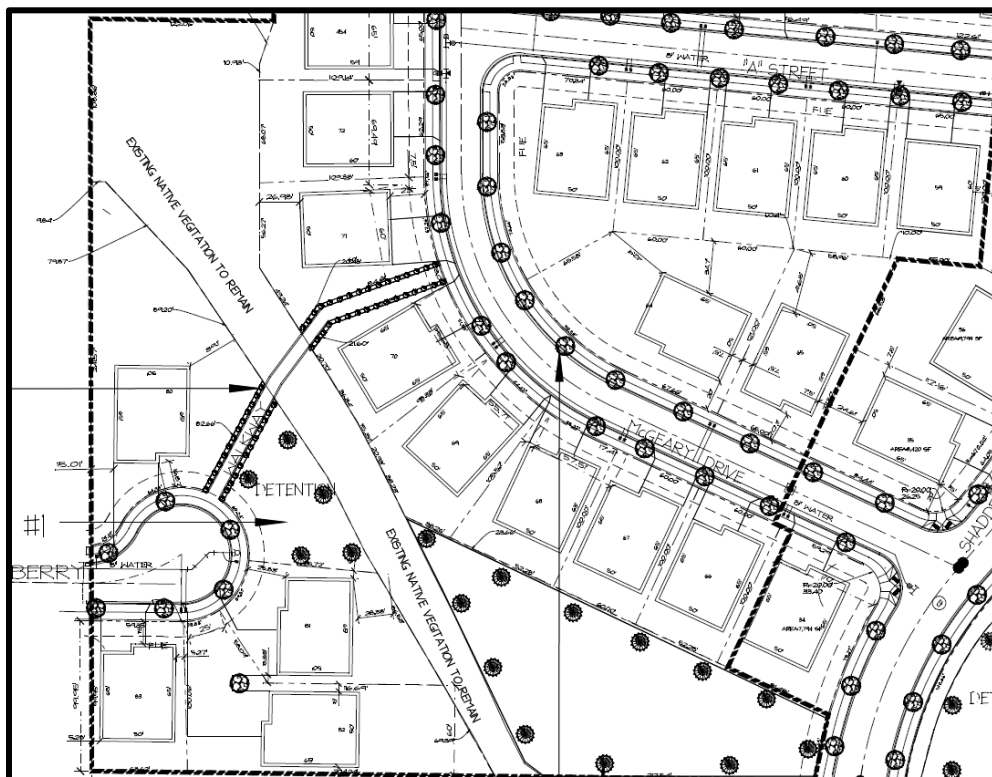
In this open space tract, the applicant is proposing to install a 10 foot wide pathway, and then provide turf for usable open space in the remainder of the open space tract. The applicant is proposing to maintain and preserve some large, existing trees in this location, which will provide some interest and shade in the open space tract. The Planned Development approval (in condition of approval #39) allowed for the applicant to propose only turf in open space areas that were identified as “open active spaces” in the original Planned Development submittal. The applicant is exercising this option by just proposing to provide open turf area. Staff supports this treatment to provide for some additional usable open space in the Baker Creek East subdivision, given that some of the existing trees will be maintained.

Open Space and Detention Area (Tract B):



This open space tract will include some level area, proposed by the applicant to be just turf, and also a detention area. The applicant is proposing a similar treatment in this detention area as proposed in Baker Creek West, with Excelsa Western Red Cedar (*Thuja plicata* 'Excelsa') trees along the outer perimeter of the detention area and water quality seed mix within the graded detention area.

Detention Area and Pedestrian Accessway (Tract C):



This larger detention area, which includes a detention pond on the southeast corner of the tract near Shadden Drive and a detention pond on the east end of the Snowberry Street cul-de-sac, will primarily be maintained with the existing native vegetation. The detention pond areas will be treated again with Excelsa Western Red Cedar (*Thuja plicata* 'Excelsa') trees along the outer perimeter of the detention areas and water quality seed mix within the graded detention areas. The tract also includes a required pedestrian accessway between Snowberry Street and McGear Drive. The applicant is proposing a 10 foot pathway through the tract with a slightly narrower bridge over the existing natural drainageway. Along the accessway, the applicant is proposing to install continuous rows of Nootka Rose (*Rosa nutkana*) on each side of the accessway.

Overall, the proposed landscape plan is compatible with the proposed project and the surrounding and abutting properties. The open space areas will be planted with additional trees along the outer perimeter, providing shade and buffering between the open space interiors of the tracts and the street. The turf areas will provide for usable open space for residents of the subdivisions. The detention areas will be improved with larger trees along the upper perimeter of the graded pond areas, and then treated with low maintenance grass mixtures within the graded detention areas. The pedestrian accessways that do not contain adjacent open space or turf areas will be improved with rows of either trees or smaller shrubs to provide additional buffering.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Finding: The open space and detention tracts do not include permanent structures, other than the play equipment and picnic tables, so the proposed plantings do not need to screening any specific structure or use. The open space and detention tracts will be improved with additional trees along the perimeters, which will provide for additional shade and some buffering between the usable open spaces and the adjacent streets.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Finding: The applicant is proposing to retain some existing trees in the open space tract in Baker Creek East, and also to maintain the existing vegetation in the existing drainageway through Tract C in Baker Creek East. In other locations, there are not any existing natural areas or vegetation to be retained.

4. The development and use of islands and plantings therein to break up parking areas.

Finding: The open space and detention area tracts do not include any parking areas, so this criteria is not applicable.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Finding: Street trees will be installed within the right-of-way adjacent to all of the open space and detention tracts where a planting strip will be created.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

Finding: The applicant include specific irrigation plans for the open space tracts, detention areas, pedestrian accessways, and the other common space areas that will be the responsibility of the eventual Homeowner's Association.

- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. [...]

Finding: A condition of approval will require that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Chapter 17.58 – Trees

17.58.010 Purpose. The purpose of this ordinance is to establish and maintain the maximum amount of tree cover on public and private lands in the city; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues.

Finding: The street tree plan will establish tree cover on new public right-of-way to be dedicated to the City as the multi-family site is developed. The street tree plan as proposed will provide for tree-lined streets within the new residential neighborhood and will enhance the appearance of the City. Conditions of approval have been included to ensure that the planting of the street trees meets all necessary street tree standards, which will result in the appropriate planting and maintenance of the street trees.

17.58.080 Street Tree Planting—When Required. All new multi-family development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090.

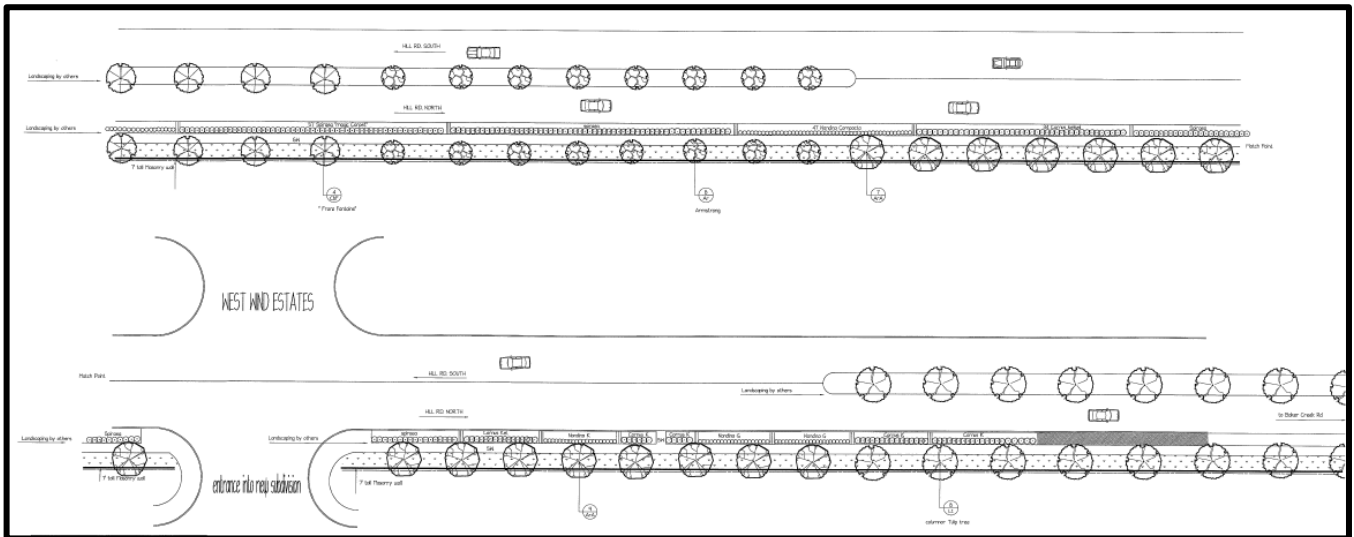
Finding: The street tree plan as proposed will include street trees adjacent to the lots created as part of the subdivision, and the street trees will be installed in a designated curb-side planting strip fronting each new and existing public right-of-way.

17.58.090 Street Tree Standards.

- A. The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.

Finding: The applicant is proposing to install Red Sunset Red Maple (*Acer rubrum* 'Franksred') trees as the street tree species in the Baker Creek West subdivision. The applicant is also proposing to install Fastigiata Common Hornbeam (*Carpinus betulus* 'Fastigiata') trees as the street tree species in the Baker Creek East subdivision. Both of these tree species are listed on the McMinnville Street Tree list as approved species, and both are considered to be medium sized trees on the McMinnville Street Tree list. The other trees being proposed on the street tree and landscape plan will not be located within public right-of-way, and therefore are not considered street trees. The use of the other tree species will be discussed in more detail in the review of the landscaping of the open space and detention tracts further below.

The applicant was proposing to install a continuous row of arborvitae along the western perimeter of the Baker Creek West subdivision adjacent to Hill Road. However, the approval of the Planned Development (in condition of approval #41) included a requirement that “street tree specifications will be provided by the City of McMinnville for Hill Road and Baker Creek Road”. In place of the proposed arborvitae, the City developed a street tree plan for this portion of the Baker Creek West subdivision adjacent to Hill Road. The plan includes the installation of a alternating variety of Armstrong Red Maple, Autumn Spire Red Maple, Fastigiata Common Hornbeam, and Tulip trees. These tree species were selected to coincide with the street trees that will be installed in the center of Hill Road as part of the reconstruction of that street. Along Baker Creek Road, the City will require that the existing street trees be retained and continuously maintained. A condition of approval has been included to require this street tree plan be followed for the Hill Road frontage, as described in a memorandum to the developer on May 4, 2018. The street tree plan for the area along the Baker Creek West frontage on Hill Road is provided below:



- B. Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.

Finding: The street tree plan as provided does not identify the size of the proposed trees. A condition of approval is included to specify that the trees be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. The condition of approval also states that all trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety.

- C. Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. [...]

Finding: The Baker Creek West subdivision was approved with variances to lot sizes and allowed for lots with widths of 32 and 40 feet, alternating between those lot widths along each street within the subdivision. The Planned Development also allowed for reduced setbacks on the smaller lots, and

the locations of driveways is fairly well defined at this point given the small building areas allowable on the lots. After the addition of utilities and driveways to each lot, the planter strip space left to plant street trees and still meet required setbacks from all adjacent infrastructure is constrained. This was considered during the land use review, and a condition of approval (condition #31) of the Planned Development required that consideration be given to the locations of utilities during the development of the street tree plan, and that the Landscape Review Committee could consider other planting techniques in areas that may be constrained. The developers placed the sanitary sewer laterals serving each lot under the driveways, locating that infrastructure in an area that will be impervious surface and will not introduce another utility that trees must be setback from. The other infrastructure that still creates some conflicts with street tree locations are driveways and water meters.

Based on all of the infrastructure conflicts, the required street tree spacing for medium trees, as the Red Sunset Red Maple (*Acer rubrum* 'Franksred') are described in the McMinnville Street Tree List, cannot be achieved in most locations in the Baker Creek West subdivision. The applicant is proposing to meet the required 30 foot maximum spacing in the areas where there are not utility conflicts, including exterior side yards and planter strips adjacent to open space tracts or detention areas. Where the spacing cannot be achieved in the Baker Creek West subdivision, the applicant is proposing street trees at a spacing of between 35 and 40 feet, which is the smallest spacing possible given the conflicts described above.

In the Baker Creek East subdivision, the lot sizes are larger and the lot widths are more typical of other residential subdivision lots in McMinnville. The lots in the Baker Creek East subdivision range from 60 to 75 feet in width, which leaves a much larger area available for the planting of street trees while still meeting necessary setbacks from infrastructure. With larger potential buildable areas on the Baker Creek East lots, the construction plans for homes will likely be more varied, but driveway locations were finalized during the construction of the street and curb infrastructure. Given the larger lots, the maximum street tree spacing of 30 feet for medium trees, as the Fastigiata Common Hornbeam (*Carpinus betulus* 'Fastigiata') are described in the McMinnville Street Tree List, should be more attainable. However, the applicant has not shown the street tree spacing to be at the required maximum of 30 feet. The spacing shown on the street tree plan for the Baker Creek East subdivision is closer to a typical of 40 feet.

While there will be constraints based on utilities serving the lots, there are areas where the maximum 30 foot spacing can easily be achieved. The 30 foot spacing will be achievable on the exterior sides of corner lots, and along any of the open space tracts and detention area tracts. A condition of approval has been included to require that the street tree spacing in the Baker Creek East subdivision be no more than 30 feet on the exterior side yard of any corner lot, or along any open space or detention area tract. The condition of approval also requires that street trees be planted at the maximum spacing of 30 feet in any other possible location, to be determined during building permit review.

- D. When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half (2 1/2) feet from the face of a curb.

Finding: The subdivision includes local residential streets. The applicant has provided a five (5) foot wide planting strip along all streets within the subdivisions, which is greater than the three (3) foot minimum requirement. Both species of street trees being proposed are considered "medium" sized trees in the McMinnville Street Tree List. Medium sized trees require a five (5) foot wide planter strip based on the requirements of the McMinnville Street Tree List, and this is being satisfied with the proposed planter strip.

- E. Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.

Finding: As discussed above, a condition of approval (condition #31) of the Planned Development required that consideration be given to the locations of utilities during the development of the street tree plan, and that the Landscape Review Committee could consider other planting techniques in areas that may be constrained. In the Baker Creek West subdivision, where there are narrower lots, the applicant is proposing to locate most of the street trees in a roughly 10 foot long planter strip that will be between the driveways on neighboring lots. With the slightly wider driveway approaches on the ends of the driveways, this creates some areas where the street trees will be less than the required five (5) feet from driveway approaches. To address this constrained planting space, a condition of approval has been included to require that root barrier protection be provided around the entire planting strip in these areas between driveways. This condition is warranted given the constrained planting space and will mitigate any future potential impacts to infrastructure required to be maintained by the future property owner. Condition of approval #31 from the Planned Development approval gave the Landscape Review Committee the ability to require alternative planting techniques, and this additional root barrier protection would be an example of a planting technique that is required based on the constrained planting space created by the dense development pattern.

In some other areas of the Baker Creek West subdivision, the applicant is proposing to place street trees less than 10 feet from water meters in order to decrease the street tree spacing to a distance more consistent with the required maximum street tree spacing standard. A condition of approval has been included to require root barrier protection along the sidewalk and curb sides of the entire five (5) foot wide planting strip and immediately adjacent to the water meter, between the sidewalk and curb, in these locations where the street trees will be less than 10 feet from a water meter. Again, this condition is allowed by condition of approval #31 from the Planned Development approval and is required in order to mitigate for any future potential impacts to infrastructure required to be maintained by the future property owner. Other utilities were identified on the street tree plan for both the Baker Creek West and Baker Creek East subdivisions, and a condition of approval is included to require that the setbacks from utilities be maintained.

17.58.120 Street Tree Maintenance.

- A. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.
- B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.
- C. Maintenance of street trees, other than those located in the Downtown Tree Zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the Downtown Tree Zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees.

Finding: A condition of approval has been included to ensure that the street trees are continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

CD:sjs



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

www.mcminnvilleoregon.gov

EXHIBIT 3 - STAFF REPORT

DATE: July 19, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4B: L 10-18

Report in Brief:

An application for a landscape plan for the expansion of an existing industrial site and facility (L 10-18) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Dean Klaus, submitted a landscape plan review application to install landscaping on the site of expanded mini-storage facility located at 1615 NE Riverside Drive. The subject property is more specifically described as Tax Lot 1600, Section 16, T. 4 S., R. 4 W., W.M.

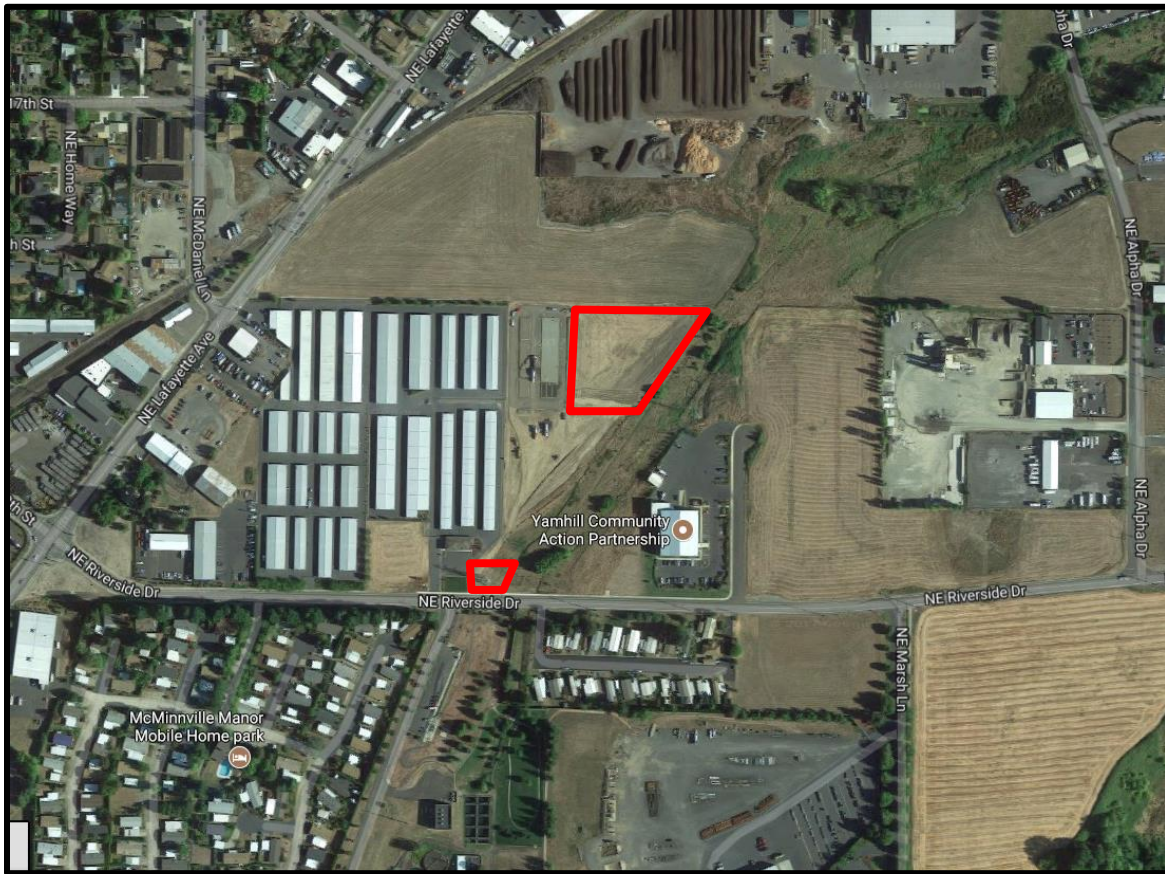
Discussion:

The subject property is zoned M-2 (General Industrial). The site is currently developed with mini-storage facilities, and the applicant is proposing to expand the site and add additional mini-storage buildings. Landscape plans have been reviewed and approved for each previous expansion of this facility. The subject site can be seen below as a red outlined area:

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for an Expansion of an Existing Industrial Site at 1615 NE Riverside Drive

Site Reference Map

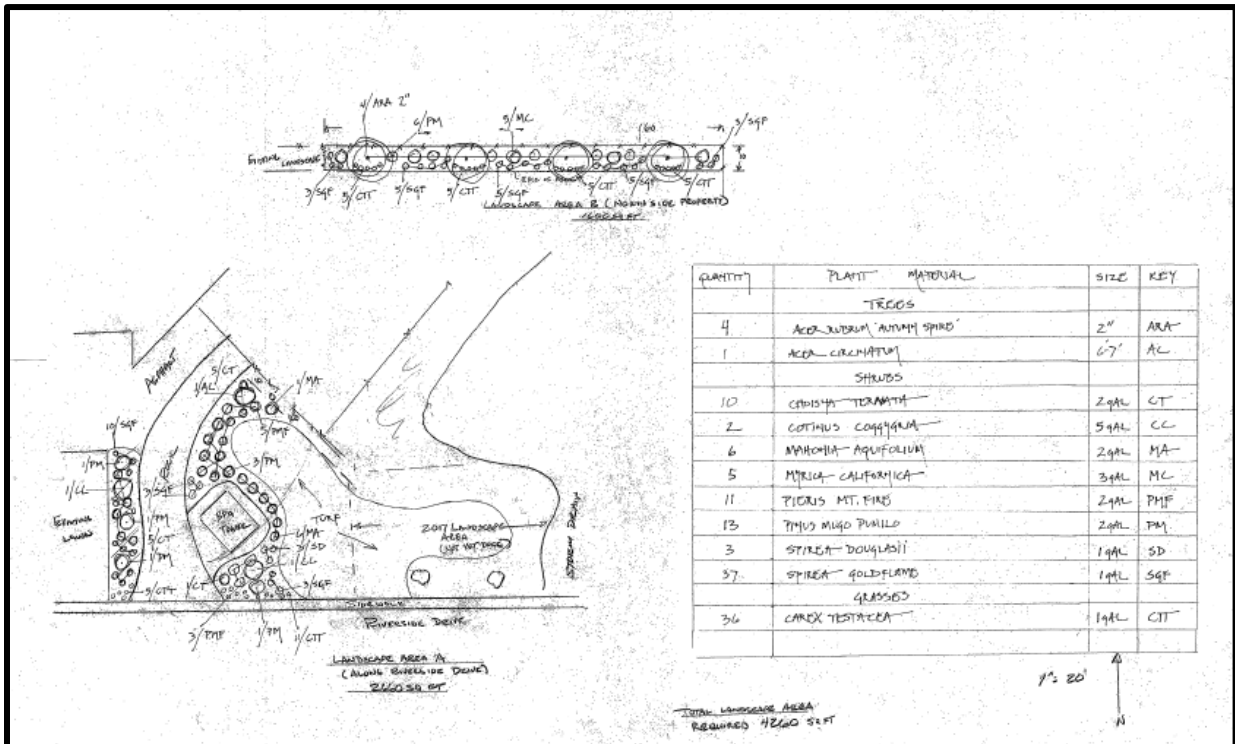
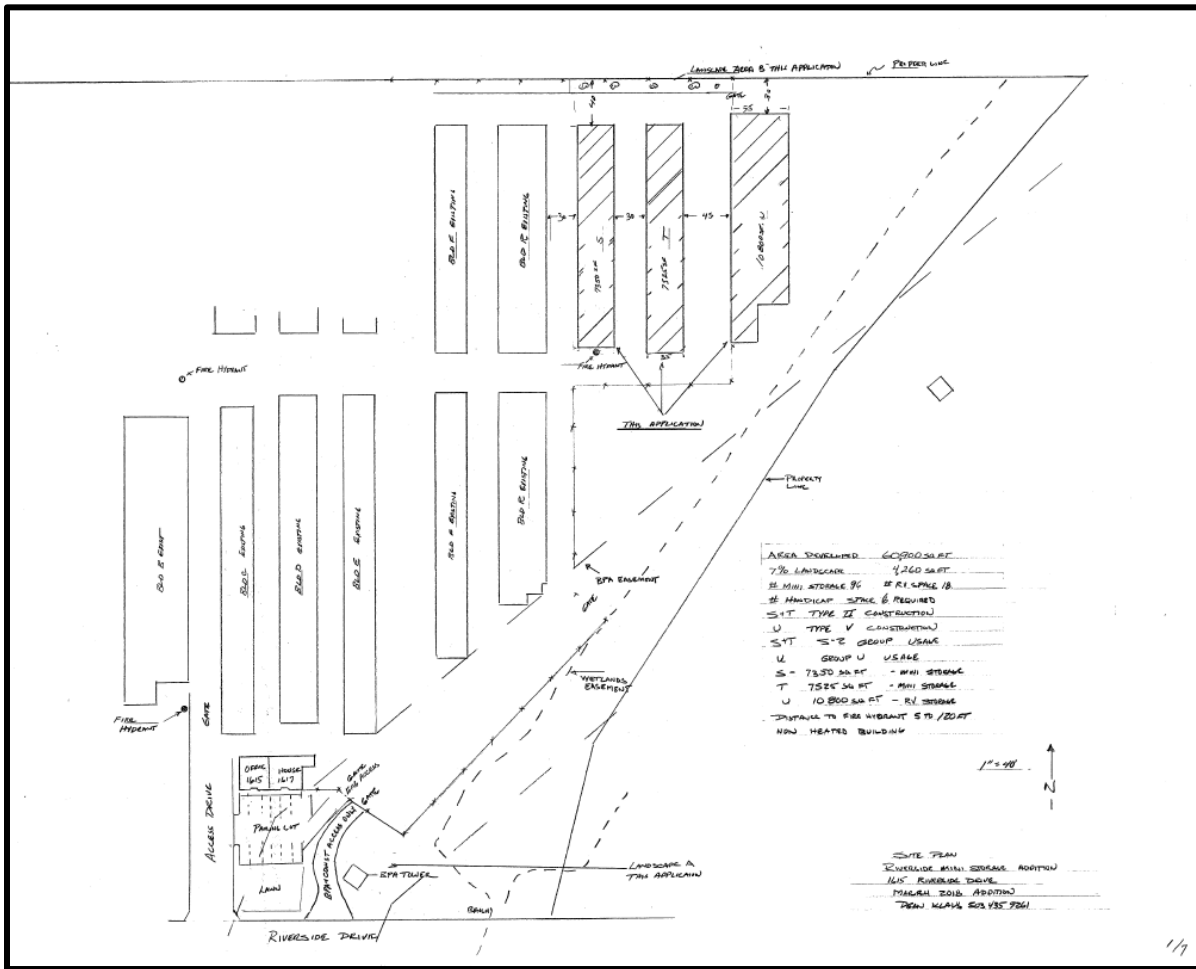


The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of a site being developed be landscaped (Section 17.57.070(A) (Area Determination – Planning Factors)). The landscape plan as proposed exceeds those requirements, as about 8.8 percent of the area of the site being redeveloped is proposed to be landscaped.

The landscaping being proposed on the site can be seen below:

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for an Expansion of an Existing Industrial Site at 1615 NE Riverside Drive



Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for an Expansion of an Existing Industrial Site at 1615 NE Riverside Drive

In reviewing a landscape plan, Section 17.57.050(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to also consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The surrounding area consists primarily of other industrially and commercially zoned property along NE Lafayette Avenue and NE Riverside Drive. There is some residentially zoned and residentially used property to the south of the subject site, across Riverside Drive. The applicant is proposing to install landscaping within the site on the north side of the three new mini-storage buildings. The proposed planter area is a linear strip extending along the entire length of the north side of the proposed new buildings. This treatment is consistent with the landscaping that has been approved and provided throughout the remainder of the overall mini-storage site. The applicant is proposing to install four Autumn Spire Red Maple (*Acer rubrum* 'Autumn Spire') trees in the linear planting strip. Between the trees, the applicant is proposing a variety of smaller shrubs to fill out the planter area, including Goldflame Spirea, Mexican Orange (*Choisya ternata*), Pacific Waxmyrtle (*Myrica californica*), and Dwarf Mugo Pine (*Pinus mugo pumilio*). The proposed landscaped areas will provide buffering and allow for the proposed project to be compatible with the surrounding uses and abutting properties.

In addition, the applicant is proposing to install a lawn and landscaped area along the site's frontage on Riverside Drive. This will provide for compatibility with the public right-of-way and with the residential area to the south. On a previous expansion of the mini-storage site in 2017, the applicant proposed landscaping on the Riverside Drive frontage. This area of landscaping from the 2017 approval was located east of the BPA tower. The landscaping being proposed now is located under and around the BPA tower, and would combine with the previously approved landscaped area for a larger buffered landscape area adjacent to Riverside Drive and adjacent to the pedestrian space on the sidewalk adjacent to the site. In the area around the BPA tower, the applicant is proposing one Vine Maple (*Acer circinatum*) tree, and a variety of shrubs. The shrubs include Douglasii Spirea, Goldflame Spirea, Mexican Orange (*Choisya ternata*), Pacific Waxmyrtle (*Myrica californica*), and Dwarf Mugo Pine (*Pinus mugo pumilio*), Japanese pieris (*Pieris japonica* 'Mt. Fire'), and Barberry (*Mahonia aquifolium*). All of the landscaping within the BPA area needs to be of a type that does not have any significant height. The BPA easement includes some limitations on height, due to the overhead wires, so the applicant is proposing a variety of smaller shrubs to be installed in this area.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The proposed use will be screened on the sides most visible from the public right-of-way by a combination of trees and landscaped planter areas along Riverside Drive, and along the northern boundary of the property between the new buildings and the property line. The actual area being developed is setback quite far from both the right-of-way and from adjacent properties. The BPA power lines run along the eastern edge of the property, and this area is being avoided as structures and tall landscaping are not allowed in this area. The area beneath the power lines acts as an open natural area with grasses and some shrubs, which provides for space and buffering between the subject site and adjacent uses.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for an Expansion of an Existing Industrial Site at 1615 NE Riverside Drive

The existing site is currently vacant, and there is no existing vegetation to preserve.

4. The development and use of islands and plantings therein to break up parking areas.

The applicant is proposing to use the drive aisles within the mini-storage area as parking spaces, which is allowed in the City of McMinnville to best utilize space within mini-storage areas and prevent unnecessary impervious surface. Therefore, plantings are not feasible within the drive aisles. The long linear planting strip on the north side of the site will be located adjacent to a drive aisle, which will provide some buffering between buildings and also breaks up what would be a larger expansive paved area.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

No irrigation facilities are proposed on the landscape plan submitted. Staff is suggesting a condition of approval to require that irrigation or suitable watering facilities be included in the proposed planter areas. It should be noted that all other landscaped areas within the site have been irrigated as they have been installed. Therefore, staff does not have any concern that the applicant would not irrigate the landscaping areas associated with this phase of the site development.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Based on the findings described in the staff report and decision document, staff is recommending that the landscape plan be approved with the following conditions:

1. That the applicant shall install landscaping as shown on the submitted landscape plan titled March 2018 Addition.

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for an Expansion of an Existing Industrial Site at 1615 NE Riverside Drive

2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
3. That irrigation or suitable watering facilities be provided for the proposed landscaped areas.
4. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

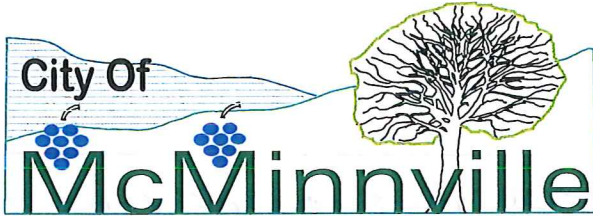
Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 10-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for an Expansion of an Existing Industrial Site at 1615 NE Riverside Drive



Planning Department
 231 NE Fifth Street • McMinnville, OR 97128
 (503) 434-7311 Office • (503) 474-4955 Fax
www.ci.mcminnville.or.us

Office Use Only:	
File No.	<u>L10-18</u>
Date Received	<u>4-9-18</u>
Fee	<u>\$145.00</u>
Receipt No.	<u>18M0063</u>
Received by	<u>SP</u>

Landscape Plan Review Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name DEAN KLAUS Phone 503 435 9261
 Contact Name DEAN KLAUS Phone 503 435 9261
 (If different than above)
 Address 450 NW 7TH ST
 City, State, Zip McMinnville OR
 Contact Email dklaus7@msn.com

Property Owner Information

Property Owner Name DEAN KLAUS Phone 503 435 9261
 (If different than above)
 Contact Name _____ Phone _____
 Address _____
 City, State, Zip _____
 Contact Email _____

Site Location and Description

(If metes and bounds description, indicate on separate sheet)
 Property Address 1615 Riverside Dr NE
 Assessor Map No. R4 416 - - 01600 Total Site Area 60,900 SQ FT
 Subdivision — Block _____ Lot _____
 Comprehensive Plan Designation INDUSTRIAL Zoning Designation IND. (L161A)

Landscaping Information

- 1. Total Landscaped Area: 5400 SQ FT
- 2. Percent Landscaped: 8.8% 1200 IN EXCESS OF REQ.
- 3. Building Floor Area:
New Structure: 25,675 sq. ft. Existing Structure: - Addition: -
- 4. Architect Name Stuart Gunnis Phone 503 434 0743
(Landscape Architect; Engineer; or Other Designer)
Contact Name Stuart Gunnis Phone 503 434 0743
Address Please contact Dean Klaus
City, State, Zip McMinnville
Contact Email dklaus@msn.com

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

- Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.
- Payment of the applicable review fee, which can be found on the Planning Department web page

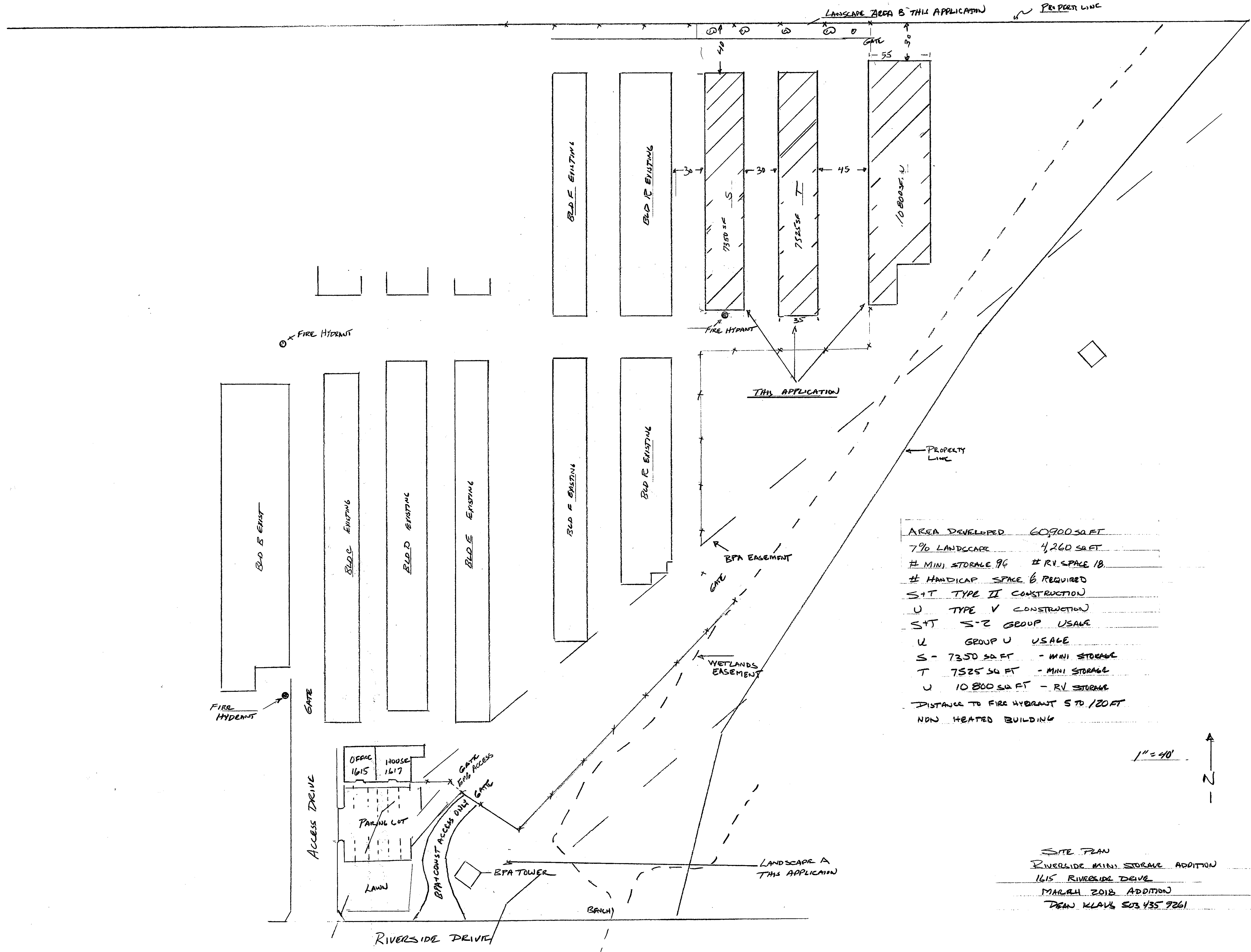
I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

Dean Klaus
Applicant's Signature

April 5 - 2018
Date

Dean C. Klaus
Property Owner's Signature

April 5 - 2018
Date



AREA DEVELOPED	60,900 SQ FT
7% LANDSCAPE	4,260 SQ FT
# MINI STORAGE	96
# RV SPACE	18
# HANDICAP SPACE	6 REQUIRED
S+T	TYPE II CONSTRUCTION
U	TYPE V CONSTRUCTION
S+T	S-2 GROUP USAGE
U	GROUP U USAGE
S	7350 SQ FT - MINI STORAGE
T	7525 SQ FT - MINI STORAGE
U	10800 SQ FT - RV STORAGE
DISTANCE TO FIRE HYDRANT 5 TO 120 FT	
NON HEATED BUILDING	

1" = 40'
 ↑
 N

SITE PLAN
 RIVERSIDE MINI STORAGE ADDITION
 1615 RIVERSIDE DRIVE
 MARCH 2018 ADDITION
 DEAN KLAVS 503 435 9261



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR AN EXPANSION OF AN EXISTING INDUSTRIAL SITE AT 1615 NE RIVERSIDE DRIVE

- DOCKET:** L 10-18
- REQUEST:** The applicant, Dean Klaus, submitted a landscape plan review application to install landscaping on the site of expanded mini-storage facility. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.
- LOCATION:** The property in question is located at 1615 NE Riverside Drive. The subject property is more specifically described as Tax Lot 1900, Section 16, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site is designated as Industrial on the McMinnville Comprehensive Plan Map, and is zoned M-2 (General Industrial).
- APPLICANT:** Dean Klaus
- STAFF:** Chuck Darnell, Associate Planner
- DATE DEEMED COMPLETE:** April 11, 2018
- DECISION-MAKING BODY:** McMinnville Landscape Review Committee
- DATE & TIME:** May 16, 2018. Meetings was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

APPLICATION SUMMARY:

The applicant, Dean Klaus, submitted a landscape plan review application to install landscaping on the site of expanded mini-storage facility. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

The site is currently developed with mini-storage facilities, and the applicant is proposing to expand the site and add additional mini-storage buildings. Landscape plans have been reviewed and approved for each previous expansion of this facility. The subject site can be seen below as a red outlined area:

Site Reference Map



The landscaping being proposed on the site can be seen below:

CONDITIONS OF APPROVAL

L 10-18 is **approved** subject to the following conditions:

1. That the applicant shall install landscaping as shown on the submitted landscape plan titled March 2018 Addition.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
3. That irrigation or suitable watering facilities be provided for the proposed landscaped areas.
4. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

ATTACHMENTS

1. Application for Landscape Plan Review (on file with the Planning Department)

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.

FINDINGS OF FACT

1. Dean Klaus submitted a landscape plan review application to install landscaping on the site of an expanded mini-storage facility located at 1615 NE Riverside Drive. The subject property is more specifically described as Tax Lot 1900, Section 16, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned M-2 (General Industrial), and is designated as Industrial on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided. Comments and suggested conditions of approval were provided, and have been incorporated into the conditions of approval in this document.
4. A public meeting was held by the Landscape Review Committee on May 16, 2018 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS**McMinnville's Comprehensive Plan:**

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

Attachments:

Attachment 1 – Application for Landscape Plan Review

Policy 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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville’s City Code:

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

Finding: The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

17.57.050 Plans—Submittal and review—Approval—Time limit for completion.

C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;

Finding: The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.070 Area Determination—Planning factors.

A. Landscaping shall be accomplished within the following ranges: [...]
 1. Industrial, at least seven percent of the gross area [...]

Finding: The size of the portion of the site that is being developed is 60,900 square feet, and the applicant is proposing to install 5,400 square feet of the site as landscaped area. This results in 8.8 percent of the site being landscaped, which exceeds the minimum landscaped area requirement. The applicant has requested that this excess area be treated as a credit towards any potential further development on the same property. The percentage requirement is a minimum standard, so if the applicant wishes to treat this area as a portion of the landscaping required for any future development, they would need to request that at that point in time and have that approved by the Landscape Review Committee.

Attachments:

Attachment 1 – Application for Landscape Plan Review

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

Finding: The surrounding area consists primarily of other industrially and commercially zoned property along NE Lafayette Avenue and NE Riverside Drive. There is some residentially zoned and residentially used property to the south of the subject site, across Riverside Drive. The applicant is proposing to install landscaping within the site on the north side of the three new mini-storage buildings. The proposed planter area is a linear strip extending along the entire length of the north side of the proposed new buildings. This treatment is consistent with the landscaping that has been approved and provided throughout the remainder of the overall mini-storage site. The applicant is proposing to install four Autumn Spire Red Maple (*Acer rubrum* 'Autumn Spire') trees in the linear planting strip. Between the trees, the applicant is proposing a variety of smaller shrubs to fill out the planter area, including Goldflame Spirea, Mexican Orange (*Choisya ternata*), Pacific Waxmyrtle (*Myrica californica*), and Dwarf Mugo Pine (*Pinus mugo pumilio*). The proposed landscaped areas will provide buffering and allow for the proposed project to be compatible with the surrounding uses and abutting properties.

In addition, the applicant is proposing to install a lawn and landscaped area along the site's frontage on Riverside Drive. This will provide for compatibility with the public right-of-way and with the residential area to the south. On a previous expansion of the mini-storage site in 2017, the applicant proposed landscaping on the Riverside Drive frontage. This area of landscaping from the 2017 approval was located east of the BPA tower. The landscaping being proposed now is located under and around the BPA tower, and would combine with the previously approved landscaped area for a larger buffered landscape area adjacent to Riverside Drive and adjacent to the pedestrian space on the sidewalk adjacent to the site. In the area around the BPA tower, the applicant is proposing one Vine Maple (*Acer circinatum*) tree, and a variety of shrubs. The shrubs include Douglasii Spirea, Goldflame Spirea, Mexican Orange (*Choisya ternata*), Pacific Waxmyrtle (*Myrica californica*), and Dwarf Mugo Pine (*Pinus mugo pumilio*), Japanese pieris (*Pieris japonica* 'Mt. Fire'), and Barberry (*Mahonia aquifolium*). All of the landscaping within the BPA area needs to be of a type that does not have any significant height. The BPA easement includes some limitations on height, due to the overhead wires, so the applicant is proposing a variety of smaller shrubs to be installed in this area.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Finding: The proposed use will be screened on the sides most visible from the public right-of-way by a combination of trees and landscaped planter areas along Riverside Drive, and along the northern boundary of the property between the new buildings and the property line. The actual area being developed is setback quite far from both the right-of-way and from adjacent properties. The BPA power lines run along the eastern edge of the property, and this area is being avoided as structures and tall landscaping are not allowed in this area. The area beneath the power lines acts as an open natural area with grasses and some shrubs, which provides for space and buffering between the subject site and adjacent uses.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Finding: The existing site is currently vacant, and there is no existing vegetation to preserve.

Attachments:

Attachment 1 – Application for Landscape Plan Review

4. The development and use of islands and plantings therein to break up parking areas.

Finding: The applicant is proposing to use the drive aisles within the mini-storage area as parking spaces, which is allowed in the City of McMinnville to best utilize space within mini-storage areas and prevent unnecessary impervious surface. Therefore, plantings are not feasible within the drive aisles. The long linear planting strip on the north side of the site will be located adjacent to a drive aisle, which will provide some buffering between buildings and also breaks up what would be a larger expansive paved area.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Finding: The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

Finding: No irrigation facilities are proposed on the landscape plan submitted. Therefore, a condition of approval has been included to require that irrigation or suitable watering facilities be included in the proposed planter areas.

- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. [...]

Finding: A condition of approval will require that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

CD:sjs



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

www.mcminnvilleoregon.gov

EXHIBIT 4 - STAFF REPORT

DATE: May 16, 2018
TO: McMinnville Landscape Review Committee
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4C: L 4-18

Report in Brief:

An application for a tree removal (L 11-18) to be reviewed by the Landscape Review Committee.

Background:

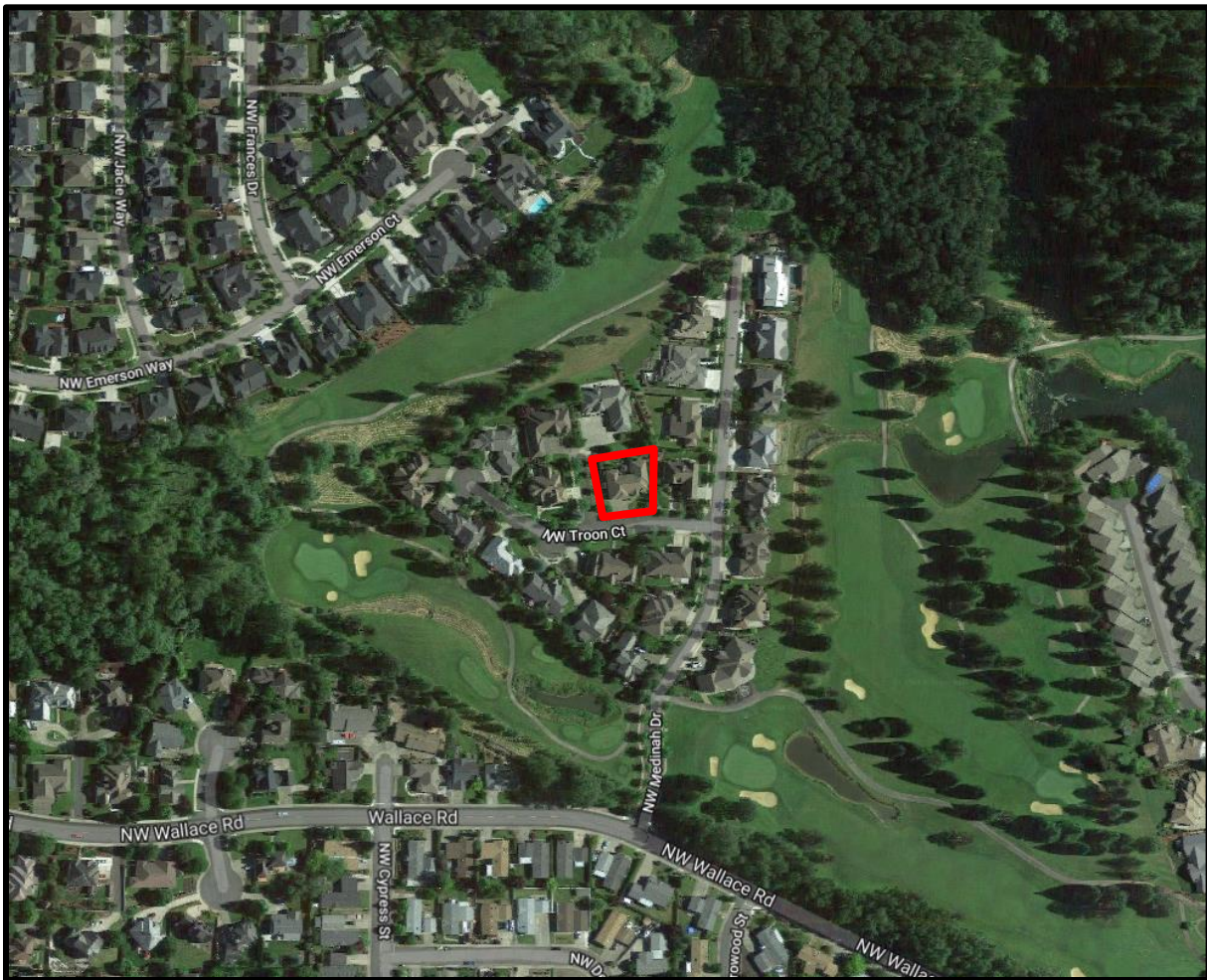
The applicant, Laura Hurlbert, submitted a street tree removal application to remove seven (7) street trees from the property located at 1719 NW Troon Court. The subject property is more specifically described as Tax Lot 4400, Section 18DD, T. 4 S., R. 4 W., W.M.

Discussion:

The subject property is a single family property in the Michelbook 6th Addition subdivision. The subject site can be seen below as a red outlined area:

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1719 NW Troon Court



The applicant is requesting the removal of seven (7) street trees due to the trees causing lifting and cracking of the sidewalks adjacent to the property. The trees in question are a maple variety, most likely Norwegian Sunset Maple, that range between 25 and 30 feet in height and diameters at breast height of the trees range from 18 inches to 32 inches. The trees are located on the south and west side of the property, fronting NW Troon Court and the short cul-de-sac on the west side of the property. The applicant has provided photos that show the trees' impacts to the sidewalks adjacent to the property.

The applicant is proposing to replace the trees with five replacement trees of the same species. The reason the applicant is proposing to plant only five replacement trees is that two of the existing trees do not meet necessary setbacks from adjacent infrastructure. The applicant submitted an arborist's report with their street tree removal application.

Review Criteria:

Section 17.58.050 (Review Criteria) of the McMinnville Zoning Ordinance states that street tree removals may be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.

The trees in question do not seem to display any obvious evidence of health issues, significant distress, or structural issues. However, the arborist report provided states that "there is also evidence of disease

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1719 NW Troon Court

in three of the trees and most of the trunks have girdling roots, which will further compromise the tree’s health as they expand”.

B. The tree is in conflict with public improvements.

The applicant has provided photos of the impacts that have been caused by tree roots to the sidewalks adjacent to the property. The arborist’s report states that the trees are root bound within the planting strip and will continue to expand and cause further damage to the surrounding hardscape.

Upon inspection of the site, Public Works staff determined that the street tree roots appear to have caused minor cracking to the curb and gutter adjacent to one tree, that there is surface discontinuity (sidewalk lifting enough to create a separation between panels) on the sidewalks adjacent to two trees, and that sidewalks appear to be lifted adjacent to six trees.

Photos show that two of the trees are planted in locations that would not meet current street tree standards in terms of setbacks from infrastructure. The arborist report states that the tree roots have invaded and started to surround the water meter. This is supported by the photos provided by the applicant and the arborist.

The Public Works staff have stated that the sidewalk damage could possibly be temporarily mitigated with sidewalk grinding, but that the growth patterns of the trees would eventually cause more damage to the surrounding infrastructure. The Landscape Review Committee could find that the proposed removal is proactive, and that the sidewalk issues could be addressed prior to further damage occurring. The replacement trees proposed by the applicant would also be required to be planted to current street tree standards, which will minimize impacts to surrounding infrastructure in the future. Therefore, the street tree removal request could be found to satisfy this criteria.

C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.

This criteria is not applicable, as the tree is not part of an approved development or public improvement project.

Tree Replacement:

Section 17.58.040(D) (Tree Removal/Replacement) of the McMinnville Zoning Ordinance states that “Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value.”

The applicant did propose to replace five of the seven trees proposed to be removed. The locations of the two trees that are not being proposed to be replaced are closer to the surrounding infrastructure than what would be allowed with the City’s street tree planting standards and required setbacks from infrastructure.

A condition of approval has been included to require that five street trees in place of the trees being removed. The replacement trees shall be a Red Maple (*Acer rubrum*) variety, preferably Norwegian Sunset Red Maple to be as consistent with the existing subdivision as possible.

Fiscal Impact:

Attachments:
Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1719 NW Troon Court

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

If the Landscape Review Committee finds that the proposed removal will result in the mitigation of current and future damage to the surrounding infrastructure, staff is recommending that the street tree removal be approved with the following conditions:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. The applicant shall use caution when removing the trees. The applicant shall take care to not come into contact with the primary and secondary electrical power lines buried along the property lines. The applicant shall contact McMinnville Water and Light at (503) 472-6158 if any conduit is exposed or damage, or if the water meter or service are damaged during removal or stump grinding.
4. That the applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. It is recommended that the applicant contact the Engineering Department at (503) 434-7312 for a sidewalk inspection to assess the need for repairs.
5. That the applicant shall plant five (5) street trees in place of the trees being removed. The replacement trees shall be a Red Maple (*Acer rubrum*) variety, preferably Norwegian Sunset Red Maple to be as consistent with the existing subdivision as possible.
6. That the replacement tree shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
7. That the applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
8. That the applicant is reminded that trees are not to be planted within:

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1719 NW Troon Court

- a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
9. That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.
 10. That all costs and liability associated with the tree removal and replacement shall be borne by the applicant.
 11. That the applicant shall complete the removal within six (6) months of this approval notification, or November 16, 2018.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 11-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1719 NW Troon Court



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

Office Use Only:	
File No.	<u>L 11-17</u>
Date Received	<u>4-17-18</u>
Fee	<u>0</u>
Receipt No.	<u>0</u>
Received by	<u>GA</u>

Street Tree Removal

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name Laura Hurlbert Phone 503 474-0775

Contact Name _____ Phone _____
(If different than above)

Address 1719 NW Troon Ct.

City, State, Zip McMinnville OR 97128

Contact Email laurahurlbert@gmail.com

Property Owner Information

Property Owner Name _____ Phone _____
(If different than above)

Contact Name _____ Phone _____

Address 1719 NW Troon Ct.

City, State, Zip McMinnville OR 97128

Contact Email laurahurlbert@gmail.com

Site Location and Description

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

Property Address 1719 NW Troon Ct, McMinnville OR 97128
(Property nearest to tree(s) for removal)

Assessor Map No. R4 418 - DD - 04400 Total Site Area 11,125

Subdivision Michelback Addition #6 Block _____ Lot 13

Comprehensive Plan Designation Res Zoning Designation R-1 PD

Additional Information

1. How many trees are requested for removal? 17
2. What type (species) of tree(s) are they? Norwegian Sunset Maple
3. What is the diameter of the tree(s), measured four feet above ground level? 19" - 31"
4. Why are you requesting the removal of the noted tree(s)? (See "Removal Criteria" on attached Information Sheet.) Explain which of the criteria is addressed through this application. See attached

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), showing the location of the tree(s) subject to the removal request, property lines, sidewalks, adjacent utilities (including overhead), north direction arrow, and adjacent streets.
- Arborist report, photographs, and/or other information which would help substantiate or clarify your request.

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.

Laura Kerlbert
Applicant's Signature

4/16/18
Date

Laura Kerlbert
Property Owner's Signature

4/16/18
Date

City of McMinnville

Planning Department

Landscape Review Committee

I have seven street trees surrounding my property. All but one are causing sidewalks to raise and a cracked curb and street near another one. One is only 4 1/2 ft. from the water meter and one is only 8 ft. from a light pole. I understand current guidelines are 10 ft. from water meters and 20 ft. from street light poles. There are now large roots at both light pole and water meter. I am willing to have new trees planted in place of all those removed, except those near the utilities. That would make the total of all trees around my property five instead of seven.

I am concerned about a trip hazard for pedestrians and would like to have trees removed before sidewalks have to be replaced. I have loved living in this neighborhood for 18 years, but could not afford to have sidewalks replaced as well as the trees.

Thank you.

A handwritten signature in cursive script that reads "Laura Hurlbert".

Laura Hurlbert

1719 NW Troon Ct.

McMinnville OR 97128

















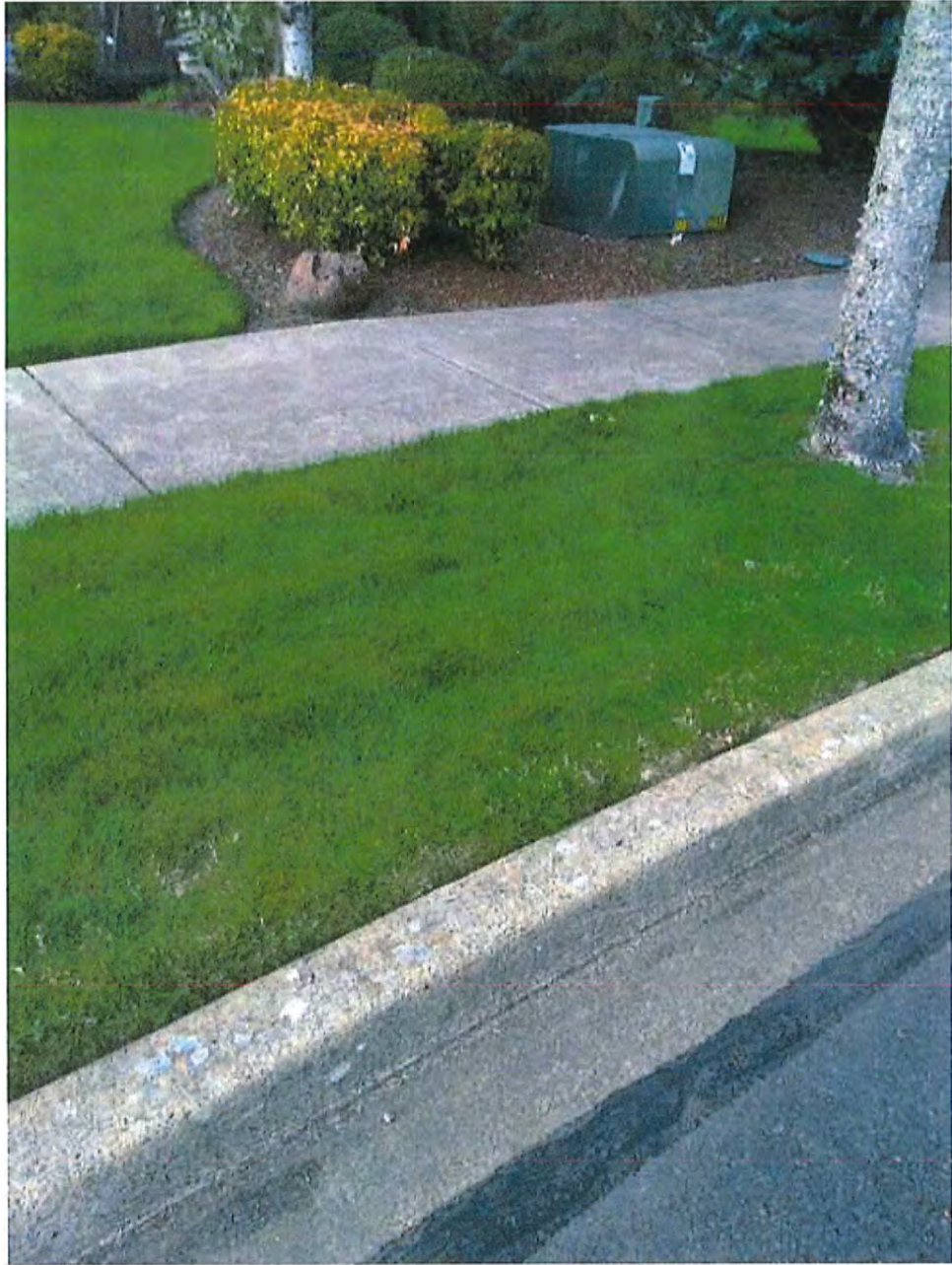


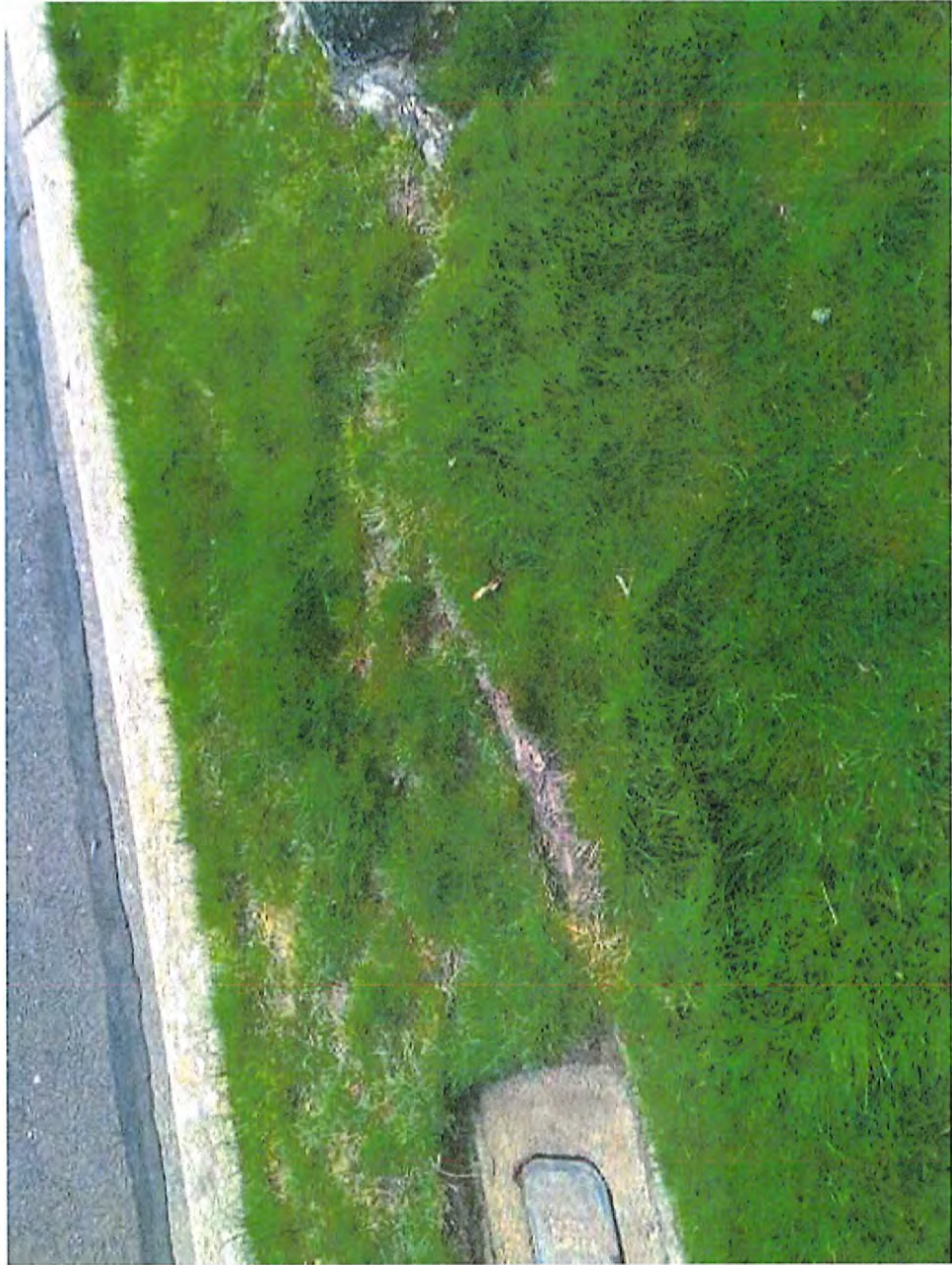
























Pat A Randall

ISA Certified Arborist #PN-1482

April 16, 2018

NW Tree Care
105 NE 8th Street
McMinnville, OR 97128

Re: Laura Hurlbert
1719 NW Troon Ct.
McMinnville, OR 97128

There are seven (7) Maple trees in the planting strips bordering the property. The tree's type is designated by the Homeowner's association and is uniformly planted throughout the housing development. All the original trees are approximately 18 years old.

The maples on this property have been topped and maintained in a smaller canopy. Other trees of the same type in the development are a mix of topped pruning and not pruned.

All seven (7) of the trees are root bound within the planting strip and have caused damage to the hardscape ; sidewalk heaving and curb/street cracking (photos 1,2), and also have invaded the water meter (photo 3) and street light base (photo 4) at 1719 NW Troon Ct. The root systems on all these trees will continue to expand and cause further damage. There is also evidence of disease in three of the trees and most of the trunks have girdling roots, which will further compromise the tree's health as they expand.

There is no maintenance which will prevent these problems except removal, and replanting of smaller trees. A more appropriate tree type is not an option for replanting due to the development requirement for the same type tree. The homeowner wishes to repair the root damage to her sidewalk, but doesn't want the problem to reoccur immediately.

In examining other locations within the development, the same problem exists on topped and non-topped trees. Other homes have had their original trees removed, stumps ground, and replaced with younger trees of the same type.

Recommendation: Remove all seven trees, grind stumps. Do not replace tree closest to water meter. Do not replace tree closest to street light. Replace with smaller version of same tree in 5 remaining locations of existing trees.

Pat Randall, ISA Certified Arborist



Photo 1 1719 NW Troon Ct.



Photo 2 1719 NW Troon Ct.



Photo 3 1719 NW Troon Ct.



Photo 4 1719 NW Troon Ct.



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

**DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE
LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF A STREET TREE REMOVAL AT 1719
NW TROON COURT**

DOCKET: L 11-18 (Street Tree Removal)

REQUEST: The applicant requested the removal of seven (7) street trees. The removal of a tree within the public right-of-way requires City approval.

LOCATION: The subject property is located at 1719 NW Troon Court. The subject property is more specifically described as Tax Lot 4400, Section 18DD, T. 4 S., R. 4 W., W.M

ZONING: R-1 PD (Single Family Residential Planned Development)

APPLICANT: Laura Hurlbert

STAFF: Chuck Darnell, Associate Planner

DATE DEEMED COMPLETE: April 17, 2018

HEARINGS BODY: McMinnville Landscape Review Committee

DATE & TIME: May 16, 2018. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the street tree removal (L 11-18) **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

Planning Staff: _____
Chuck Darnell, Associate Planner

Date: _____

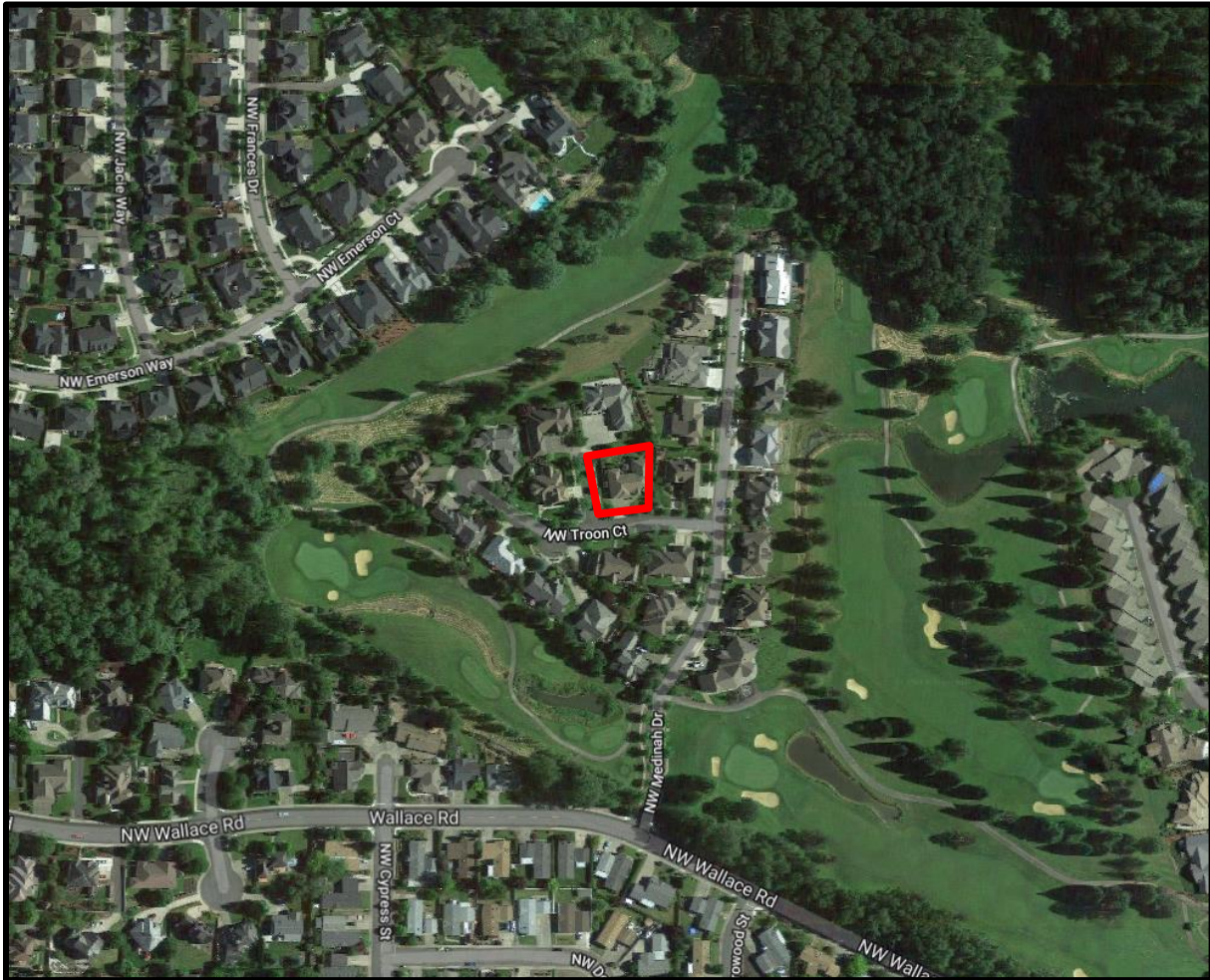
Planning Department: _____
Heather Richards, Planning Director

Date: _____

APPLICATION SUMMARY:

The applicant requested the removal of seven (7) street trees. The subject property is a single family property in the Michelbook 6th Addition subdivision. The removal of a tree within the public right-of-way requires City approval.

The subject site can be seen below as a red outlined area:



The applicant is requesting the removal of seven (7) street trees due to the trees causing lifting and cracking of the sidewalks adjacent to the property. The trees in question are a maple variety, most likely Norwegian Sunset Maple, that range between 25 and 30 feet in height and diameters at breast height of the trees range from 18 inches to 32 inches. The trees are located on the south and west side of the property, fronting NW Troon Court and the short cul-de-sac on the west side of the property. The applicant has provided photos that show the trees' impacts to the sidewalks adjacent to the property.

The applicant is proposing to replace the trees with five replacement trees of the same species. The reason the applicant is proposing to plant only five replacement trees is that two of the existing trees do not meet necessary setbacks from adjacent infrastructure. The applicant submitted an arborist's report with their street tree removal application.

Attachments:

Attachment 1 – Application for Street Tree Removal

CONDITIONS OF APPROVAL:

L 11-18 is **approved** subject to the following conditions:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. The applicant shall use caution when removing the trees. The applicant shall take care to not come into contact with the primary and secondary electrical power lines buried along the property lines. The applicant shall contact McMinnville Water and Light at (503) 472-6158 if any conduit is exposed or damage, or if the water meter or service are damaged during removal or stump grinding.
4. That the applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. It is recommended that the applicant contact the Engineering Department at (503) 434-7312 for a sidewalk inspection to assess the need for repairs.
5. That the applicant shall plant five (5) street trees in place of the trees being removed. The replacement trees shall be a Red Maple (*Acer rubrum*) variety, preferably Norwegian Sunset Red Maple to be as consistent with the existing subdivision as possible.
6. That the replacement tree shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
7. That the applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
8. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
9. That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.
10. That all costs and liability associated with the tree removal and replacement shall be borne by the applicant.
11. That the applicant shall complete the removal within six (6) months of this approval notification, or November 16, 2018.

Attachments:

Attachment 1 – Application for Street Tree Removal

ATTACHMENTS:

1. Application for Street Tree Removal (on file with the Planning Department)

COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.

FINDINGS OF FACT

1. Laura Hurlbert submitted a tree removal application requesting the removal of seven (7) street trees. The removal of a tree within the public right-of-way requires City approval. The subject property is located at 1719 NW Troon Court. The subject property is more specifically described as Tax Lot 4400, Section 18DD, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned R-1 PD (Single Family Residential Planned Development), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided, and the comments provided by the Public Works Department and McMinnville Water and Light have been incorporated into the conditions of approval.
4. A public meeting was held by the Landscape Review Committee on May 16, 2018 to review the application and proposed street tree removal request. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS:**McMinnville's Comprehensive Plan:**

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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.

Policy 132.38.00: Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project.

Finding: GOAL VI 1 and Policy 132.38.00 are satisfied in that five (5) replacement trees are being required to be replanted in this location. Conditions of approval are included to ensure that the replacement trees are planted to the City's current standards, which will minimize impacts to surrounding infrastructure in the future. The planting of the replacement trees will enhance the streetscape and livability in the surrounding area.

Attachments:

Attachment 1 – Application for Street Tree Removal

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

Policy 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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville's City Code:

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

17.58.010 Purpose. The purpose of this ordinance is to establish and maintain the maximum amount of tree cover on public and private lands in the city; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues.

Finding: The approval of the removal request will allow for the removal of trees that are causing damage to adjacent public infrastructure. The removal of the existing trees and replacement with healthy trees that meet the City's planting standards will carry out the purpose of the Trees chapter of the McMinnville Zoning Ordinance.

17.58.020 Applicability. The provisions of this ordinance shall apply to:

- A. Individual significant or historic trees as defined in this ordinance
- B. All trees planted in or upon any public area or right-of-way;
- C. All trees planted in or upon any private property which directly affect public infrastructure including but not limited to sewers, water mains, sidewalks, streets, public property, or clear vision distances at street intersections;
- D. All trees on developable land and subject or undergoing development review such as site plan review, tentative subdivision review, or partition review.

Finding: The trees being removed are located within the public right-of-way. Therefore, provisions of the Trees chapter of the McMinnville Zoning Ordinance apply and the removal of any tree within the public right-of-way requires City approval.

17.58.040 Tree Removal/Replacement

- A. The removal or major pruning of a tree, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the McMinnville Planning Department. The applicant shall include information describing the location, type, and size of the subject tree or trees, and the reasons for the desired action, and the costs associated with tree removal, replacement, and repair of any other public infrastructure impacted by the tree removal or major pruning. Requests for tree removal or pruning of trees outside of the Downtown Tree Zone shall be forwarded to the McMinnville Landscape

Attachments:

Attachment 1 – Application for Street Tree Removal

Review Committee for a decision within 30 (thirty) days of submittal. Requests for tree removal within the Downtown Tree Zone shall be submitted to the McMinnville Planning Department. Such requests shall be acted upon as soon as practicable, with consideration given to public safety, value of the tree to the public, and work schedules. The Planning Director or their designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or Planning Director, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or Director may be appealed to the Planning Commission if written notice of the appeal is filed with the Planning Department within 15 (fifteen) days of the committee's or Director's decision. A decision made by the Planning Director in response to a request to remove an unsafe tree, or a tree causing repeated and excessive damage to sidewalks or other public or private improvements or structures shall be final, unless appealed by the applicant; no other party shall have standing to appeal.

- B. Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the City. The Planning Director, after consultation with appropriate city staff and/or a certified arborist, shall direct removal of downtown trees that are identified in a current Downtown Tree Zone inventory assessment as unhealthy, dangerous to the public, inappropriate for the downtown area, or otherwise in need of removal.
- C. The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.
- D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. The value of the existing tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. Every attempt should be made to plant replacement trees in the same general location as the tree being removed. In the event that a replacement tree cannot be planted in the same general location, a condition of approval may be required to allow for the replacement tree to be planted in another location in the City as part of the City's annual tree planting program.
- E. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.
- F. The applicant shall complete the tree removal, and tree replacement if required, within six months of receiving notification of the Landscape Review Committee's decision. The Landscape Review Committee may allow for additional time to complete the tree replacement to allow for planting in favorable seasons and to promote tree survivability.
- G. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.
- H. The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014. Specific design drawings and specifications have been developed for trees outside the Downtown Tree Zone. Such design specifications may be periodically updated by the City to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees to minimize the potential for sidewalk / tree root conflict.

Attachments:

Attachment 1 – Application for Street Tree Removal

Finding: The provisions above are satisfied in that the applicant has requested a street tree removal to be reviewed by the Landscape Review Committee. The provisions related to standards to be followed in removing the trees are included as conditions of approval. A condition of approval has also been included to require five (5) replacement trees to be planted in place of the trees being removed. Conditions of approval are included to ensure that the replacement trees are planted to the City's current standards, which will minimize impacts to surrounding infrastructure in the future.

17.58.050 Review Criteria. A permit for major pruning or tree removal shall be granted if any of the following criteria apply:

A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.

Finding: The trees in question do not seem to display any obvious evidence of health issues, significant distress, or structural issues. However, the arborist report provided states that "there is also evidence of disease in three of the trees and most of the trunks have girdling roots, which will further compromise the tree's health as they expand".

B. The tree is in conflict with public improvements.

Finding: The applicant has provided photos of the impacts that have been caused by tree roots to the sidewalks adjacent to the property. The arborist's report states that the trees are root bound within the planting strip and will continue to expand and cause further damage to the surrounding hardscape.

Upon inspection of the site, Public Works staff determined that the street tree roots appear to have caused minor cracking to the curb and gutter adjacent to one tree, that there is surface discontinuity (sidewalk lifting enough to create a separation between panels) on the sidewalks adjacent to two trees, and that sidewalks appear to be lifted adjacent to six trees.

Photos show that two of the trees are planted in locations that would not meet current street tree standards in terms of setbacks from infrastructure. The arborist report states that the tree roots have invaded and started to surround the water meter. This is supported by the photos provided by the applicant and the arborist.

The Public Works staff have stated that the sidewalk damage could possibly be temporarily mitigated with sidewalk grinding, but that the growth patterns of the trees would eventually cause more damage to the surrounding infrastructure. The Landscape Review Committee found that the proposed removal is proactive, and that the sidewalk issues could be addressed prior to further damage occurring. The replacement trees proposed by the applicant would also be required to be planted to current street tree standards, which will minimize impacts to surrounding infrastructure in the future. Therefore, the street tree removal request could be found to satisfy this criteria.

CD:sjs

Attachments:

Attachment 1 – Application for Street Tree Removal



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

www.mcminnvilleoregon.gov

EXHIBIT 5 - STAFF REPORT

DATE: May 16, 2018
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4D: L 12-18

Report in Brief:

An application for a landscape plan for the renovation of an existing single family home into a school building for the McMinnville Montessori School (L 12-18) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Square Deal Construction Company on behalf of McMinnville Montessori School, submitted a landscape plan review application to install landscaping on the site of an existing single family home that is being renovated into a school building for the McMinnville Montessori School. The property is located at 1045 SE Brooks Street and is more specifically described as Tax Lot 1202, Section 21CA, T. 4 S., R. 4 W., W.M. The subject property is immediately adjacent and to the west of the existing McMinnville Montessori School at 1101 SE Brooks Street.

Discussion:

The subject property is zoned R-4 (Multiple Family Residential), and the proposed use of the renovated building as a school is allowed in that zone as a conditional use. The McMinnville Montessori School applied for and was approved for a conditional use permit (CU 4-17) in 2017 to allow for the existing building on the subject site to be renovated into a school building and function as a larger school site with the adjacent and existing building.

A map of the subject site is provided below:

Attachments:

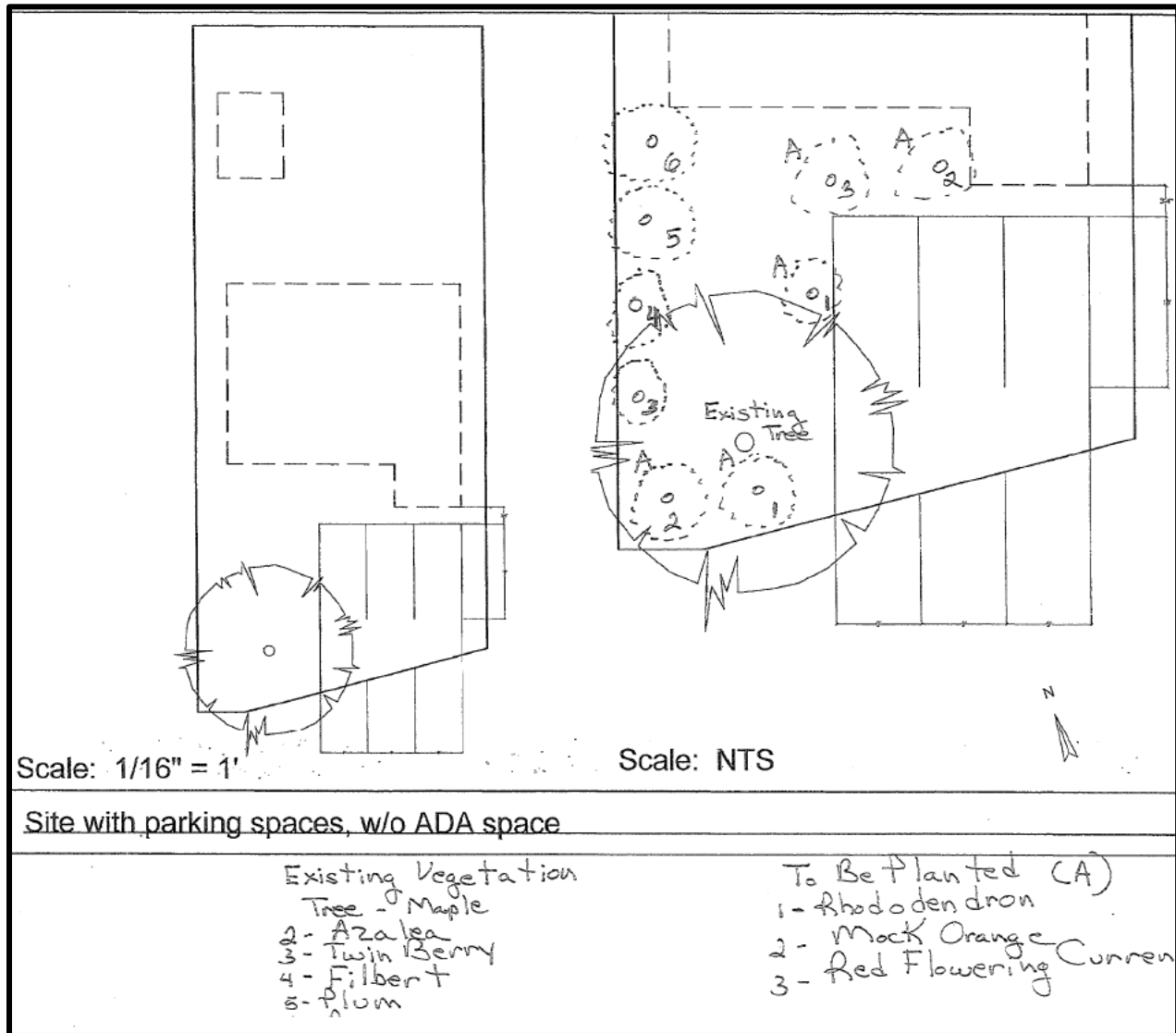
Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for a School Building at 1045 SE Brooks Street

Site Reference Map



The landscaping being proposed can be seen below:

*Attachments:
Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for a School Building at 1045 SE Brooks Street*



In reviewing a landscape plan, Section 17.57.050(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to also consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The subject site is surrounded by a variety of different land uses. While the surrounding zoning is primarily residential, there is some commercially zoned property immediately adjacent to the property to the north. The commercially zoned property is the site of the Habitat for Humanity Restore and a contractor’s shop. To the east is the existing McMinnville Montessori School building and property. The other surrounding uses are residential, mainly single family residences.

Overall, the applicant is proposing to maintain existing vegetated areas of the site in the front yard of the existing building and in the backyard. No new plantings are being proposed on the back side of the existing building. This area will be maintained as it exists today with grass and some existing trees along the western property lines. This area will function as the open space area for the students. The applicant is proposing to clean up and maintain the existing vegetation in the front yard, and also install

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for a School Building at 1045 SE Brooks Street

some new shrubs to update the planter area. Existing vegetation to be maintained includes a maple tree, and a variety of shrubs along the front of the house and the west property line. The applicant is proposing to add some new shrubs near the property line adjacent to the sidewalk and on the northwest corner of the expanded driveway. These will include rhododendron, mock orange, and red flowering currant shrubs. The existing front yard area landscaping, and the landscaping that will be retained, can be seen below:



Overall, the proposed landscape plan is compatible with the proposed project and the surrounding and abutting properties.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The retention of the existing tree in the front yard will provide for screening of the proposed use, as the existing tree has a mature canopy. Also, the applicant will retain the existing shrubs and trees along the western property line, which is the only property line that is immediately adjacent to an existing residential use. The other property lines are adjacent to commercial uses, on the north, and the existing McMinnville Montessori School on the east. The new shrubs being proposed in the front yard near the sidewalk and between the building and the expanded driveway will provide for additional screening and buffering of the proposed use.

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for a School Building at 1045 SE Brooks Street

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The applicant is proposing to retain all of the existing vegetation along the western property line, as well as the existing mature maple tree in the front yard. In addition, the applicant will be retaining the other grass areas that currently exist in the front and back yard of the property.

4. The development and use of islands and plantings therein to break up parking areas.

The proposed site plan includes only three parking spaces. These parking spaces will be provided on the existing driveway, which will be expanded in width to accommodate the width necessary for the three required parking spaces. Based on the small number of parking spaces on the site, the applicant is not proposing any internal landscape islands. There will be new shrubs installed on the northwest corner of the expanded driveway, which will provide for some buffering between the parking areas and the building.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

No street trees are required for the proposed development, because there is no planting strip in the Brooks Street right-of-way between the curb and the sidewalk.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The applicant did not include any indication on the landscape plan that all planting beds and lawn areas will be irrigated. Therefore, a condition of approval has been included to require that all new landscape planters and lawn areas be irrigated with some type of fixed irrigation system.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Based on the findings described in the staff report and decision document, staff is recommending that the landscape plan be approved with the following conditions:

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for a School Building at 1045 SE Brooks Street

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on April 20, 2018.
2. That all new landscape planters and lawn areas be irrigated with a fixed irrigation system.
3. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 12-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs

Attachments:

Attachment A - Decision, Conditions of Approval, Findings of Fact, and Conclusionary Findings of the McMinnville Landscape Review Committee for Approval of Landscape Plan for a School Building at 1045 SE Brooks Street



Planning Department
 231 NE Fifth Street • McMinnville, OR 97128
 (503) 434-7311 Office • (503) 474-4955 Fax
www.ci.mcminnville.or.us

Office Use Only:	
File No.	<u>L12-18</u>
Date Received	<u>4-20-18</u>
Fee	<u>145.00</u>
Receipt No.	<u>18M0072</u>
Received by	<u>SD</u>

Landscape Plan Review Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other Contractor

Applicant Name Square Deal Construction Co Phone 971 832 0191

Contact Name Ward Nelson Phone 503 849 3041
(If different than above)

Address 300 W 1st St Newberg

City, State, Zip Newberg, Or 97132

Contact Email office@squaredeal4you.com

Property Owner Information

Property Owner Name McMinnville Mont. Phone _____
(If different than above)

Contact Name Lisa Neal Phone 503 550 8296

Address _____

City, State, Zip _____

Contact Email Lisa@cdtvinyard.com

Site Location and Description

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

Property Address 1045 SE Brocks St.

Assessor Map No. R4 421 - CA - 01202 Total Site Area .17 acre

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation Res Zoning Designation R-4

Landscaping Information

- 1. Total Landscaped Area: _____
- 2. Percent Landscaped: _____
- 3. Building Floor Area:
New Structure: No New Existing Structure: _____ Addition: N/A
- 4. Architect Name Greater Yamhill Watershed Phone _____
(Landscape Architect, Engineer, or Other Designer)
Contact Name GYW assisted school Phone _____
Address _____
City, State, Zip _____
Contact Email _____

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

- Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and [Chapter 17.57 \(Landscaping\)](#) of the Zoning Ordinance.
- 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.

Wanda Ndu
Applicant's Signature

4/18/2018
Date

Suzanne Smith [Head of School]
Property Owner's Signature

4/18/2018
Date

503.434.5081
learning@mcminnville.montessori.com

McMinnville Montessori School
Landscape Plan Overview

McMinnville Montessori School's objective for this landscape plan is to create an environment that will blend well with the surrounding neighborhood while offering a small space where the children can work reflectively in and with nature.

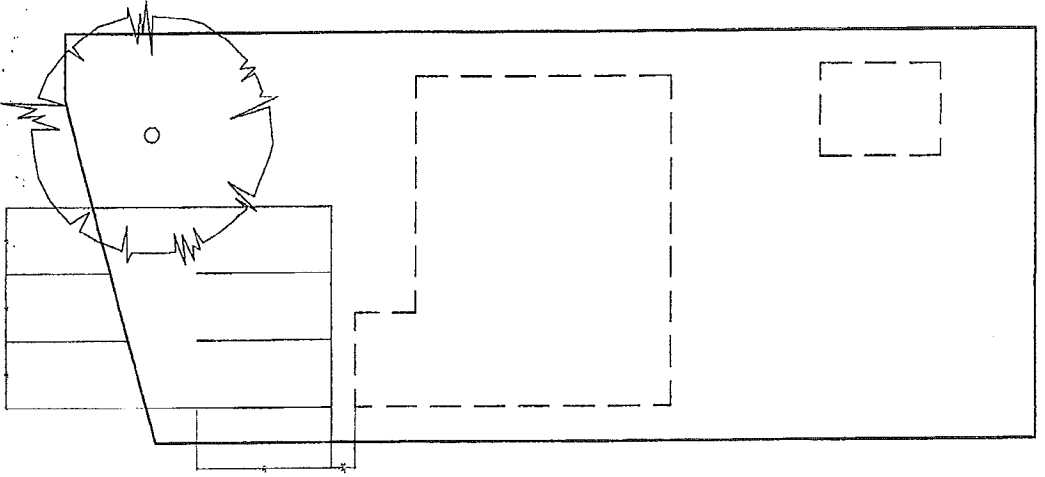
MMS received a grant from the Greater Yamhill Watershed to implement a native garden at the existing school in 2016-2017 school year. GYW assisted in the funding, plant selection and implementation of the garden. They continue to advise the school on maintenance and potential plant species to be added.

Our intention is to pursue an additional grant to maintain continuity of the Native Garden with the Expansion Property. The Expansion Garden would be less detailed with more space for the children to enjoy the outdoor space for reading or different projects. The hope is to retain the large tree in front of the building along with a majority of the plants that currently provide a buffer along the west property line.

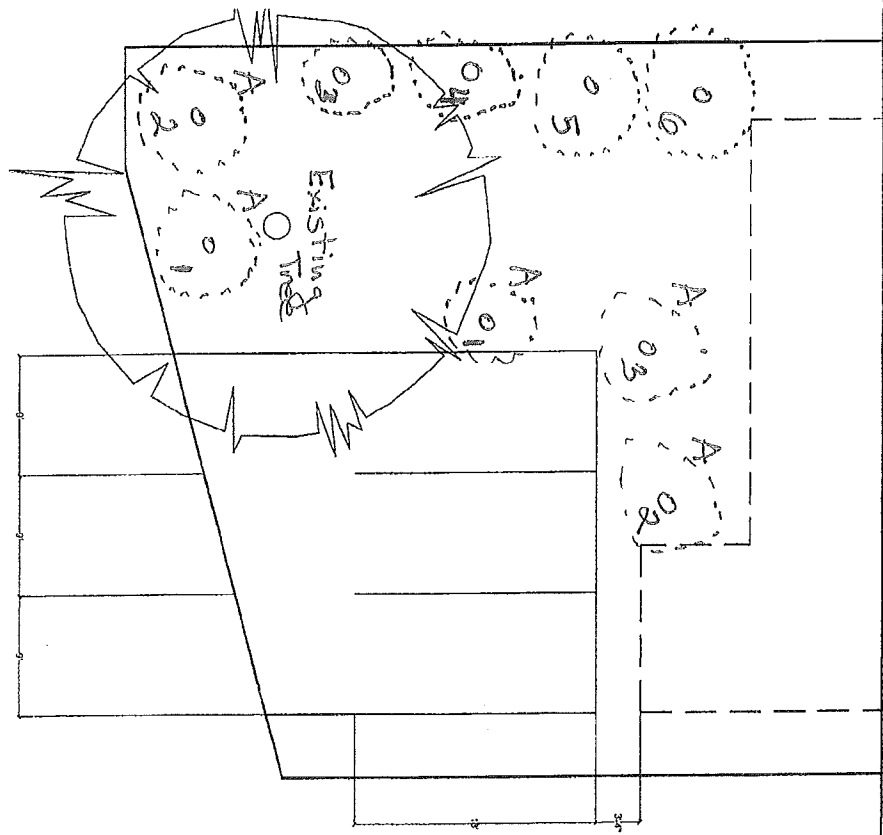
Attached is a plan which will integrate existing landscape along with adding water conscious native species to layer into the project.

Thank you for your consideration.

Scale: 1/16" = 1'



Scale: NTS



Site with parking spaces, w/o ADA space

Existing Vegetation

- Tree - Maple
- 2 - Azalea
- 3 - Twin Berry
- 4 - Filbert
- 5 - Plum

To Be Planted (A)

- 1 - Rhododendron
- 2 - Mock Orange
- 3 - Red Flowering Currant

Montessori School, McMinnville

1045 S.E. Brooks St. McMinnville, OR



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR A SCHOOL BUILDING AT 1045 SE BROOKS STREET

DOCKET: L 12-18

REQUEST: The applicant requested the approval of a landscape plan for the renovation of an existing single family home into a school building for the McMinnville Montessori School. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

LOCATION: The property in question is located at 1045 SE Brooks Street and is more specifically described as Tax Lot 1202, Section 21CA, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is zoned R-4 (Multiple-Family Residential).

APPLICANT: Square Deal Construction Company on behalf of McMinnville Montessori School

STAFF: Chuck Darnell, Associate Planner

DATE DEEMED COMPLETE: April 20, 2018

DECISION-MAKING BODY: McMinnville Landscape Review Committee

DATE & TIME: May 16, 2018. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the landscape plan (L 12-18) **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

Planning Staff: _____
Chuck Darnell, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

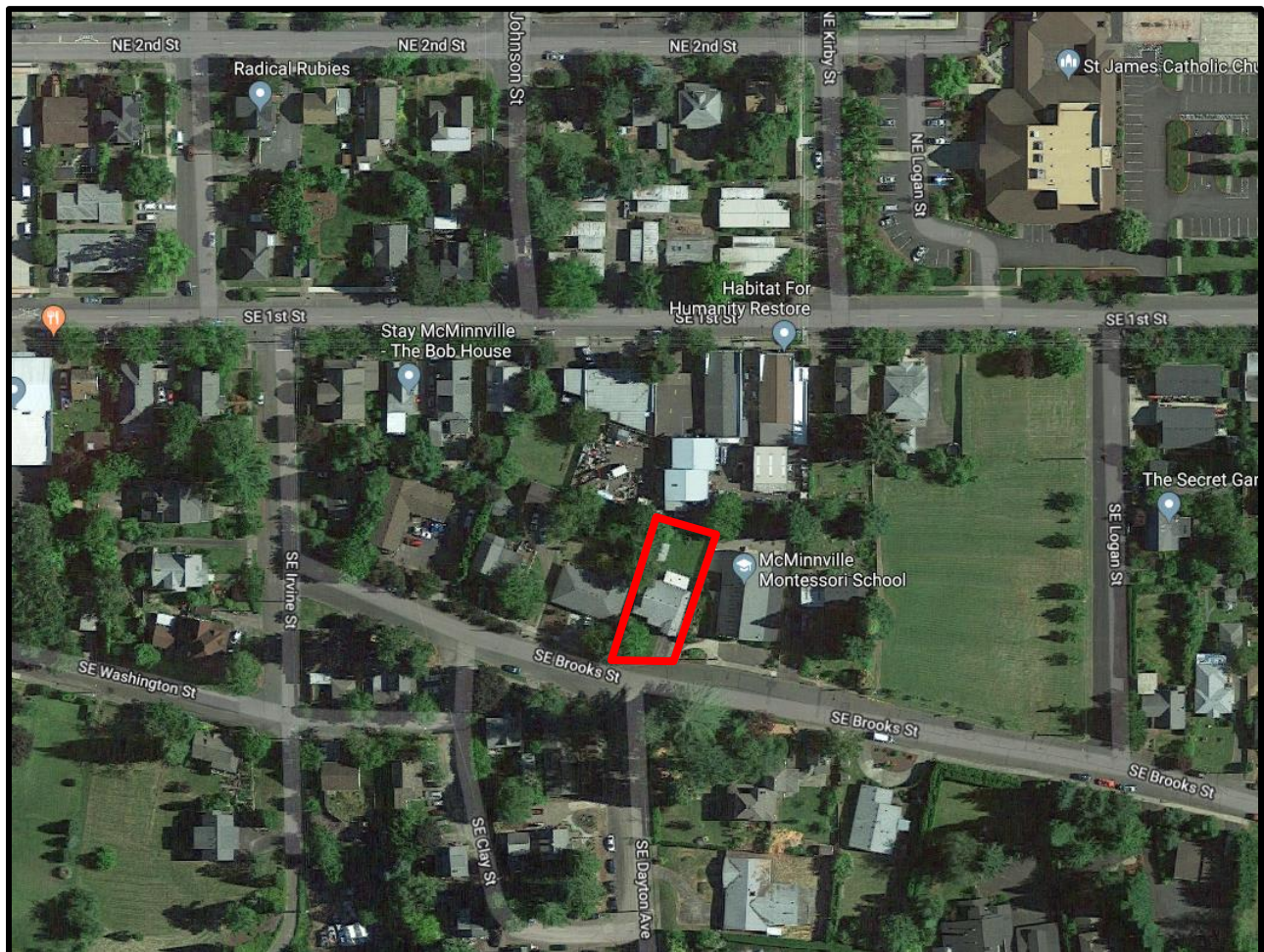
Attachments:
Attachment 1 – Application for Landscape Plan Review

APPLICATION SUMMARY:

The applicant, Square Deal Construction Company on behalf of McMinnville Montessori School, submitted a landscape plan review application to install landscaping on the site of an existing single family home that is being renovated into a school building for the McMinnville Montessori School. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans – Submittal and review – Approval – Time limit for completion) of the McMinnville Zoning Ordinance.

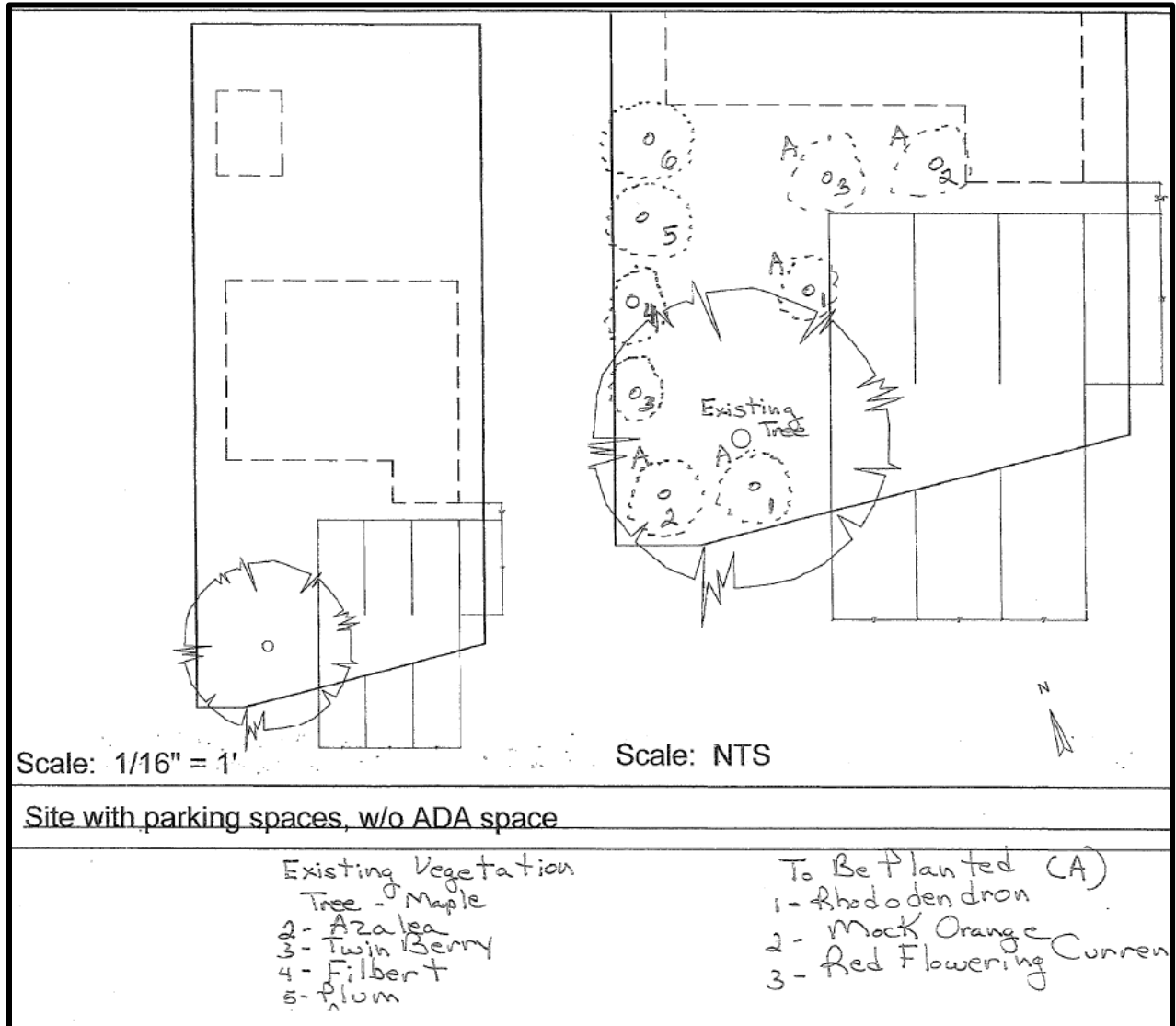
The subject property is zoned R-4 (Multiple Family Residential), and the proposed use of the renovated building as a school is allowed in that zone as a conditional use. The McMinnville Montessori School applied for and was approved for a conditional use permit (CU 4-17) in 2017 to allow for the existing building on the subject site to be renovated into a school building and function as a larger school site with the adjacent and existing building.

A map of the subject site is provided below:



Attachments:
Attachment 1 – Application for Landscape Plan Review

The landscaping being proposed can be seen below:



CONDITIONS OF APPROVAL

L 12-18 is **approved** subject to the following conditions:

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on April 20, 2018.
2. That all new landscape planters and lawn areas be irrigated with a fixed irrigation system.
3. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

ATTACHMENTS

1. Application for Landscape Plan Review (on file with the Planning Department)

Attachments:

Attachment 1 – Application for Landscape Plan Review

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.

FINDINGS OF FACT

1. Square Deal Construction Company submitted a landscape plan review application to install landscaping on the site of a an existing building proposed to be renovated into a school building for the McMinnville Montessori School at 1045 SE Brooks Street. The property is more specifically described as Tax Lot 1202, Section 21CA, T. 4 S., R. 4 W., W.M.
2. The site is currently designated as Residential on the McMinnville Comprehensive Plan Map, and is zoned R-4 (Multiple-Family Residential).
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval
4. A public meeting was held by the Landscape Review Committee on May 16, 2018 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS:**McMinnville’s Comprehensive Plan:**

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

Policy 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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville’s City Code:

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the

Attachments:

Attachment 1 – Application for Landscape Plan Review

economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

Finding: The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

17.57.050 Plans—Submittal and review—Approval—Time limit for completion.

- C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;

Finding: The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.070 Area Determination—Planning factors.

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

Finding: The subject site is surrounded by a variety of different land uses. While the surrounding zoning is primarily residential, there is some commercially zoned property immediately adjacent to the property to the north. The commercially zoned property is the site of the Habitat for Humanity Restore and a contractor's shop. To the east is the existing McMinnville Montessori School building and property. The other surrounding uses are residential, mainly single family residences.

Overall, the applicant is proposing to maintain existing vegetated areas of the site in the front yard of the existing building and in the backyard. No new plantings are being proposed on the back side of the existing building. This area will be maintained as it exists today with grass and some existing trees along the western property lines. This area will function as the open space area for the students. The applicant is proposing to clean up and maintain the existing vegetation in the front yard, and also install some new shrubs to update the planter area. Existing vegetation to be maintained includes a maple tree, and a variety of shrubs along the front of the house and the west property line. The applicant is proposing to add some new shrubs near the property line adjacent to the sidewalk and on the northwest corner of the expanded driveway. These will include rhododendron, mock orange, and red flowering currant shrubs. The existing front yard area landscaping, and the landscaping that will be retained, can be seen below:

Attachments:

Attachment 1 – Application for Landscape Plan Review



Overall, the proposed landscape plan is compatible with the proposed project and the surrounding and abutting properties.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Finding: The retention of the existing tree in the front yard will provide for screening of the proposed use, as the existing tree has a mature canopy. Also, the applicant will retain the existing shrubs and trees along the western property line, which is the only property line that is immediately adjacent to an existing residential use. The other property lines are adjacent to commercial uses, on the north, and the existing McMinnville Montessori School on the east. The new shrubs being proposed in the front yard near the sidewalk and between the building and the expanded driveway will provide for additional screening and buffering of the proposed use.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Finding: The applicant is proposing to retain all of the existing vegetation along the western property line, as well as the existing mature maple tree in the front yard. In addition, the applicant will be retaining the other grass areas that currently exist in the front and back yard of the property.

Attachments:

Attachment 1 – Application for Landscape Plan Review

4. The development and use of islands and plantings therein to break up parking areas.

Finding: The proposed site plan includes only three parking spaces. These parking spaces will be provided on the existing driveway, which will be expanded in width to accommodate the width necessary for the three required parking spaces. Based on the small number of parking spaces on the site, the applicant is not proposing any internal landscape islands. There will be new shrubs installed on the northwest corner of the expanded driveway, which will provide for some buffering between the parking areas and the building.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Finding: No street trees are required for the proposed development, because there is no planting strip in the Brooks Street right-of-way between the curb and the sidewalk.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

Finding: The applicant did not include any indication on the landscape plan that all planting beds and lawn areas will be irrigated. Therefore, a condition of approval has been included to require that all new landscape planters and lawn areas be irrigated with some type of fixed irrigation system.

- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. [...]

Finding: A condition of approval will require that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

CD:sjs