



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

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

**Landscape Review Committee**  
**Police Training Room, 121 SW Adams Street**  
**August 15, 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"> <li><b>1. Call to Order</b></li> <li><b>2. Citizen Comments</b></li> <li><b>3. Approval of Minutes</b> <ol style="list-style-type: none"> <li>A. March 21, 2018 Meeting Minutes (Exhibit 1)</li> </ol> </li> <li><b>4. Action Items</b> <ol style="list-style-type: none"> <li>A. L 17-18 –Landscape Plan (Exhibit 2) R442300900 – NE Fircrest Drive &amp; NE Cumulus Avenue</li> <li>B. L 18-18 – Landscape Plan (Exhibit 3) 711 NE Highway 99W</li> <li>C. L 20-18 – Landscape Plan (Exhibit 4) 832 SE 1<sup>st</sup> Street</li> <li>D. L 21-18 – Landscape Plan (Exhibit 5) 1819 NE Baker Street</li> </ol> </li> <li><b>5. Discussion Items</b></li> <li><b>6. Old/New Business</b></li> <li><b>7. Committee Member Comments</b></li> <li><b>8. Staff Comments</b></li> <li><b>9. Adjournment</b></li> </ol>

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

\*Please note that these documents are also on the City’s website, [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov). You may also request a copy from the Planning Department.



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# EXHIBIT 1 - MINUTES

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**March 21, 2018**  
**Landscape Review Committee**  
**Regular Meeting**

**12:00 pm**  
**Community Development Center**  
**McMinnville, Oregon**

**Members Present:** Rose Marie Caughran, Sharon Gunter, Josh Kearns, Tim McDaniel, and Rob Stephenson

**Members Absent:** None

**Staff Present:** Chuck Darnell – Associate Planner and Heather Richards – Planning Director

**Guests Present:** Scott Hill – Mayor, Kellie Menkie – City Councilor, and Jan Clay

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## 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. L 3-18 – Landscape Plan

Associate Planner Darnell explained this site was previously developed with a church use, but the church structure was in the process of being demolished to allow for the construction of a multiple-family development. The property was located at 806 NE Davis Street. The applicant proposed to keep most of the existing landscaping. A condition of approval was suggested that if anything was damaged during construction that it be replaced. The site was nicely landscaped along the sidewalk and some new lavender plants would be installed where the site would be impacted by construction. Lilac shrubs would be used to screen the single family home that was adjacent to the property. The parking area was proposed to be the same. The bamboo hedge would remain along with the dogwood shrubs on either side of the entry. There was another single family home which

was screened by a fence and honeysuckle vine. In the back of the church there was an open turf area that would also remain. There was a front porch covered area and a pattern in the roof as well. It would have an interesting façade on the street facing sides and would fit the neighborhood. A bench and bike racks would be installed as well. He thought it was a good plan and good use of the space.

Committee Member Gunter moved to approve L 3-18. The motion was seconded by Committee Member McDaniel and passed 5-0.

## 5. Discussion Items

### A. Tree City USA – Tree Planting Event

Jan Clay from the McMinnville Garden Club was in attendance to see if there was anything the Garden Club could do to help.

Associate Planner Darnell said there might be opportunities for Arbor Day and Tree City USA events.

Committee Member Caughran said there would be a tree planting on March 31 which was done annually by the Sunrise Rotary.

Planning Director Richards thought that should be captured every year as part of the Tree City USA program as the trees were planted on public property. They needed to do more community engagement and outreach for the program. She suggested the proclamation be done in April and as part of the proclamation they could provide pictures of the event. They could then coordinate another event that involved youth.

Associate Planner Darnell said the Boy Scouts were planning to do an invasive species removal at Tice Park in April.

Planning Director Richards thought they should plan an annual event in coordination with Public Works for a tree planting and use the community service programs for kids to plant the trees.

Committee Member Kearns suggested as part of the City's yearly tree replacement program, that the contract include planting a certain number of trees with kids. He did not think the program was done this year.

Chair Stephenson thought there needed to be better communication between Public Works and the LRC on this program.

Associate Planner Darnell would check on the status of the tree replacement program. Planning Director Richards suggested having an annual meeting with Public Works to discuss the next year's program.

Ms. Clay said another thing the Garden Club did was raise funds for beautification projects.

Planning Director Richards thought the Garden Club could help with the planter boxes on Alpine. On April 27 there would be a ribbon cutting for Alpine, and they could possibly coordinate students and the Garden Club to put plants in the boxes.

Committee Member Kearns thought the plan was to put herbs and vegetables in the boxes, however the boxes were not irrigated.

There was discussion regarding how the boxes would be watered.

The Committee brainstormed other collaborative planting projects.

Mayor Hill stated the Boy Scouts were going to do the invasive species removal on April 17 and tree plantings could be added.

Planning Director Richards suggested the high school grow tree plantings to be planted in the parks in the future. Chair Stephenson said that would take several years.

Ms. Clay suggested doing something at the schools with children that also included an education component.

Planning Director Richards said for this year, they would take pictures of the Boy Scout and Rotary events, and continue to brainstorm potential opportunities.

## **6. Old/New Business**

Planning Director Richards said staff had talked about getting a list of companies they wanted to solicit in a formal process to be the City's arborist to help with the trees the City was responsible for and to review requests for tree removal.

There was discussion regarding the companies to include on the list.

## **7. Committee/Commissioner Comments**

None

## **8. Staff Comments**

None

## **9. Adjournment**

Chair Stephenson adjourned the meeting at 12:46 p.m.



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## **EXHIBIT 2 - STAFF REPORT**

**DATE:** August 15, 2018  
**TO:** McMinnville Landscape Review Committee  
**FROM:** Jamie Fleckenstein, Associate Planner  
**SUBJECT:** Agenda Item 4A: L 17-18

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### **Report in Brief:**

An application for a revised landscape plan for a new multifamily development site (L 17-18) to be reviewed by the Landscape Review Committee.

### **Background:**

The applicant, J Conser & Sons, LLC, submitted a revised landscape plan for a new multifamily development site. The subject site is located near the intersection of NE Fircrest Drive and NE Cumulus Avenue, and is more specifically described as Tax Lot 900, Section 23, T. 4 S., R. 4 W., W.M. The subject site was recently rezoned from AH (Agricultural Holding) to R-4 (Multiple Family Residential) in October 2017 (approved by Ordinance No. 5039).

The Landscape Review Committee reviewed the application and plans at their June 20, 2018 regular meeting. At that meeting the Committee decided to continue the application to allow the applicant to make revisions to the plans to address sight-obscuring fencing along the west, south, and southeast property lines, and the addition of shade trees along the southeast property line.

### **Discussion:**

The overall development plan for the site includes the construction of 4 separate buildings throughout the site. Three of the buildings will each contain 18 dwelling units, and one building will contain 12 units. There will be a total of 66 dwelling units on the site. The subject site can be seen below. The area of the site that is actually being developed is shown as a lighter red area.

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#### *Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Multifamily Development Site at Tax Lot R4423 00900 (L 17-18)*



The Planning Department has received several communications on the proposed development and landscaping plan from neighbors in the adjacent community. Neighbors who live directly adjacent to the western property line of the proposed development have expressed concerns that directly relate to the landscape plan, especially screening of the proposed use and preserving views into the natural area. The applicant has made accommodations in design of the development to preserve a large portion of the wooded natural area, and also plans to work with individuals to address specific concerns about their adjacent properties.

### **Landscape Plan Review:**

The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least 25 percent of the gross area of a site being developed be landscaped (Section 17.57.050(A) (Area Determination – Planning Factors)). The landscape plan as proposed greatly exceeds those requirements, as about 68 percent of the site is proposed to be landscaped. Much of that area is in the preservation area, which makes up the northern 3.87 acres of the 5.3 acre site. The natural areas within this area were required to be preserved by the zone change that was recently approved by Ordinance No. 5039. The Planning Director is in the process of reviewing the preservation plan and the ongoing maintenance plan for the natural areas within the 3.87 acre preservation area.

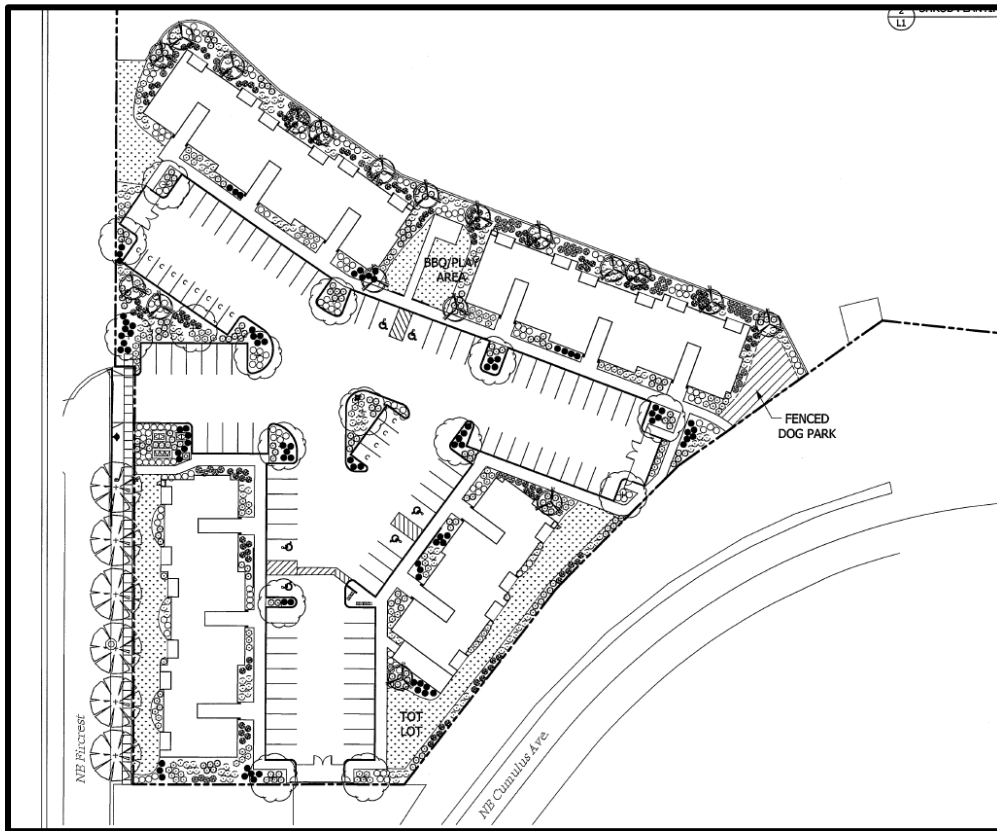
Of the 2.28 acre proposed development area, 0.68 acres, or 29%, is proposed to be landscaped.

The landscaping that was originally proposed can be seen below:

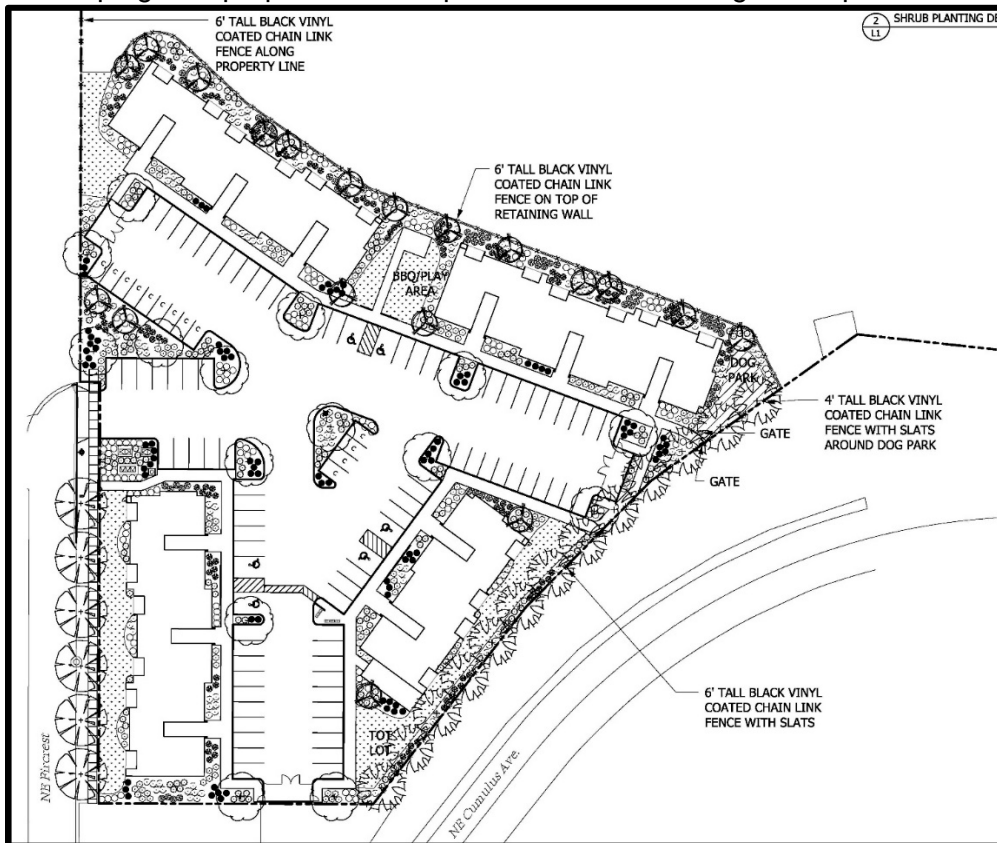
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The revised landscaping now proposed on the portion of the site being developed can be seen below:



In response to the continuance of the original landscape plan and to better meet Section 17.57.070(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance, the applicant has added additional trees along the east property line, and provided information about the sight-obscuring fence proposed for the perimeter of the development area. More detail on the proposed revisions is described below for each of the review criteria in Section 17.57.070(B):

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

The landscape plan as proposed includes a wide variety of trees and shrubs, along with some lawn spaces, throughout the portion of the property being developed. The subject site is located east of an existing senior living complex that has both single story townhome units and two-story townhome units. The applicant is proposing to install trees and landscaping along the west boundary of the site to provide buffering between the apartment complex and the adjacent senior living complex. The plan shows the installation of street trees along the property's frontage on NE Fircrest Drive. Further north, along the western property line, the applicant is proposing a planting area with multiple Trident Maple (*Acer buergerianum*) and Vine Maple (*Acer circinatum*) trees with shrubs in the understory. The shrubs in this area include Heavenly Bamboo, Compact Spiraea, Compact Mahonia, and Hino-Crimson Azalea. These same shrubs are proposed to be installed around each of the buildings in planting beds between the entries on the front side of the buildings and between the patios on the rear side of the buildings.

Along the eastern property line, which is adjacent to NE Cumulus Avenue, the applicant is proposing a continuous planting bed with an alternating pattern of Heavenly Bamboo, Flowering Current, and Hino-Crimson Azalea shrubs. As part of the revised landscape plan, Armstrong Red Maple (*Acer rubrum* 'Armstrong') trees are proposed along the entire NE Cumulus Avenue frontage spaced at 30 feet on center. This will provide additional buffering from the adjacent public right-of-way. Along the northern boundary of the portion of the property that is being developed, the applicant is proposing a wider planting area that will include groups of each of the same shrubs used throughout the rest of the site. In this area, the applicant is also proposing to plant 13 Vine Maple trees throughout the length of the planting area.

Within the parking areas, which are somewhat centrally located within the development site, there will be planting islands that each will include one Trident Maple tree and understory shrubs of the same variety used throughout the remainder of the site.

The plan also includes some open turf areas and other common community areas that will provide for active space for residents of the apartment complex. A tot lot will be installed near the southeast corner of the site. On the north side of the development, a barbeque and play area will be located between the two apartment buildings that are adjacent to the wooded preservation area. This barbeque area will have a view of the wooded preservation area, which will be accessible and available to all residents of the apartment complex. Also, a fenced dog park will be installed on the northeast corner of the developed portion of the property.

Overall, the landscape plan is compatible with the proposed use 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 proposed landscape plan will provide screening of the proposed use from the adjacent residential senior living complex. The combination of street trees and other planting areas along the west boundary

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of the site will provide screening and buffering between the proposed apartments and the dwelling units immediately adjacent to the west.

The planting areas along the west boundary of the site, adjacent to an existing condominium development, includes Trident Maple trees and Vine Maple trees, which will grow to provide vertical screening of the site, as well as lower shrubs in the understory that will provide screening between the parking spaces and the adjacent properties. Additionally, the applicant has stated that he hopes to work directly with the individual condominium homeowners regarding fencing, trees, and screening or no screening to help accommodate their individual preferences. Staff recommends a condition of approval that minor changes to the approved landscape plan as a result of working with individual condominium homeowners to address fencing, trees, and screening adjacent to their property on the west property line of the subject site be submitted for approval by the Planning Director.

The other boundaries of the developed portion of the site are adjacent only to public right-of-way to the east and the wooded preservation area to the north. While there are not any other uses immediately adjacent, there still will be planting areas along each of these boundaries that will provide screening and buffering of the proposed use.

The revised landscape plan indicates that 6 foot high black vinyl coated chain link fence with slats is to be located along the south and east property lines that will provide further screening 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.

The overall property is 5.3 acres in size, and 3.87 acres of the property will be preserved as natural area. This will include the preservation and retention of many trees on the northern portion of the property. The preservation area also includes a sloped ravine with a natural drainage way running to the South Yamhill River to the north. Only a small portion of the drainage way is designated as floodplain area on the City's Zoning Map and the FEMA Flood Insurance Rate Map (FIRM) panels, but the entire drainage way will be preserved within the preservation area.

The applicant has submitted a Vegetation Management and Preservation Plan for Planning Director's review that defines the maintenance activities and practices of the 3.87 acres of preserved natural area. The applicant plans to keep the natural area free from volunteer trees, noxious weeds, and invasive species, and have certified arborists monitor the health of the existing trees.

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

The applicant is proposing to install planting islands and planting bumpouts within and at the end of each row of parking spaces throughout the site. Each planting island and planting bumpout area will include a Trident Maple tree, and a variety of shrubs. The shrubs alternate between the planting islands, which will provide some variety and additional interest within the parking areas.

The Landscape Review Committee previously commented that the southeastern parking aisle should have a planting island adjacent to the mailboxes, to match the island on the opposite side of the drive aisle. Staff recommends a condition of approval that the parking space south of the mailboxes be converted into a planting island with a Trident Maple tree and shrub planting to be consistent with the established pattern in the other planting islands throughout the parking lot.

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Additionally, an updated site plan shows the removal of the western solid waste/recycling enclosure and the addition of a parking stall replacing the planting bumpout to the north of the former solid waste/recycling enclosure. Staff recommends a condition of approval that the planting in the former bumpout be moved west, adjacent to the new parking stall to provide screening of the parking.

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 applicant is proposing to install street trees within the NE Fircrest Drive right-of-way. The proposed street trees are European Hornbeam (*Carpinus betulus* 'Fastigiata'), which are listed as an approved species on the McMinnville Street Tree list. The European Hornbeam is classified as a medium tree, which requires a maximum spacing of 30 feet. The street trees are shown to be planted at a consistent spacing of exactly 30 feet.

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

The plans submitted include a full irrigation plan for an automatic Rainbird irrigation system throughout the entire site.

#### **Street Tree Review:**

The landscape plan includes the installation of street trees within the NE Fircrest Drive right-of-way. 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 street trees within the NE Fircrest Drive right-of-way. The proposed street trees are European Hornbeam (*Carpinus betulus* 'Fastigiata'), which are listed as an approved species on the McMinnville Street Tree list.

- 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 plan shows the European Hornbeam trees being planted at 1.5" caliper in size. Therefore, a condition of approval is included to require that the European Hornbeam trees be a minimum of two (2) inches in caliber measured at six (6) inches above ground level at the time of installation. A condition of approval is also included to require that the street trees are planted to the City's planting detail, including staking, deep watering tubes, and root barrier protection.

- 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

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#### **Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Multifamily Development Site at Tax Lot R4423 00900 (L 17-18)

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. [...]

The proposed tree species (*Carpinus betulus* 'Fastigiata') is classified as a medium tree on the McMinnville Street Tree List. The canopy width of the European Hornbeam is between 20 and 30 feet, which requires a spacing of no more than 30 feet. The street trees are shown to be planted at a consistent spacing of exactly 30 feet.

- 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.

The NE Fircrest Drive right-of-way is classified as a local residential street. The plan identifies the installation of a 6 foot planting strip, which is wider than the minimum planting strip required but will provide for additional space for the street trees to grow.

- 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.

A condition of approval is included to require that the street trees meet all necessary setbacks from utilities.

**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 above, staff is recommending that the street tree plan be approved with the following conditions:

- 1. That the applicant shall install landscaping as shown on the revised landscape plan submitted to the Planning Department on July 2, 2018.

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**Attachments:**

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2. That the applicant shall maintain proper clearances around the future water and electrical services that will be located within the planting area near the entrance to the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. That the trees planted in the planting strip within the NE Fircrest Drive right-of-way are classified as street trees, and the tree species approved for the planting strip is European Hornbeam (*Carpinus betulus* 'Fastigiata').
4. That the European Hornbeam (*Carpinus betulus* 'Fastigiata') street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.
5. 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. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
6. 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).
7. 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.
8. That the applicant is reminded that street 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 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.
10. That minor changes to the approved landscape plan as a result of working with individual condominium homeowners to address fencing, trees, and screening adjacent to their property on the west property line of the subject site be submitted for approval by the Planning Director.
11. That the parking space south of the mailboxes be converted into a planting island with a Trident Maple tree and shrub planting to be consistent with the established pattern in the other planting islands throughout the parking lot.

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12. That the planting shown in the landscape area northeast of the former western solid waste/recycling enclosure, between the parking space and walkway, be moved adjacent to the newly created parking stall to provide screening.
13. That all new landscape planters and lawn areas shall have suitable watering facilities or an irrigation system.
14. 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 17-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.**

JF:sjs

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*Attachments:*

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**DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR A MULTIFAMILY DEVELOPMENT SITE AT TAX LOT R4423 00900**

**DOCKET:** L 17-18

**REQUEST:** The applicant requested the approval of a landscape plan for the development of a new multifamily development site. 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 near the intersection of NE Fircrest Drive and NE Cumulus Avenue, and is more specifically described as Tax Lot 900, Section 23, T. 4 S., R. 4 W., W.M.

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

**APPLICANT:** J Conser & Sons, LLC

**STAFF:** Jamie Fleckenstein, Associate Planner

**DATE DEEMED COMPLETE:** May 21, 2018

**DECISION-MAKING BODY:** McMinnville Landscape Review Committee

**DATE & TIME:** August 15, 2018. Meeting was held at the Police Training Room, 121 SW Adams 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.

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Attachments:  
Attachment 1 – Application for Landscape Plan Review  
Attachment 2 – Revised Landscape Plan submitted to Planning Department on July 2, 2018

**DECISION**

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the landscape plan (L 17-18) **subject to the conditions of approval provided in this document.**

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**DECISION: APPROVAL WITH CONDITIONS**  
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Planning Staff: \_\_\_\_\_  
Jamie Fleckenstein, Associate Planner

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

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

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

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Attachments:  
Attachment 1 – Application for Landscape Plan Review  
Attachment 2 – Revised Landscape Plan submitted to Planning Department on July 2, 2018

**APPLICATION SUMMARY:**

The applicant requested the approval of a landscape plan for the development of a new multifamily development project on a parcel located near the intersection of NE Fircrest Drive and NE Cumulus Avenue, and is more specifically described as Tax Lot 900, Section 23, T. 4 S., R. 4 W., W.M. 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 site was recently rezoned from AH (Agricultural Holding) to R-4 (Multiple Family Residential) in October 2017 (approved by Ordinance No. 5039). The overall development plan for the site includes the construction of 4 separate buildings throughout the site. Three of the buildings will each contain 18 dwelling units, and one building will contain 12 units. There will be a total of 66 dwelling units on the site. The subject site can be seen below. The area of the site that is actually being developed is shown as a lighter red area.

A map of the subject site is provided below:



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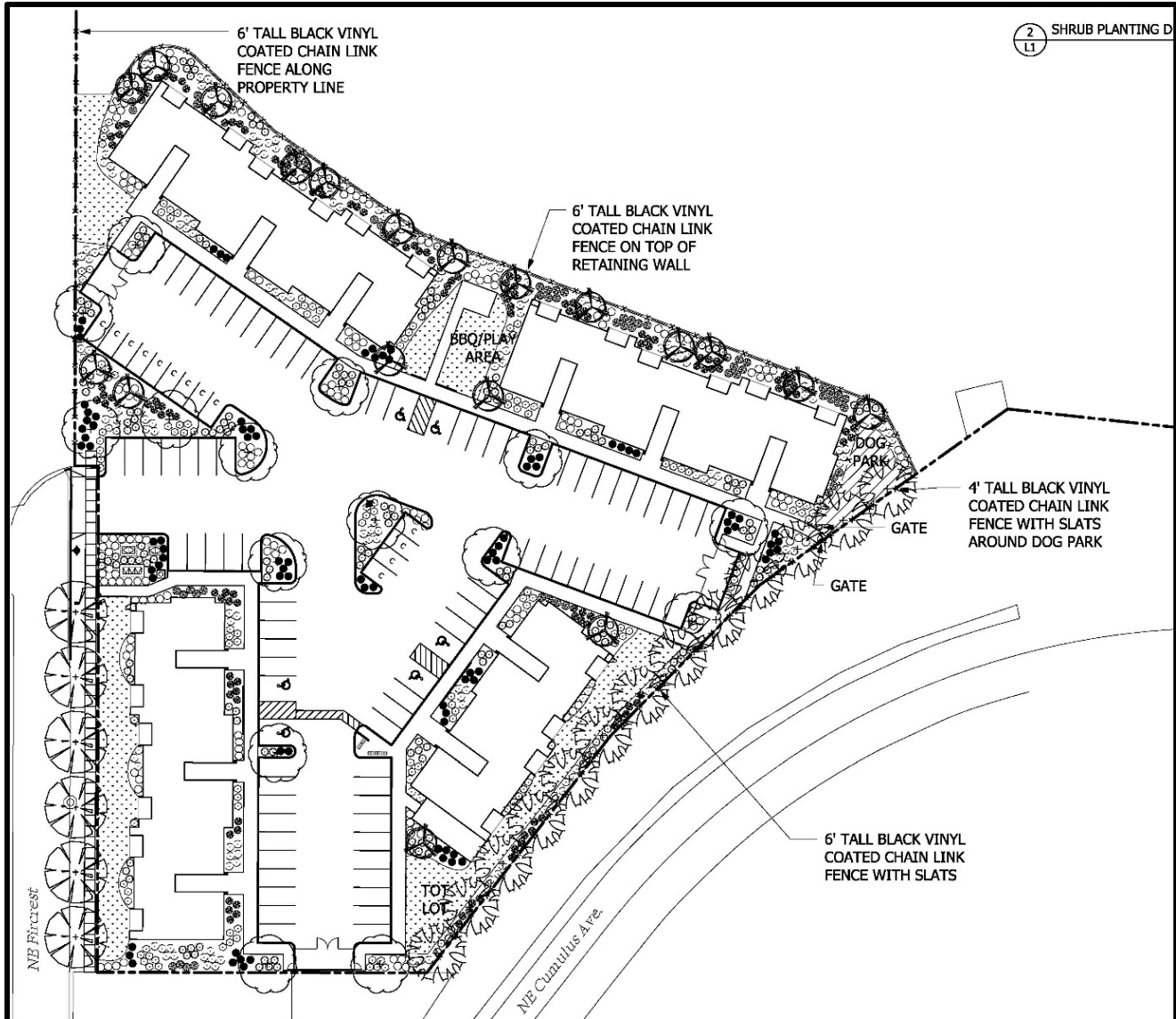
**Attachments:**

Attachment 1 – Application for Landscape Plan Review

Attachment 2 – Revised Landscape Plan submitted to Planning Department on July 2, 2018



The landscaping being proposed can be seen below:



The landscape plan as proposed includes a wide variety of trees and shrubs, along with some lawn spaces, throughout the portion of the property being developed. Along the north edge of the development, adjacent to a preservation area, trees and shrubs were selected to help transition the developed space to the natural space to the north. An open lawn area with a patio between the two northern buildings is designated as a BBQ and Play Area. A fenced dog park is at the NE corner of the developed area.

The east property line along NE Cumulus Avenue, features evenly spaced Red Maple trees and layers of shrubs as to the north to provide screening and buffering from the street. A slatted black vinyl chain link fence along the east property line adds further screening.

The south property line has a slatted black vinyl chain link fence and planting to screen the southeastern building and parking lot from the adjacent lot to the south.

A row of European Hornbeam street trees lines NE Fircrest Drive along the western property line. A low fence and open lawn helps transition the development to the residential communities across NE Fircrest Drive.

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Further north along the western edge of the development, masses of shrubs and trees and fencing will provide screening and buffering of the proposed development from the neighboring property owners while preserving views into the preservation area.

### **CONDITIONS OF APPROVAL**

L 17-18 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 July 2, 2018, Attachment 2.
2. That the applicant shall maintain proper clearances around the future water and electrical services that will be located within the planting area near the entrance to the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. That the trees planted in the planting strip within the NE Fircrest Drive right-of-way are classified as street trees, and the tree species approved for the planting strip is European Hornbeam (*Carpinus betulus* 'Fastigiata').
4. That the European Hornbeam (*Carpinus betulus* 'Fastigiata') street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.
5. 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.
6. 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).
7. 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.
8. That the applicant is reminded that street 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 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.

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10. That minor changes to the approved landscape plan as a result of working with individual condominium homeowners to address fencing, trees, and screening adjacent to their property on the west property line of the subject site be submitted for approval by the Planning Director.
11. That the parking space south of the mailboxes be converted into a planting island with a Trident Maple tree and shrub planting to be consistent with the established pattern in the other plating islands throughout the parking lot.
12. That the planting shown in the landscape area northeast of the former western solid waste/recycling enclosure, between the parking space and walkway, be moved adjacent to the newly created parking stall to provide screening.
13. That all new landscape planters and lawn areas shall have suitable watering facilities or an irrigation system.
14. 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)
2. Revised Landscape Plan submitted to Planning Department on July 2, 2018 (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. The following comments were received by the Planning Department and have been incorporated into the conditions of approval:

- McMinnville Water and Light:

Landscape plan in the center of the development does not leave adequate room for the concrete vault needed for power plan.

- McMinnville Public Works:

### ***Site Review***

1. The subject parcel is located near the intersection of SE Fircrest Lane and SE Cumulus Avenue.
2. SE Cumulus Avenue is functionally classified as a minor collector. It is a 32' street improvement in a varying right of way. There is curb tight sidewalk on both sides of SW Cumulus in this location.
3. SE Fircrest Lane is a functionally classified local street. It is 26' wide street improvement in a 30" right of way. There is existing curb tight sidewalk on the west side of Fircrest. There is existing sidewalk along the east side of the street to about 110' north of the intersection with SE Cumulus Avenue.
4. There are no existing overhead conflicts on either SE Cumulus or SE Fircrest Lane.

### ***Plan Review***

1. The submitted landscaping plan depicts *Carpinus betulus 'fastigata'* (European hornbeam) adjacent to Fircrest Lane. These trees appear on the City's recommended street tree list

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- as a medium tree (25-40' in height), intended for a minimum 5' planter strip. These trees are called out as 1.5" caliper trees; if they are to be planted in the public right of way the minimum size is 2" caliper.
2. The landscaping plan on the north side does not indicate what plant material, if any, is intended for the right of way adjacent to SE Cumulus. It would appear from the submitted irrigation plan that the applicant intends to irrigate this area and maintain as a turf stand. The applicant should be asked to clarify the intent for this area, and be reminded that:
    - a. This is not an area that the City current maintains. Adjacent property owners are typically responsible for the right of way adjacent to their property.
    - b. No tree should be planted in this right of way to preserve vision clearance at the intersection of Fircrest and Cumulus.
  3. The submitted plans include an on-site irrigation system that appears capable of supporting the proposed landscaping.
  4. The remainder of landscaping is outside of the public right of way, and thus outside of our purview.

### ***Recommendations***

1. Public Works would recommend that this application be approved.
2. All trees planted with in the public right of way shall be planted as per the approved City detail. The applicant shall contact Public Works for an inspection prior to backfilling an tree excavation.

The Planning Department received several comments from neighboring property owners to the west of the proposed development and the condominium Homeowner's Association. These comments expressed concern over the proposed removal of existing trees along the west property line, loss of views into the wooded preservation area, and the amount of screening and buffering that would be provided from the proposed use.

### **FINDINGS OF FACT**

1. J Conser & Sons, LLC submitted a landscape plan review application to install landscaping on the site of a new multifamily development site near the intersection of NE Fircrest Drive and NE Cumulus Avenue. The property is more specifically described as Tax Lot 900, Section 23, 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 June 20, 2018 and August 15, 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:

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#### Attachments:

Attachment 1 – Application for Landscape Plan Review

Attachment 2 – Revised Landscape Plan submitted to Planning Department on July 2, 2018

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 adjacent to the development site. 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 the public right-of-way adjacent to the development site. 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 the public right-of-way adjacent to the development site. 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 the public right-of-way adjacent to the development site. 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

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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.

### **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.

17.57.030 Zones Where Required. Landscaping shall be required in the following zones except as otherwise noted:

- A. R-4 (Multiple-Family Residential zone, except the construction of a Single-Family or Two-Family Residential unit);

Finding: The subject site is zoned R-4 (Multiple-Family Residential), and landscaping is being proposed as required.

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

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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:
3. Multiple-family, twenty-five percent of the gross area. [...]

Finding: The landscape plan as proposed greatly exceeds those requirements, as about 68 percent of the site is proposed to be landscaped. Much of that area is in a preservation area, which makes up the northern 3.87 acres of the 5.3 acre site. The natural areas within this area were required to be preserved by the zone change that was recently approved by Ordinance No. 5039. The Planning Director will review and approve the preservation plan and the ongoing maintenance plan for the natural areas within the 3.87 acre preservation area, as required by Ordinance No. 5039.

- 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 landscape plan as proposed includes a wide variety of trees and shrubs, along with some lawn spaces, throughout the portion of the property being developed. The subject site is located east of an existing senior living complex that has both single story townhome units and two-story townhome units. The applicant is proposing to install trees and landscaping along the west boundary of the site to provide buffering between the apartment complex and the adjacent senior living complex. The plan shows the installation of street trees along the property's frontage on NE Fircrest Drive. Further north, along the wester property line, the applicant is proposing a planting area with multiple Trident Maple (*Acer buergerianum*) and Vine Maple (*Acer circinatum*) trees with shrubs in the understory. The shrubs in this area include Heavenly Bamboo, Compact Spiraea, Compact Mahonia, and Hino-Crimson Azalea. These same shrubs are proposed to be installed around each of the buildings in planting beds between the entries on the front side of the buildings and between the patios on the rear side of the buildings.

Along the eastern property line, which is adjacent to NE Cumulus Avenue, the applicant is proposing a continuous planting bed with an alternating pattern of Heavenly Bamboo, Flowering Current, and Hino-Crimson Azalea shrubs, and Armstrong Red Maple trees. This will provide additional buffering from the adjacent public right-of-way. Along the northern boundary of the portion of the property that is being developed, the applicant is proposing a wider planting area that will include groups of each of the same shrubs used throughout the rest of the site. In this area, the applicant is also proposing to plant 13 Vine Maple trees throughout the length of the planting area.

Within the parking areas, which are somewhat centrally located within the development site, there will be planting islands that each will include one Trident Maple tree and understory shrubs of the same variety used throughout the remainder of the site.

The plan also includes some open turf areas and other common community areas that will provide for active space for residents of the apartment complex. A tot lot will be installed near the southeast corner of the site. On the north side of the development, a barbeque and play area will be located between the two apartment buildings that are adjacent to the wooded preservation area. This barbeque area will have a view of the wooded preservation area, which will be accessible and available to all residents of the apartment complex. Also, a fenced dog park will be installed on the northeast corner of the developed portion of the property.

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Overall, the landscape plan is compatible with the proposed use 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 proposed landscape plan will provide screening of the proposed use from the adjacent residential senior living complex. The combination of street trees and other planting areas along the west boundary of the site will provide screening and buffering between the proposed apartments and the dwelling units immediately adjacent to the west. The planting areas along the west boundary of the site includes Trident Maple trees and Vine Maple trees, which will grow to provide vertical screening of the site, as well as lower shrubs in the understory that will provide screening between the parking spaces and the adjacent properties. The applicant is further proposing to work to address screening concerns of adjacent property owners on an individual basis. The other boundaries of the developed portion of the site are adjacent only to public right-of-way to the east and the wooded preservation area to the north. While there are not any other uses immediately adjacent, there still will be planting areas along each of these boundaries that will provide 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 overall property is 5.3 acres in size, and 3.87 acres of the property will be preserved as natural area. This will include the preservation and retention of many trees on the northern portion of the property. The preservation area also includes a sloped ravine with a natural drainage way running to the South Yamhill River to the north. Only a small portion of the drainage way is designated as floodplain area on the City's Zoning Map and the FEMA Flood Insurance Rate Map (FIRM) panels, but the entire drainage way will be preserved within the preservation area.

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

Finding: The applicant is proposing to install planting islands and planting bumpouts within and at the end of each row of parking spaces throughout the site. Each planting island and planting bumpout area will include a Trident Maple tree, and a variety of shrubs. The shrubs alternate between the planting islands, which will provide some variety and additional interest within the parking areas.

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 applicant is proposing to install street trees within the NE Fircrest Drive right-of-way. The proposed street trees are European Hornbeam (*Carpinus betulus* 'Fastigiata'), which are listed as an approved species on the McMinnville Street Tree list. The European Hornbeam is classified as a medium tree, which requires a maximum spacing of 30 feet. The street trees are shown to be planted at a consistent spacing of exactly 30 feet.

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

Finding: The plans submitted include a full irrigation plan for an automatic Rainbird irrigation system throughout the entire site.

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- 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 residential area 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 multifamily development site, and the street trees will be installed in a designated curb-side planting strip fronting the 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 street trees within the NE Fircrest Drive right-of-way. The proposed street trees are European Hornbeam (*Carpinus betulus* 'Fastigiata'), which are listed as an approved species on the McMinnville Street Tree list.

- 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 plan shows the European Hornbeam trees being planted at 1.5" caliper in size. Therefore, a condition of approval is included to require that the European Hornbeam trees be a minimum of two (2) inches in caliber measured at six (6) inches above ground level at the time of installation. A condition of approval is also included to require that the street trees are planted to the City's planting detail, including staking, deep watering tubes, and root barrier protection.

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- 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 proposed tree species (*Carpinus betulus* 'Fastigiata') is classified as a medium tree on the McMinnville Street Tree List. The canopy width of the European Hornbeam is between 20 and 30 feet, which requires a spacing of no more than 30 feet. The street trees are shown to be planted at a consistent spacing of exactly 30 feet.

- 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 NE Fircrest Drive right-of-way is classified as a local residential street. The plan identifies the installation of a 6 foot planting strip, which is wider than the minimum planting strip required but will provide for additional space for the street trees to grow.

- 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: A condition of approval is included to require that the street trees meet all necessary setbacks from utilities.

#### 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.

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#### Attachments:

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JF:sjs

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Attachments:

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

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

## **EXHIBIT 3 - STAFF REPORT**

**DATE:** August 15, 2018  
**TO:** McMinnville Landscape Review Committee  
**FROM:** Jamie Fleckenstein, Associate Planner  
**SUBJECT:** Agenda Item 4B: L 18-18

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### **Report in Brief:**

An application for a revised landscape plan for a new commercial shell building (L 18-18) to be reviewed by the Landscape Review Committee.

### **Background:**

The applicant, Matthew Primbs, submitted a revised landscape plan for a new commercial shell building. The property is located at 711 NE Highway 99, and is more specifically described as Tax Lot 2000, Section 16BC, T. 4 S., R. 4 W., W.M.

The Landscape Review Committee reviewed the original application and plans at their July 18, 2018 regular meeting. At that meeting the Committee decided to continue the application to allow the applicant to make revisions to the plan to address plant material selection and the size of landscape areas.

### **Discussion:**

The property is zoned C-3PD (General Commercial, Planned Development). The applicant is proposing a new 6,000 square foot commercial building in the northwest corner of the development site, with new parking to the building's south and west. The applicant is proposing to construct a shell building with two separate suites. The suites would be built out with tenant improvement building permits at a later date. The subject site can be seen below, and a smaller hatched area indicates the location of the proposed commercial structure:

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#### *Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Commercial Shell Building at 711 NE Highway 99W (L 18-18)*

### Site Reference Map



#### Landscape Plan Review:

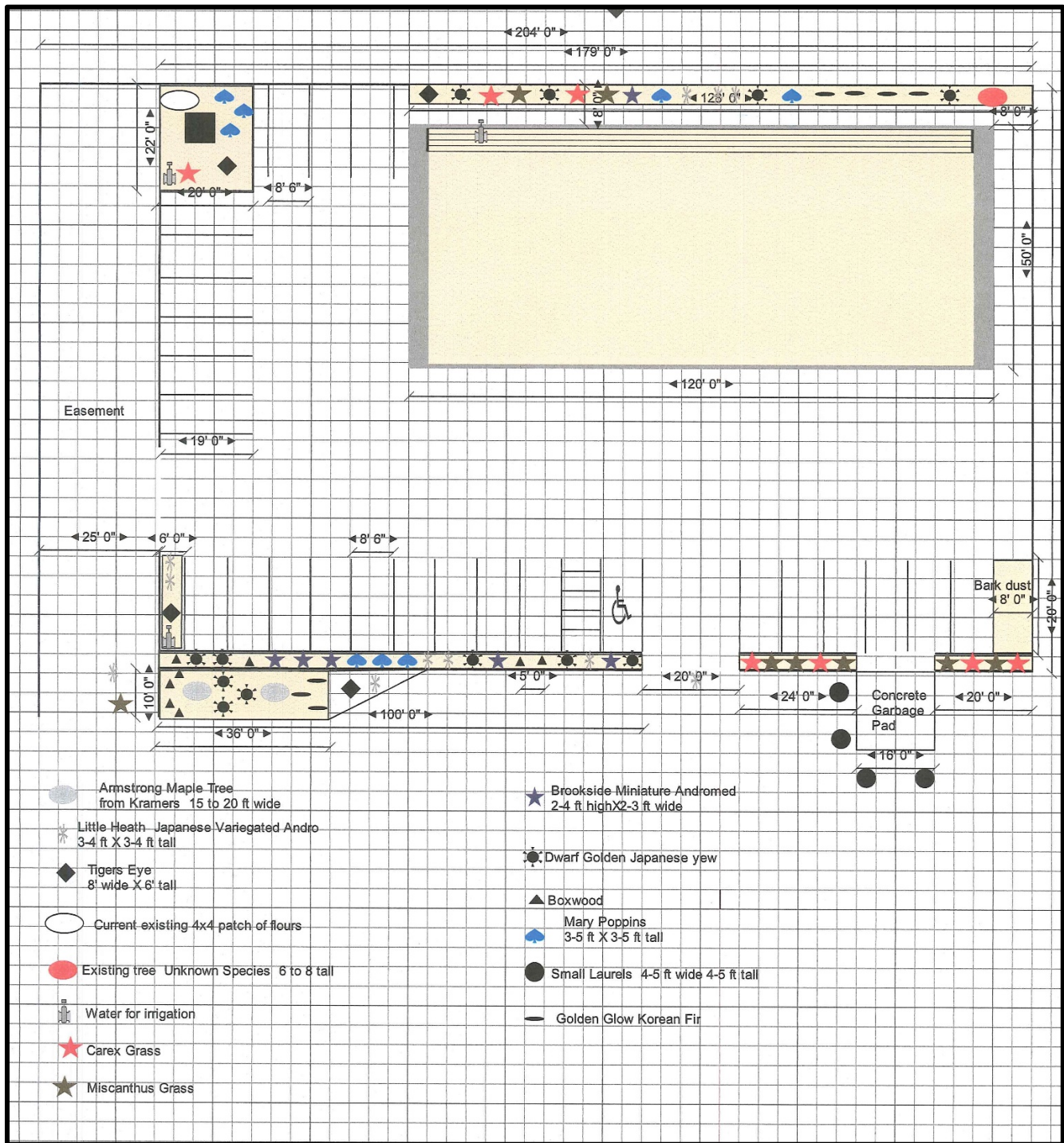
McMinnville Municipal Code (MMC) Section 17.57.070(A) (Area Determination-Planning Factors) requires that at least seven (7) percent of the gross area of a site being developed be landscaped. The landscape plan as proposed exceeds that requirement, as over nine (9) percent of the development site is proposed to be landscaped. The application indicates the area being developed is approximately 21,700 square feet, including the proposed commercial shell building, which is 6,000 square feet, and the total area being proposed for landscaping is approximately 2,078 square feet.

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#### Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Commercial Shell Building at 711 NE Highway 99W (L 18-18)

The landscaping that was originally proposed can be seen below:



**Attachments:**

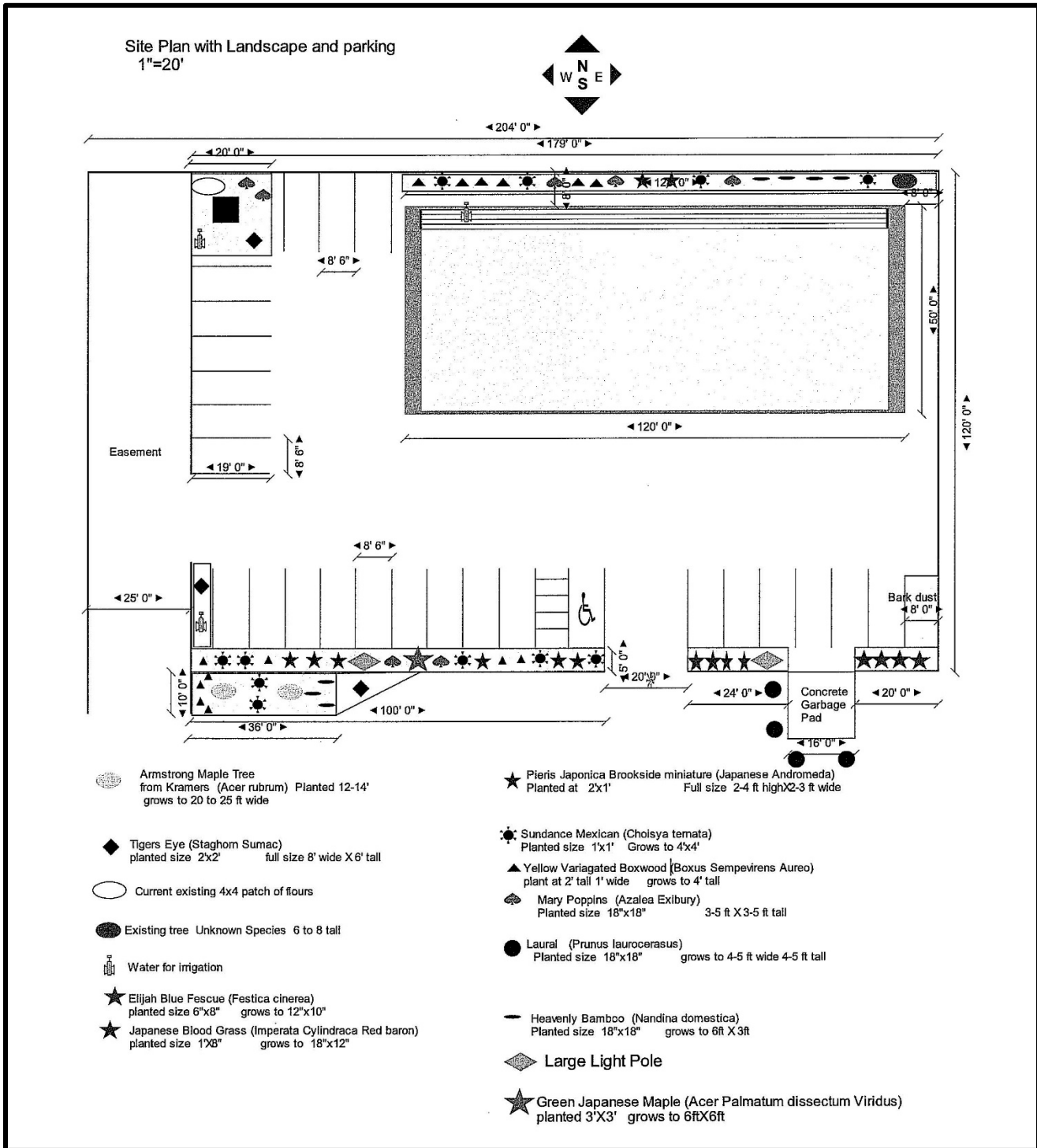
Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Commercial Shell Building at 711 NE Highway 99W (L 18-18)

1	Bed around Transformer. Bark dust and plants.	22X20	subtract the transformer 36 sq feet <b>Large Tigers Eye and 4 others</b>	<b>400 sq feet</b> <b>Drip</b>
2	By Easement 6'X19' Bark and		<b>3 plants</b>	<b>114 sq feet</b> <b>Drip</b>
3	Front 100X 3 ft 20'X3' and 24'X3' Mix of plants every 5' Bark		<b>29 plants</b>	<b>432 sp feet</b> <b>Drip</b>
<p>There will be no water on the 20' and 24' portion by the garbage. I will plant the ornamental grasses in those two beds. I have water with a hose but no drip system.</p>				
4	Back property line 128 ft X 4 ft		<b>20 plants plus existing tree</b>	<b>512 sq feet</b> <b>Drip</b>
5	front corner west side 36'X10' Plus 100ft odd shaped	Drip syst	<b>2 trees and 10 plants</b>	<b>460 sq feet</b> <b>Drip</b>
6	Front Eastern corner 20'X8'		<b>Bark dust only</b>	<b>160 sq ft</b> <b>No water</b>
Total sq foot of new land scape			<b>63 new plants added</b> <b>2 trees</b> <b>4 large Tiger Eyes</b> <b>4 laurels med</b>	<b><u>2,078 sq ft</u></b>
			<b><u>73 total planted</u></b>	
<p>This was developed with the help and advice of the owner of Kramers nursery (Carl)</p>				
<p>Total New Development 21,700 sq ft 2,078 landscaped Over 9% landscaped</p>				

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Commercial Shell Building at 711 NE Highway 99W (L 18-18)

The revised landscaping now proposed on the portion of the site being developed can be seen below:



In response to the continuance of the original landscape plan and to better meet Section 17.57.070(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance, the applicant has increased the width of the landscape areas on the southern edge of the developed area, and provided names of all the proposed plant material and proposed size at installation. More detail on the proposed revisions is described below for each of the review criteria in Section 17.57.070(B):

**Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Commercial Shell Building at 711 NE Highway 99W (L 18-18)



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

The subject site is surrounded by commercially zoned properties on all sides. The area of proposed development is located in the northern half of the subject site. Directly south of the development site (on the same lot) is an existing sandwich restaurant and its associated parking. The subject property abuts Highway 99W right-of-way to the south, from where the proposed development and landscaping would be visible from the street. To the east of the site is a dental office and parking lot. A line of existing mature trees on the adjacent property provides a buffer and screen between the proposed development and the office. To the west, across an easement drive, is another dental office and associated parking. To the north of the development site is a church and its parking lots.

The landscape plan proposes planting around the perimeter of the proposed development site. In the southeastern corner of development, the applicant is proposing a landscape strip in front of the new parking and planting on 2 sides of a proposed concrete garbage pad, and an 8' x 20' area of bark dust at the end of the parking spaces. The width of the proposed planting strip in front of the parking is 5', and plants proposed for this location are Elijah Blue Fescue (*Festuca cinerea*) and Japanese Blood Grass (*Imperata cylindrical 'Red Baron'*). Elijah Blue Fescue grows 12" high by 12" wide, and the Japanese Blood Grass grows 18" high by 12" wide. The applicant indicated that he plans to fill the planting area with more grasses than are shown on the plan because all the symbols would not fit on the landscape plan. Staff recommends a condition of approval that the Japanese Blood Grass and Elijah Blue Fescue be planted at 18" on center throughout the landscape area where they are proposed. The width of the planting bed around the garbage area is not indicated. The applicant is proposing four (4) small laurels (*Prunus laurocerasus*) in this location.

Along the southwest edge of development, more landscaping is being proposed in front of the new parking. In a landscape strip measuring 5' wide, the applicant is proposing a combination of Sundance Mexican Orange (*Choisya ternata*) growing 4 feet tall by 4 feet wide at maturity, Brookside Miniature Andromeda (*Pieris japonica 'Brookside Miniature'*) growing 2-4' x 2-3', Yellow Variegated Boxwood (*Buxus sempervirens 'Aureo'*) growing 4' x 4', Mary Poppins Azalea (*Rhododendron 'Mary Poppins'*) growing 3-4' x 3-4', a Green Japanese Maple (*Acer palmatum dissectum 'Viridis'*) growing 6'x6', and a single Tigers Eye Sumac (*Rhus typhina 'Bailtiger'*). In a larger landscaping area on the SW corner of development, the applicant is proposing two (2) Armstrong Maples (*Acer rubrum 'JFS-KW78'*) a columnar tree growing 35-40' tall. Under the trees, Yellow Variegated Boxwood, Sundance Mexican Orange, and Heavenly Bamboo (*Nandina domestica*) growing 6' x 6'.

At the northwest corner of the proposed development, the applicant has proposed a landscaping area measuring 22' x 20' around an existing transformer and a new water meter. Proposed plants in this area include Mary Poppins Azalea, and Tigers Eye Sumac. The applicant is also proposing to keep an existing 4' x 4' patch of flowers. No indication of the variety of existing flowers is made.

Along the north side of the building, a planting strip measuring 128' x 4' is proposed. Planting suggested for this area include a combination of Tigers Eye Sumac, Yellow Variegated Boxwood, Sundance Mexican Orange, Brookside Miniature Andromeda, Mary Poppins Azalea, and Heavenly Bamboo. The site plan indicates an existing tree of unknown species and 6-8' in height will remain at in the northeast corner of the proposed development area.

The proposed landscape plan is compatible with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

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*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Commercial Shell Building at 711 NE Highway 99W (L 18-18)*

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

Based on the information provided in the application, the proposed use will be adequately screened from adjacent uses. From the church property to the north, a mix of evergreen shrubs and existing vegetation to remain will provide screening from the parking lot. The SW corner of the property will be screened from the nearby dentistry office by larger deciduous trees and shrubs, and the understory planting of evergreen shrubs. The two (2) proposed columnar maple trees in the SW corner of the site will provide some screening and shading of the adjacent parking. The garbage pad will be screened by an evergreen laurel hedge. An existing row of mature trees on the adjacent property screens and buffers the eastern edge of the proposed development. No planting is proposed along the western edge of the development to screen new parking from adjacent properties due to a lack of space. No landscaping areas are proposed adjacent to the building, though there appears to be space to accommodate landscape areas in this location. A close up view of this area, and the vegetation that exists along the property line, 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 Landscape Plan for a New Commercial Shell Building at 711 NE Highway 99W (L 18-18)

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 portion of the subject property being developed consists mainly of a gravel lot and a landscape area with a row of existing mature trees. The applicant has indicated on the site plan that a small tree and a small patch of flowers that exist currently are to be retained.

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

The site plan indicates 25 new parking spaces are proposed around the new commercial building. The applicant has proposed landscape areas at some ends of the parking bays, and there are no internal islands shown. Planting strips in front of parking spaces to the south are 5’ in width, and there is no proposed planting in front of new parking spaces to the west.

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.

There are no street trees proposed for the subject site. The portion of the site being developed with the new commercial building is internal to the property at 711 NE Highway 99W.

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

The applicant proposes a drip irrigation system for all new landscape areas, except in the southeast corner of the developed area. There, applicant proposes no irrigation and will water the 24’x3’ and 20’x3’ planting areas in front of the parking and the planting around the garbage area by hand. No water would be necessary for the 20’ x 8’ area where only bark dust is proposed.

**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 above, staff is recommending that the street tree plan be approved with the following conditions:

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*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Commercial Shell Building at 711 NE Highway 99W (L 18-18)*

1. That the applicant shall install landscaping as shown on the revised landscape plan received by the Planning Department in August, 2018.
2. That the applicant shall maintain proper clearances around the future water and electrical services that will be located within the planting area near the entrance to the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. The front side of a transformer requires a minimum clearance of 10 feet, in a pie slice shape. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. 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. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
4. That the Japanese Blood Grass and Elijah Blue Fescue be planted at a spacing of 18 inches on center throughout the southeastern landscape area in front of the parking spaces.
5. That all new landscape planters and lawn areas shall have suitable watering facilities or an irrigation system.
6. 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 18-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.**

JF:sjs

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*Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Commercial Shell Building at 711 NE Highway 99W (L 18-18)*



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

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**DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR A MULTIFAMILY DEVELOPMENT SITE AT TAX LOT R4423 00900**

**DOCKET:** L 18-18

**REQUEST:** The applicant requested the approval of a landscape plan for the development of a new commercial shell building. 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 711 NE Highway 99, and is more specifically described as Tax Lot 2000, Section 16BC, T. 4 S., R. 4 W., W.M.

**ZONING:** The subject site is zoned C-3PD (General Commercial, Planned Development).

**APPLICANT:** Matthew Primbs

**STAFF:** Jamie Fleckenstein, Associate Planner

**DATE DEEMED COMPLETE:** June 12, 2018

**DECISION-MAKING BODY:** McMinnville Landscape Review Committee

**DATE & TIME:** August 15, 2018. Meeting was held at the Police Training Room, 121 SW Adams 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**

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Attachments:  
Attachment 1 – Application for Landscape Plan Review

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

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

Planning Staff: \_\_\_\_\_  
Jamie Fleckenstein, Associate Planner

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

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

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

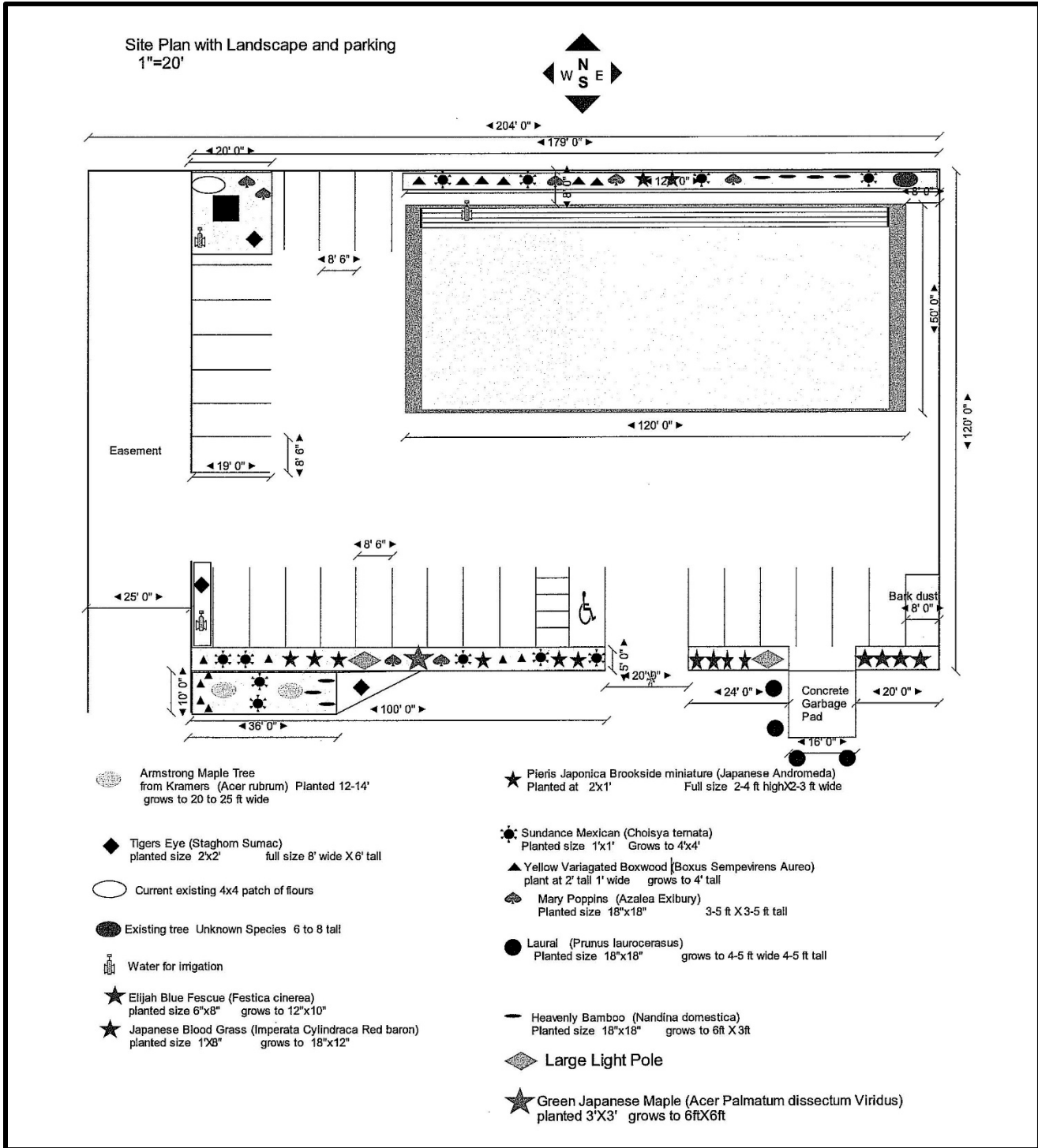
**APPLICATION SUMMARY:**

The applicant requested the approval of a landscape plan the development of a new commercial shell building. 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 property is zoned C-3PD (General Commercial, Planned Development). The applicant is proposing a new 6,000 square foot commercial building in the northwest corner of the development site, with new parking to the building’s south and west. The applicant is proposing to construct a shell building with two separate suites. The suites would be built out with tenant improvement building permits at a later date. The subject site can be seen below, and a smaller hatched area indicates the location of the proposed commercial structure:



The landscaping being proposed can be seen below:



The landscape plan as proposed includes a variety trees, evergreen and deciduous shrubs, and ornamental grasses planted around the perimeter of new parking surrounding a new commercial shell building to provide screening and buffering of the proposed use.



**CONDITIONS OF APPROVAL**

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

1. That the applicant shall install landscaping as shown on the revised landscape plan submitted to the Planning Department in August, 2018.
2. That the applicant shall maintain proper clearances around the future water and electrical services that will be located within the planting area near the entrance to the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. The front side of a transformer requires a minimum clearance of 10 feet, in a pie slice shape. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
3. 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. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
4. That the Japanese Blood Grass and Elijah Blue Fescue be planted at a spacing of 18 inches on center throughout the southeastern landscape area in front of the parking spaces.
5. That all new landscape planters and lawn areas shall have suitable watering facilities or an irrigation system.
6. 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. Matthew Primbs submitted a landscape plan review application to install landscaping on the site of a new commercial shell building. The property is located at 711 NE Highway 99, and is more specifically described as Tax Lot 2000, Section 16BC, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned C-3PD (General Commercial), and is designated as Commercial 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. Comments were received by the Planning Department and have been incorporated into the conditions of approval

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Attachments:

Attachment 1 – Application for Landscape Plan Review

4. A public meeting was held by the Landscape Review Committee on August 15, 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:

#### **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.

17.57.030 Zones Where Required. Landscaping shall be required in the following zones except as otherwise noted:

- D. C-3 (General Commercial zone);

Finding: The subject site is zoned C-3 (General Commercial), and landscaping is being proposed as required.

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

Attachments:

Attachment 1 – Application for Landscape Plan Review

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:

2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee.[...]

Finding: The landscape plan as proposed exceeds those requirements, with over 9% of the proposed area of development to be landscaped.

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 commercially zoned properties on all sides. The area of proposed development is located in the northern half of the subject site. Directly south of the development site (on the same lot) is an existing sandwich restaurant and its associated parking. The subject property abuts Highway 99W right-of-way to the south, from where the proposed development and landscaping would be visible from the street. To the east of the site is a dental office and parking lot. A line of existing mature trees on the adjacent property provides a buffer and screen between the proposed development and the office. To the west, across an easement drive, is another dental office and associated parking. To the north of the development site is a church and its parking lots.

The landscape plan proposes planting around the perimeter of the proposed development site. In the southeastern corner of development, the applicant is proposing a landscape strip in front of the new parking and planting on 2 sides of a proposed concrete garbage pad, and an 8' x 20' area of bark dust at the end of the parking spaces. The width of the proposed planting strip in front of the parking is 5', and plants proposed for this location are Elijah Blue Fescue (*Festuca cinerea*) and Japanese Blood Grass (*Imperata cylindrical 'Red Baron'*). Elijah Blue Fescue grows 12" high by 12" wide, and the Japanese Blood Grass grows 18" high by 12" wide. The applicant indicated that he plans to fill the planting area with more grasses than are shown on the plan because all the symbols would not fit on the landscape plan. Staff recommends a condition of approval that the Japanese Blood Grass and Elijah Blue Fescue be planted at 18" on center throughout the landscape area where they are proposed. The width of the planting bed around the garbage area is not indicated. The applicant is proposing four (4) small laurels (*Prunus laurocerasus*) in this location.

Along the southwest edge of development, more landscaping is being proposed in front of the new parking. In a landscape strip measuring 5' wide, the applicant is proposing a combination of Sundance Mexican Orange (*Choisya ternata*) growing 4 feet tall by 4 feet wide at maturity, Brookside Miniature Andromeda (*Pieris japonica 'Brookside Miniature'*) growing 2-4' x 2-3', Yellow Variegated Boxwood (*Buxus sempervirens 'Aureo'*) growing 4' x 4', Mary Poppins Azalea (*Rhododendron 'Mary Poppins'*) growing 3-4' x 3-4', a Green Japanese Maple (*Acer palmatum dissectum 'Viridis'*) growing 6'x6', and a single Tigers Eye Sumac (*Rhus typhina 'Bailtiger'*). In a larger landscaping area on the SW corner of development, the applicant is proposing two (2) Armstrong Maples (*Acer rubrum 'JFS-KW78'*) a

Attachments:

Attachment 1 – Application for Landscape Plan Review

columnar tree growing 35-40' tall. Under the trees, Yellow Variegated Boxwood, Sundance Mexican Orange, and Heavenly Bamboo (*Nandina domestica*) growing 6' x 6'.

At the northwest corner of the proposed development, the applicant has proposed a landscaping area measuring 22' x 20' around an existing transformer and a new water meter. Proposed plants in this area include Mary Poppins Azalea, and Tigers Eye Sumac. The applicant is also proposing to keep an existing 4' x 4' patch of flowers. No indication of the variety of existing flowers is made.

Along the north side of the building, a planting strip measuring 128' x 4' is proposed. Planting suggested for this area include a combination of Tigers Eye Sumac, Yellow Variegated Boxwood, Sundance Mexican Orange, Brookside Miniature Andromeda, Mary Poppins Azalea, and Heavenly Bamboo. The site plan indicates an existing tree of unknown species and 6-8' in height will remain at in the northeast corner of the proposed development area.

The proposed landscape plan is compatible with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

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

Finding: Based on the information provided in the application, the proposed use will be adequately screened from adjacent uses. From the church property to the north, a mix of evergreen shrubs and existing vegetation to remain will provide screening from the parking lot. The SW corner of the property will be screened from the nearby dentistry office by larger deciduous trees and shrubs, and the understory planting of evergreen shrubs. The two (2) proposed columnar maple trees in the SW corner of the site will provide some screening and shading of the adjacent parking. The garbage pad will be screened by an evergreen laurel hedge. An existing row of mature trees on the adjacent property screens and buffers the eastern edge of the proposed development.

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 portion of the subject property being developed consists mainly of a gravel lot and a landscape area with a row of existing mature trees. The applicant has indicated on the site plan that a small tree and a small patch of flowers that exist currently are to be retained.

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

Finding: The site plan indicates 25 new parking spaces are proposed around the new commercial building. The applicant has proposed landscape areas at ends of the parking bays, and there are no internal islands shown. Planting strips in front of parking spaces to the south are 5' in width, and there is no proposed planting in front of new parking spaces to the west.

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: There are no street trees proposed for the subject site. The portion of the site being developed with the new commercial building is internal to the property at 711 NE Highway 99W.

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

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Attachments:

Attachment 1 – Application for Landscape Plan Review

Finding: The plans submitted include a full irrigation plan for an automatic Rainbird irrigation system throughout the entire site.

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

Finding: The applicant proposes a drip irrigation system for all new landscape areas, except in the southeast corner of the developed area. There, applicant proposes no irrigation and will water the 24'x3' and 20'x3' planting areas in front of the parking and the planting around the garbage area by hand. No water would be necessary for the 20' x 8' area where only bark dust is proposed.

JF:sjs



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

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## **EXHIBIT 4 - STAFF REPORT**

**DATE:** July 25, 2018  
**TO:** McMinnville Landscape Review Committee  
**FROM:** Jamie Fleckenstein, Associate Planner  
**SUBJECT:** Agenda Item 4C: L 20-18

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### **Report in Brief:**

An application for a landscape plan for a new parking lot and street frontage landscaping (L 20-18) to be reviewed by the Landscape Review Committee.

### **Background:**

The applicant, Ron Rubin, submitted a landscape plan for new parking lot and street frontage landscaping at a commercial building. The subject site is located at 802-826 SE 1<sup>st</sup> Street, and is more specifically described as Tax Lots 1700, 1800, and 1900, Section 21CA, T. 4 S., R. 4 W., W.M.

### **Discussion:**

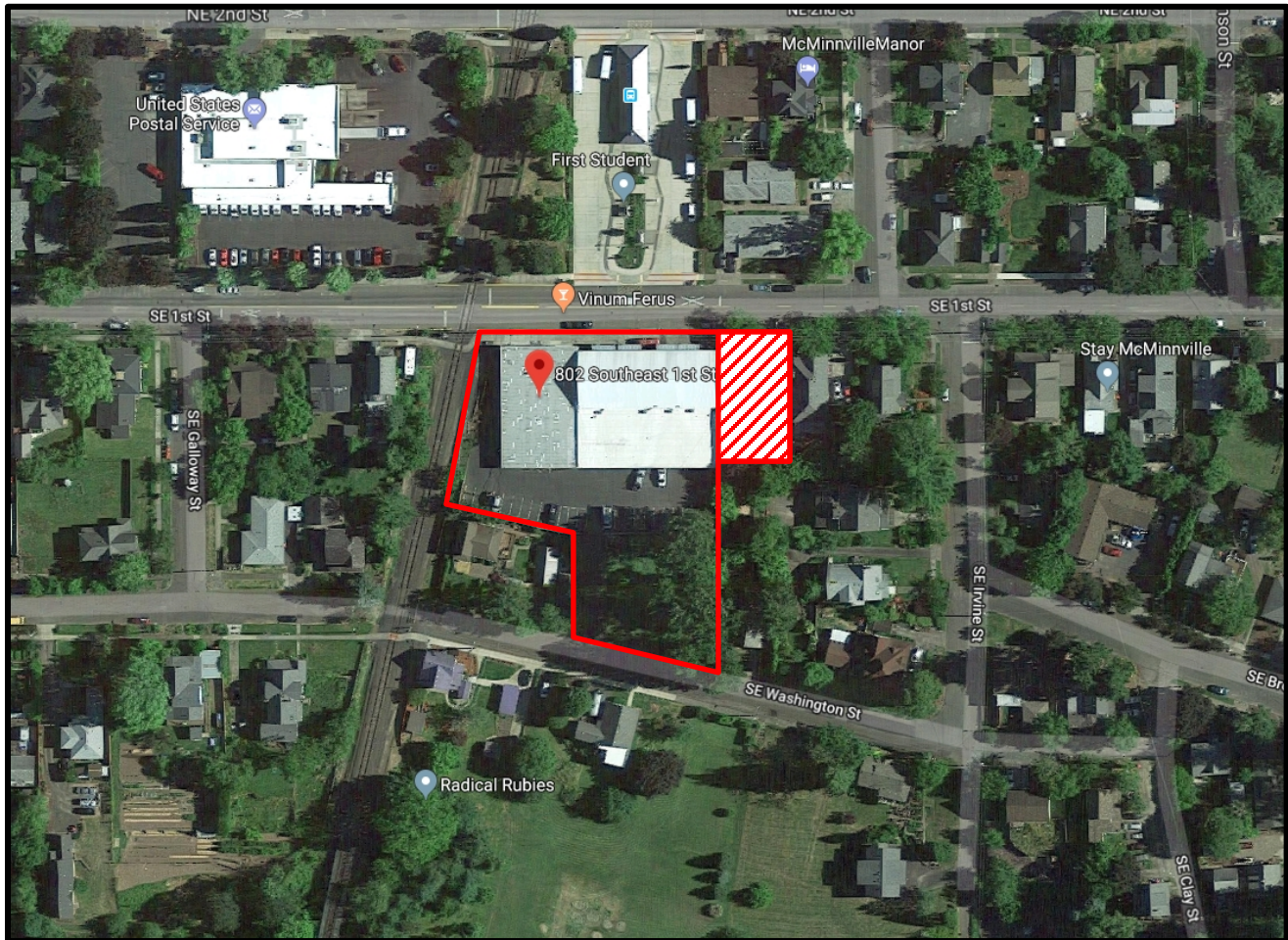
The Bohemian is a large commercial building located on the 800 block of SE 1<sup>st</sup> Street, which has 14 separate commercial spaces. The applicant is proposing landscaping around a new asphalt parking lot to serve the commercial tenants. The applicant is also proposing street frontage landscaping along the SE 1<sup>st</sup> Street right-of-way improvements that were conditions of approval for a zoning variance (VR 1-17). The subject site can be seen below, and a smaller hatched area indicates the location of the proposed parking lot:

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### **Attachments:**

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Parking Lot and Street Frontage Landscaping (L 20-18)*

### Site Reference Map



McMinnville Municipal Code (MMC) 17.57.070(A)(4) (Area Determination – Planning Factors) requires that parking lots providing required parking spaces built in any zone meet the landscaping requirements set forth in MMC 17.57.070(A)(2). MMC 17.57.070(A)(2) requires a minimum of 7 percent of the gross area be landscaped. Lot 1700, where the parking lot is being proposed, is 6,000 square feet. The applicant is proposing 523 square of landscaping, or 8.7 percent.

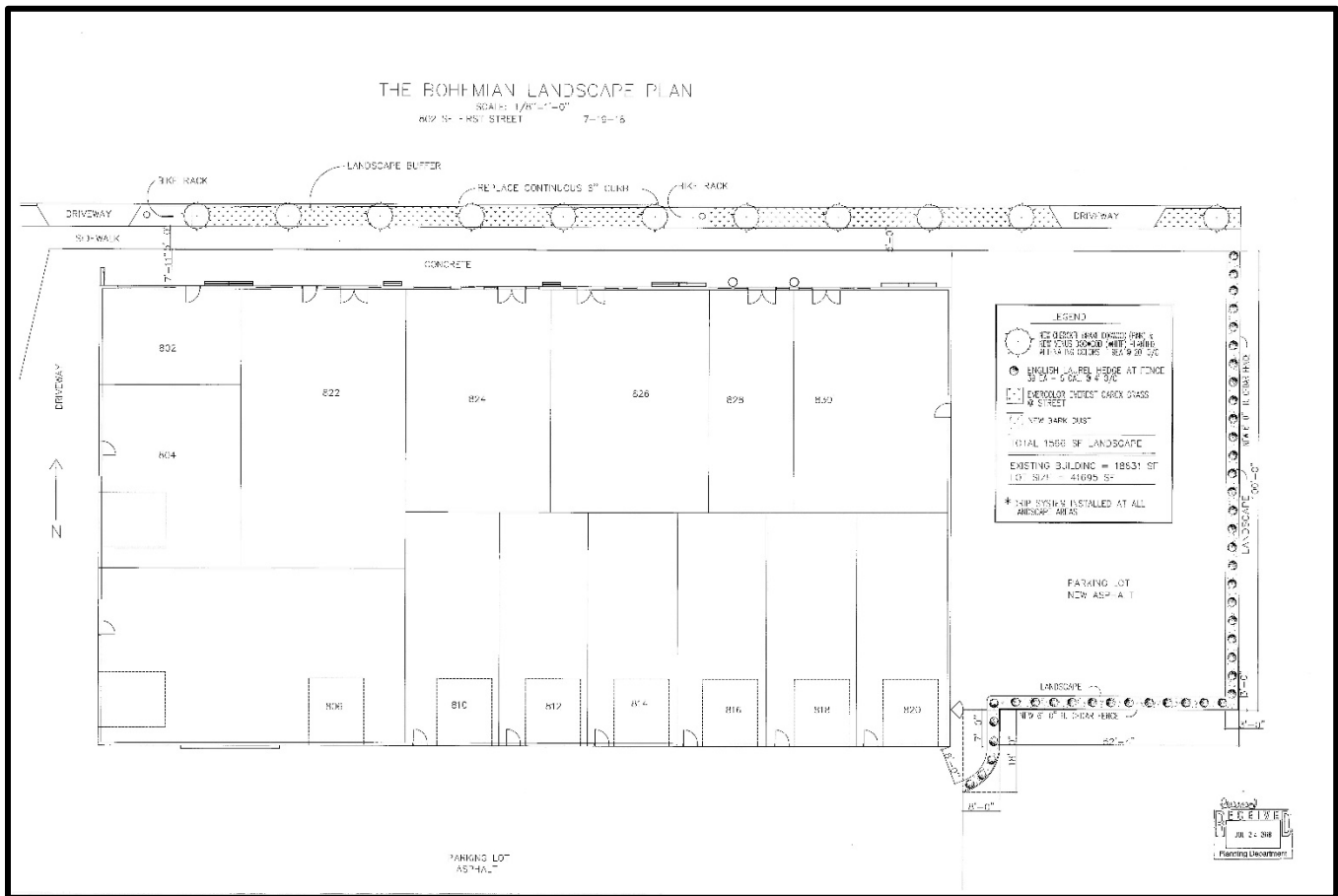
MMC 17.58.080 (Street Tree Planting – When Required) requires street tree planting when a new parking lot fronts on a public roadway with a designated curb-side planting strip. The proposed right-of-way improvements along the SE 1<sup>st</sup> Street frontage on Lots 1700, 1800, and 1900 will include a new 4.5 foot wide planting strip. The landscape plan submitted by the applicant proposes street trees and other planting throughout the new curb-side planting strip.

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**Attachments:**

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Parking Lot and Street Frontage Landscaping (L 20-18)*

The landscaping that is being proposed can be seen below:



In reviewing a landscape plan, MMC Section 17.57.050(B) (Area Determination – Planning Factors) 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 bordered on the west by railroad tracks. Across SE 1<sup>st</sup> Street from the existing commercial building is the transit center, and across from the proposed parking lot is a C-3 zoned property with multi-family residential buildings. Adjacent to the proposed parking lot to the east is a C-3 zoned lot with a single family residence. The south side of Lot 1700 where the parking lot is proposed, abuts an R-4 zoned property with a single family residence.

The landscape plan shows proposes a new 6' height cedar fence with a *Prunus laurocerasus*/English Laurel hedge along the east and south property lines, where the planned parking lot is adjacent to existing single family residences. The applicant indicated to Planning Department Staff that the laurel hedge was suggested by neighbors in the adjacent single family residences who like the screening provided by laurel hedges and have laurels on their properties. English Laurel, when not pruned and maintained as a hedge, will grow to 12 feet tall or more, and 8 feet wide or more. However, if maintained as a narrow hedge as intended by the applicant, this landscape treatment will provide clear separation and screening of the uses on the adjacent lots and maximize space for the intended use of the parking lot development.

**Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Parking Lot and Street Frontage Landscaping (L 20-18)



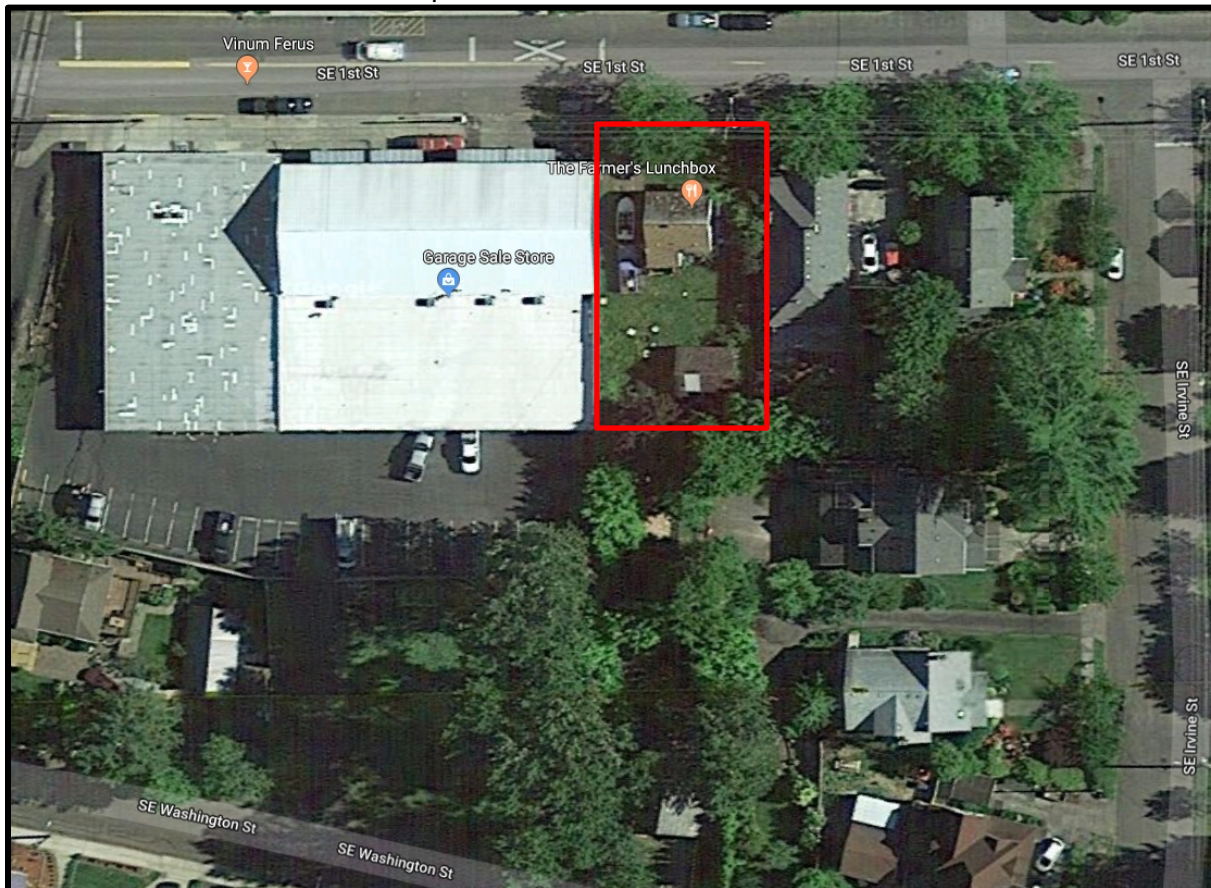
The applicant is currently negotiating to secure access around the southeast corner of the Bohemian building via lease, easement, or other method from the property owner to the south of the proposed parking lot. If successful, the applicant intends to continue the parking lot landscape treatment (cedar fence and laurel hedge) at the perimeter of this area as shown on the landscape plan.

Along SE 1<sup>st</sup> Street, the applicant is proposing street trees in an alternating pattern of *Cornus florida* 'Comco no.1'/Cherokee Brave Dogwood and *Cornus x 'KN30-8'*/Venus Dogwood. Cherokee Brave Dogwoods grow 15 to 30 feet tall by 25 to 35 feet wide and have pink blooms. Venus Dogwoods grow 15 to 20 feet tall and wide with white blooms. Both proposed tree varieties are appropriately sized to accommodate overhead power lines that are located on the south side of SE 1<sup>st</sup> Street. On the ground plane below the street trees, *Carex oshimensis* 'Carfit01'/EverColor Everest Variegated Sedge is being proposed as a groundcover. No spacing or plant size at installation is indicated. This streetscape planting will provide a visual buffer from the transit center across the street and it will match the character of the streetscape planting further east on SE 1<sup>st</sup> Street, where mature street trees and lawn are typical in front of the adjacent single family residences.

The proposed landscape plan will be compatible with the proposed project and the abutting uses.

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 from adjacent single family homes by the proposed fence and landscaping along the south and east property lines of the parking lot. New street trees flanking the parking lot entrance and in front of the existing building will provide a visual buffer and screening from properties across the street. A close up view of this area can be seen below:



**Attachments:**

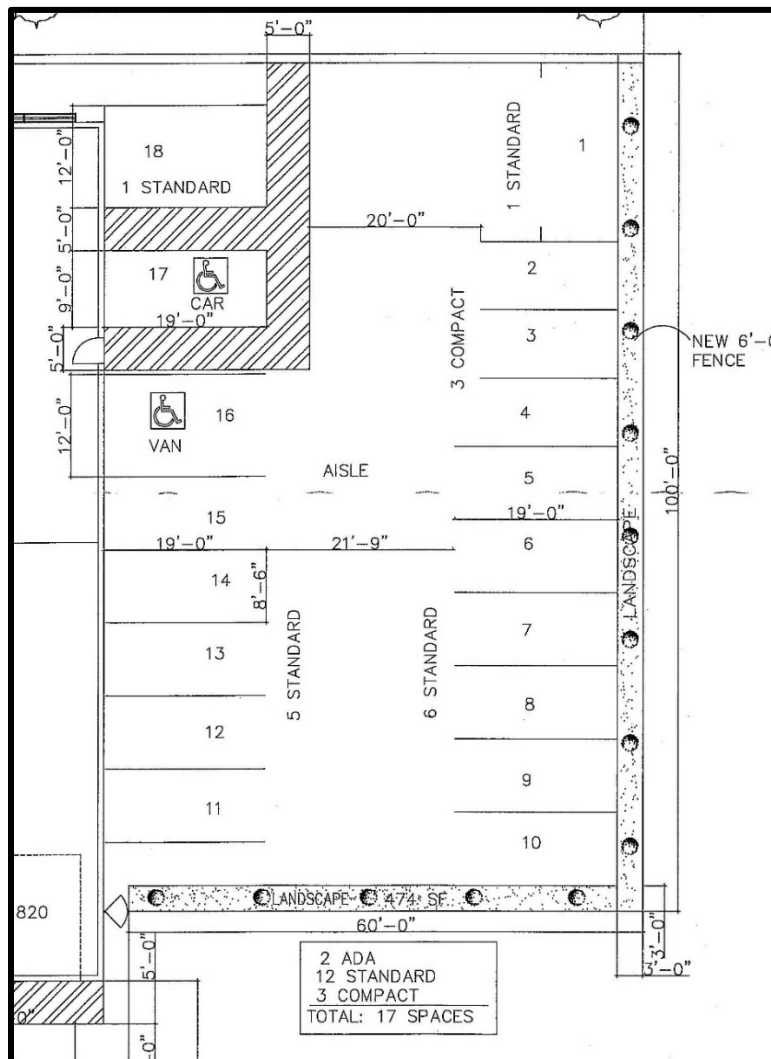
Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Parking Lot and Street Frontage Landscaping (L 20-18)

- 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.

As part of the street front improvements and proposed parking lot, a mature street tree in front of the single family residence to be demolished is to be removed and replaced with new street trees in locations appropriate for vehicular access to the parking lot. It does not appear that any other significant trees or natural areas exist on the lot. The lot appears flat, and existing grade should be able to be preserved, preventing major damage to root zones of trees and vegetation on adjacent properties.

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

Based on the information provided by the applicant, no planting islands are being proposed to break up the parking lot. There are 8 uninterrupted spaces on the west side of the lot, and 10 uninterrupted spaces on the east side of the lot. These numbers of uninterrupted spaces in a parking lot before planting islands are not uncommon. The street trees proposed at the parking lot entry will provide some shade to the parking lot in maturity. The proposed parking layout 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 Landscape Plan for a New Parking Lot and Street Frontage Landscaping (L 20-18)

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.

There are 11 (eleven) street trees being proposed in a new curb-side planting strip along SE 1<sup>st</sup> Street. The trees are varieties of Flowering Dogwood, which is a recommended small tree on the McMinnville Street Tree List. Small trees, such as the proposed Dogwoods, are considered appropriate for planting in a minimum 4 foot wide planting strip and under overhead power lines. The planting strip width is 4.5 feet and overhead power lines run along the south side of SE 1<sup>st</sup> Street. The spacing of the proposed street trees (20 feet on center) will allow a continuous canopy at maturity.

The proposed street trees are suitable and appropriate for the location and circumstances along SE 1<sup>st</sup> Street.

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

The landscape plan indicates that a drip irrigation system will be installed at all landscape areas. Staff is recommending a condition of approval be included to require that adequate watering facilities are provided, and also that all landscaping approved by the Landscape Review Committee be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

**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 above, staff is recommending that the landscape plan be approved with the following conditions:

1. That the applicant shall install landscaping as shown on the landscape plan dated July 19, 2018
2. That the applicant provide the Planning Director the size and spacing of the *Carex oshimensis* 'Carfit01'/EverColor Everest Variegated Sedge proposed for the planting strip prior to installation for approval.
3. That, if the access around the southeast corner of the building is not secured by the applicant as is shown on the landscape plan, the proposed cedar fence and English Laurel Hedge continue to the east side of the existing commercial building.

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**Attachments:**

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Parking Lot and Street Frontage Landscaping (L 20-18)

4. That the *Cornus florida* ‘Comco no.1’/Cherokee Brave Dogwood and *Cornus x* ‘KN30-8’/Venus Dogwood street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.
5. 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.
6. 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).
7. 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.
8. That the applicant is reminded that street 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 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.
10. That all new landscape planters and lawn areas shall have suitable watering facilities or an irrigation system.
11. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
12. 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 20-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.**

JF:sjs

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Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Parking Lot and Street Frontage Landscaping (L 20-18)



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

503-434-7311

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

**DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE  
LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR A NEW  
PARKING LOT AND STREET FRONTAGE PLANTING AT 802-826 SE 1<sup>ST</sup> STREET**

**DOCKET:** L 20-18

**REQUEST:** The applicant requested the approval of a landscape plan for a new parking lot and street frontage landscaping at the Bohemian building. 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 subject property is located at 501 NW 14th Street. The subject site is located at 802-826 SE 1<sup>st</sup> Street, and is more specifically described as Tax Lots 1700, 1800, and 1900, Section 21CA, T. 4 S., R. 4 W., W.M.

**ZONING:** C-3 (General Commercial)

**APPLICANT:** Ron Rubin

**STAFF:** Jamie Fleckenstein, Associate Planner

**DATE DEEMED COMPLETE:** July 25, 2018

**HEARINGS BODY:** McMinnville Landscape Review Committee

**DATE & TIME:** August 15, 2018. Meeting was held at the Police Training Room, 121 SW Adams 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 20-18) **subject to the conditions of approval provided in this document.**

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

Planning Staff: \_\_\_\_\_  
Jamie Fleckenstein, Associate Planner

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

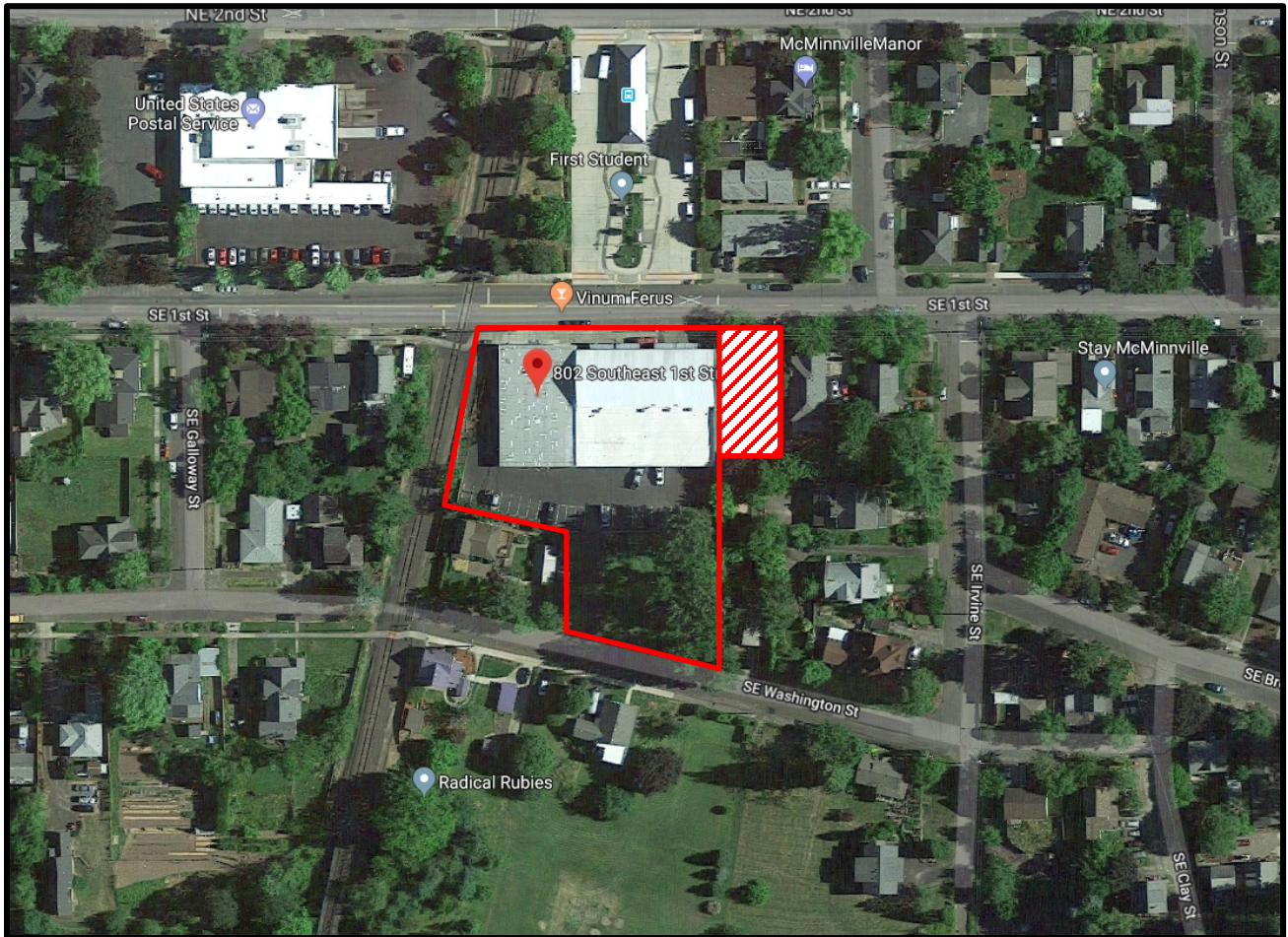
Planning Department:  \_\_\_\_\_  
Heather Richards, Planning Director

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

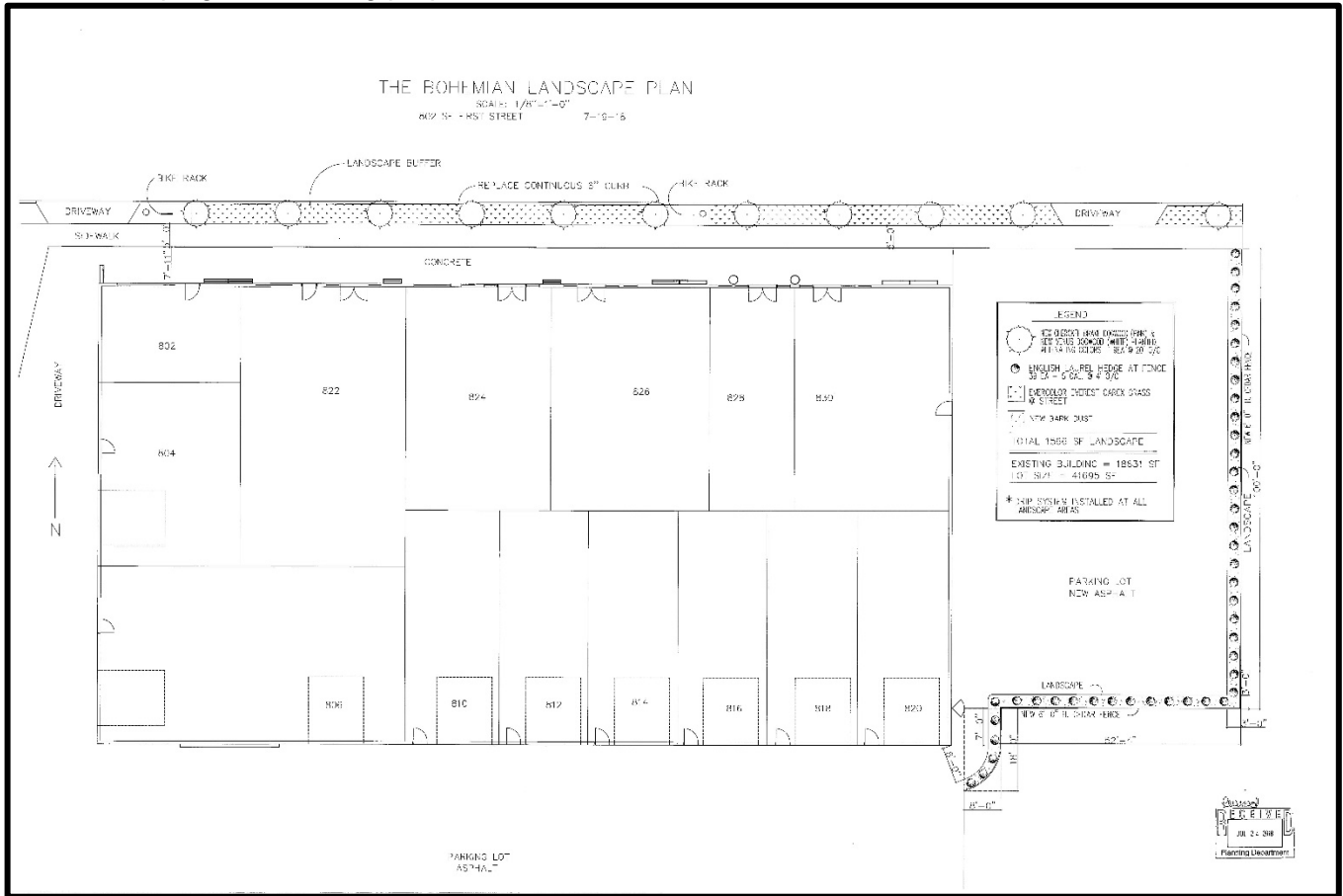
**APPLICATION SUMMARY:**

The applicant requested the approval of a landscape plan for a new parking lot and right-of-way improvements at the Bohemian building. 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 site is outlined in red and the location of the proposed parking lot site can be seen below as a red hatched area:



The landscaping that is being proposed can be seen below:



The proposed landscape plan features street trees (Flowering Dogwood) and ornamental grasses (Variegated Sedge) in the planting strip along SE 1<sup>st</sup> Street. Around the perimeter of the new parking lot, an English Laurel evergreen hedge will provide screening and buffering of the proposed use.

### **CONDITIONS OF APPROVAL:**

L 20-18 is **approved** subject to the following conditions:

1. That the applicant shall install landscaping as shown on the landscape plan dated July 19, 2018
2. That the applicant provide the Planning Director the size and spacing of the *Carex oshimensis* 'Carfit01'/EverColor Everest Variegated Sedge proposed for the planting strip prior to installation for approval.
3. That, if the access around the southeast corner of the building is not secured by the applicant as is shown on the landscape plan, the proposed cedar fence and English Laurel Hedge continue to the east side of the existing commercial building.
4. That the *Cornus florida* 'Comco no.1'/Cherokee Brave Dogwood and *Cornus x 'KN30-8'/Venus* Dogwood street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.

Attachments:

Attachment 1 – Application for Landscape Plan Review



5. 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.
6. 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).
7. 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.
8. That the applicant is reminded that street 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 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.
10. That all new landscape planters and lawn areas shall have suitable watering facilities or an irrigation system.
11. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
12. 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:**

Attachments:

Attachment 1 – Application for Landscape Plan Review

1. Ron Rubin submitted a landscape plan review application for a new parking lot and street frontage landscaping at the Bohemian building. The subject site is located at 802-826 SE 1<sup>st</sup> Street, and is more specifically described as Tax Lots 1700, 1800, and 1900, Section 21CA, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned C-3 (General Commercial), and is designated as Commercial 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. 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 August 15, 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 Planning Commission and/or McMinnville City Council 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.

Attachments:

Attachment 1 – Application for Landscape Plan Review

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 bordered on the west by railroad tracks. Across SE 1<sup>st</sup> Street from the existing commercial building is the transit center, and across from the proposed parking lot is a C-3 zoned property with multi-family residential buildings. Adjacent to the proposed parking lot to the east is a C-3 zoned lot with a single family residence. The south side of Lot 1700 where the parking lot is proposed, abuts an R-4 zoned property with a single family residence.

The landscape plan shows proposes a new 6' height cedar fence with a *Prunus laurocerasus*/English Laurel hedge along the east and south property lines, where the planned parking lot is adjacent to existing single family residences. The applicant indicated to Planning Department Staff that the laurel hedge was suggested by neighbors in the adjacent single family residences who like the screening provided by laurel hedges and have laurels on their properties. English Laurel, when not pruned and maintained as a hedge, will grow to 12 feet tall or more, and 8 feet wide or more. However, if maintained as a narrow hedge as intended by the applicant, this landscape treatment will provide clear separation and screening of the uses on the adjacent lots and maximize space for the intended use of the parking lot development.

The applicant is currently negotiating to secure access around the southeast corner of the Bohemian building via lease, easement, or other method from the property owner to the south of the proposed parking lot. If successful, the applicant intends to continue the parking lot landscape treatment (cedar fence and laurel hedge) at the perimeter of this area as shown on the landscape plan.

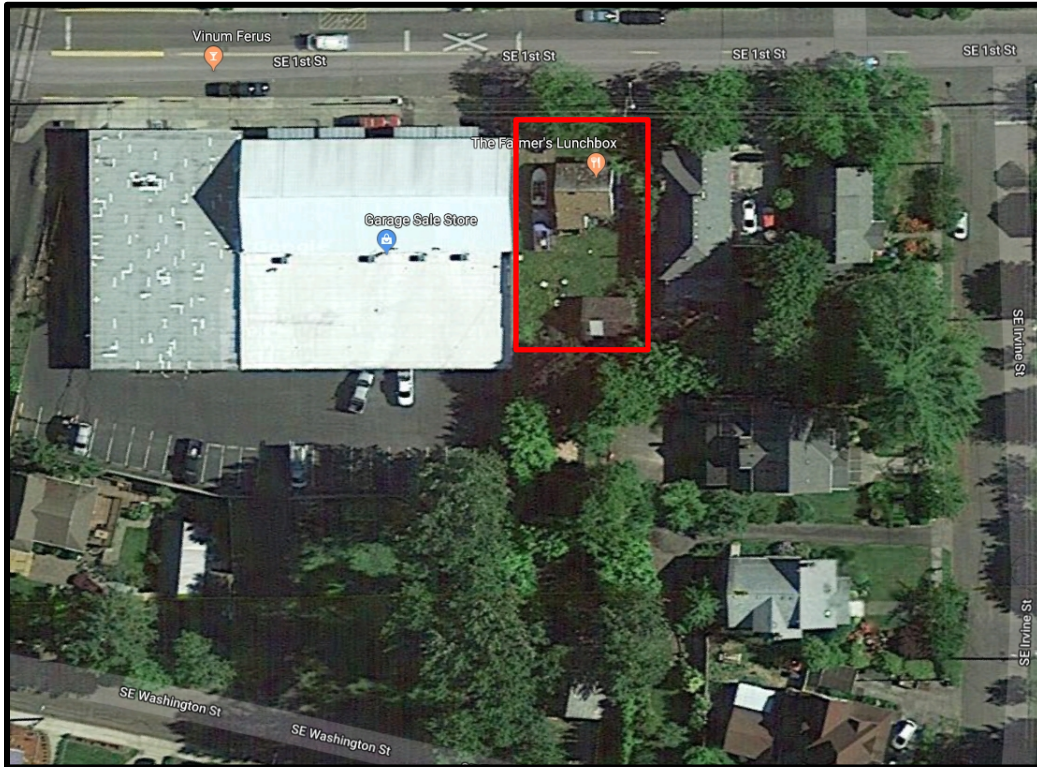
Along SE 1<sup>st</sup> Street, the applicant is proposing street trees in an alternating pattern of *Cornus florida* 'Comco no.1'/Cherokee Brave Dogwood and *Cornus x 'KN30-8'*/Venus Dogwood. Cherokee Brave Dogwoods grow 15 to 30 feet tall by 25 to 35 feet wide and have pink blooms. Venus Dogwoods grow 15 to 20 feet tall and wide with white blooms. Both proposed tree varieties are appropriately sized to accommodate overhead power lines that are located on the south side of SE 1<sup>st</sup> Street. On the ground plane below the street trees, *Carex oshimensis* 'Carfit01'/EverColor Everest Variegated Sedge is being proposed as a groundcover. No spacing or plant size at installation is indicated. This streetscape planting will provide a visual buffer from the transit center across the street and it will match the character of the streetscape planting further east on SE 1<sup>st</sup> Street, where mature street trees and lawn are typical in front of the adjacent single family residences. Therefore, the proposed landscape plan is compatible with the proposed development and that the subject site will compatible with surrounding properties.

Attachments:

Attachment 1 – Application for Landscape Plan Review

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 from adjacent single family homes by the proposed fence and landscaping along the south and east property lines of the parking lot. New street trees flanking the parking lot entrance and in front of the existing building will provide a visual buffer and screening from properties across the street. A close up view of this area can be seen below:



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.

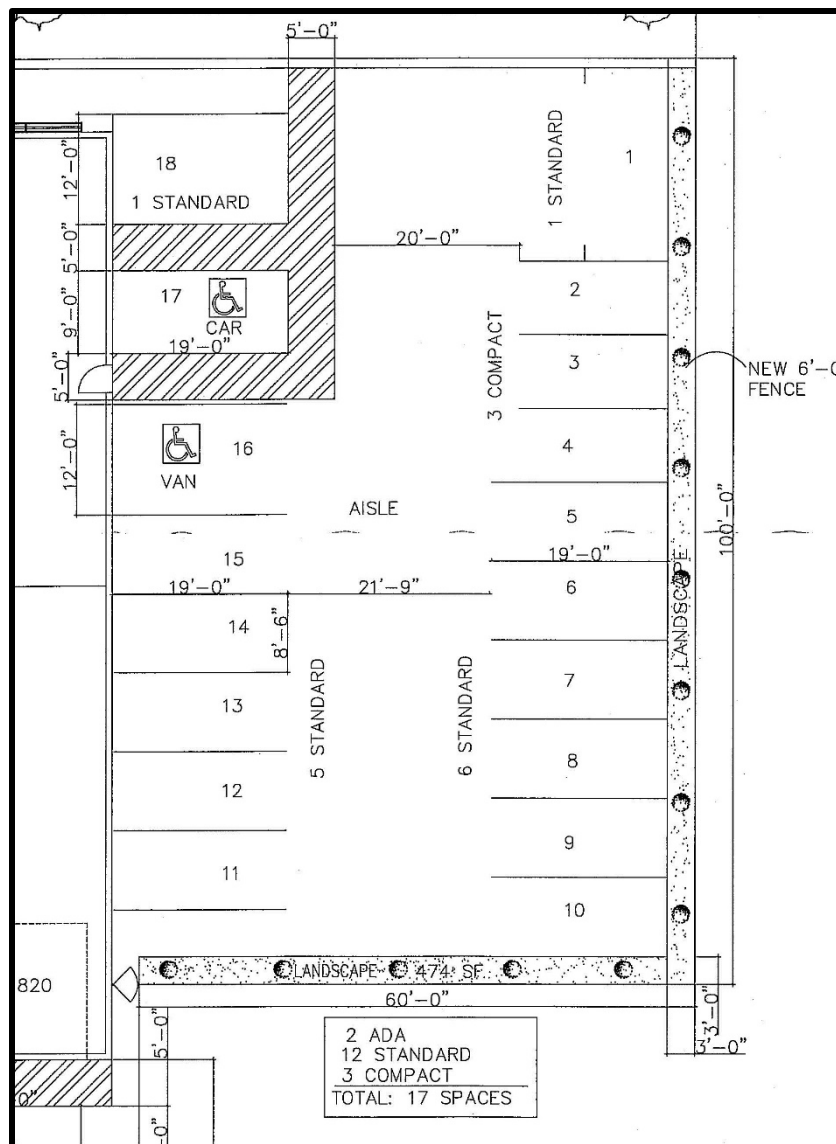
Finding: As part of the street front improvements and proposed parking lot, a mature street tree in front of the single family residence to be demolished is to be removed and replaced with new street trees in locations appropriate for vehicular access to the parking lot. It does not appear that any other significant trees or natural areas exist on the lot. The lot appears flat, and existing grade should be able to be preserved, preventing major damage to root zones of trees and vegetation on adjacent properties.

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

Finding: Based on the information provided by the applicant, no planting islands are being proposed to break up the parking lot. There are 8 uninterrupted spaces on the west side of the lot, and 10 uninterrupted spaces on the east side of the lot. These numbers of uninterrupted spaces in a parking lot before planting islands are not uncommon. The street trees proposed at the parking lot entry will provide some shade to the parking lot in maturity. The proposed parking layout can be seen below:

Attachments:

Attachment 1 – Application for Landscape Plan Review



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: There are 11 (eleven) street trees being proposed in a new curb-side planting strip along SE 1<sup>st</sup> Street. The trees are two (2) varieties of Flowering Dogwood, which is a recommended small tree on the McMinnville Street Tree List. Small trees, such as the proposed Dogwood varieties, are considered appropriate for planting in a minimum 4 foot wide planting strip and under overhead power lines. The planting strip width is 4.5 feet and overhead power lines run along the south side of SE 1<sup>st</sup> Street. The spacing of the proposed street trees (20 feet on center) will allow a continuous canopy at maturity. The proposed street trees are suitable and appropriate for the location and circumstances along SE 1<sup>st</sup> Street.

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

Finding: The landscape plan indicates that a drip irrigation system will be installed at all landscape 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.

JF:sjs



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

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

## **EXHIBIT 5 - STAFF REPORT**

**DATE:** July 24, 2018  
**TO:** McMinnville Landscape Review Committee  
**FROM:** Jamie Fleckenstein, Associate Planner  
**SUBJECT:** Agenda Item 4D: L 21-18

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### **Report in Brief:**

An application for a landscape plan for an addition to a 1 story commercial storage facility (L 21-18) to be reviewed by the Landscape Review Committee.

### **Background:**

The applicant, Ron Davison, submitted a landscape plan review application requesting that existing landscaping on the property satisfy landscaping requirements for new commercial addition to an existing commercial structure. The property is located at 1819 NE Baker Street, and is more specifically described as Tax Lot 11900, Section 17DA, T. 4 S., R. 4 W., W.M.

### **Discussion:**

The property is zoned C-3 (General Commercial). The applicant is proposing a new 4,300 square foot addition to a commercial storage facility to serve as additional warehousing/storage space for goods and materials sold at the winery supply retail store located on the property. The subject site can be seen below, and a smaller hatched area indicates the location of the proposed commercial addition:

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#### *Attachments:*

*Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan for a New Commercial Addition at 1819 NE Baker Street (L 21-18)*

### Site Reference Map



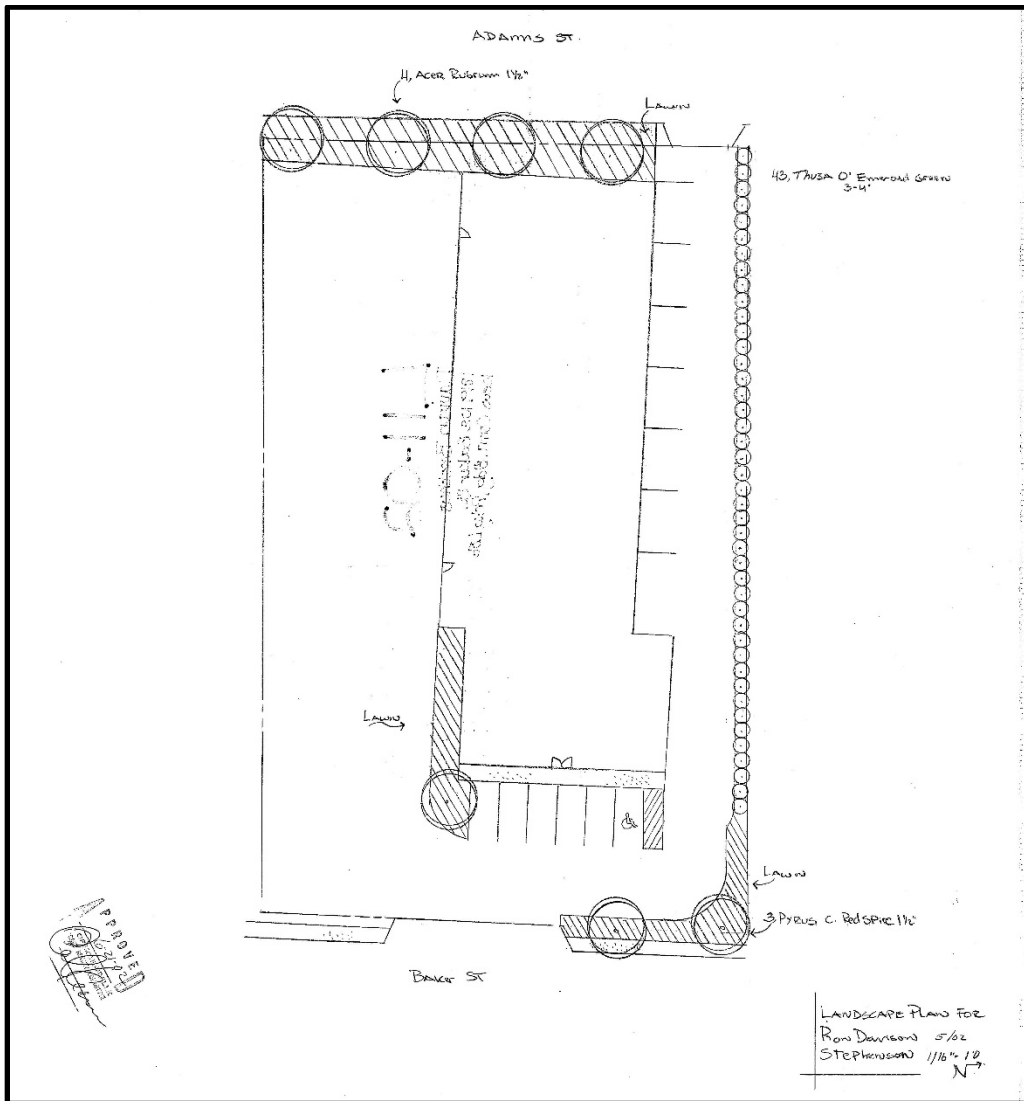
McMinnville Municipal Code (MMC) Section 17.57.070(A)(2) (Area Determination-Planning Factors) requires that at least seven (7) percent of the gross area of commercially zoned lots being developed be landscaped. The application indicates that existing landscaping accounts for 8.4 percent of the gross lot area. The lot area is 0.83 acres, or 36,155 square feet, and landscaping accounts for 3,033 square feet. A landscape plan (docket number L 11-02) meeting this requirement was previously reviewed and approved by the Landscape Review Committee on June 21, 2002.

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The approved plan from docket number L 11-02 can be seen below:



MMC Section 17.57.070(A)(5) (Area Determination-Planning Factors) requires additional landscaping when an addition to or expansion of an existing structure or parking lot results in additional lot coverage. The calculation for additional required landscaping can be seen below:

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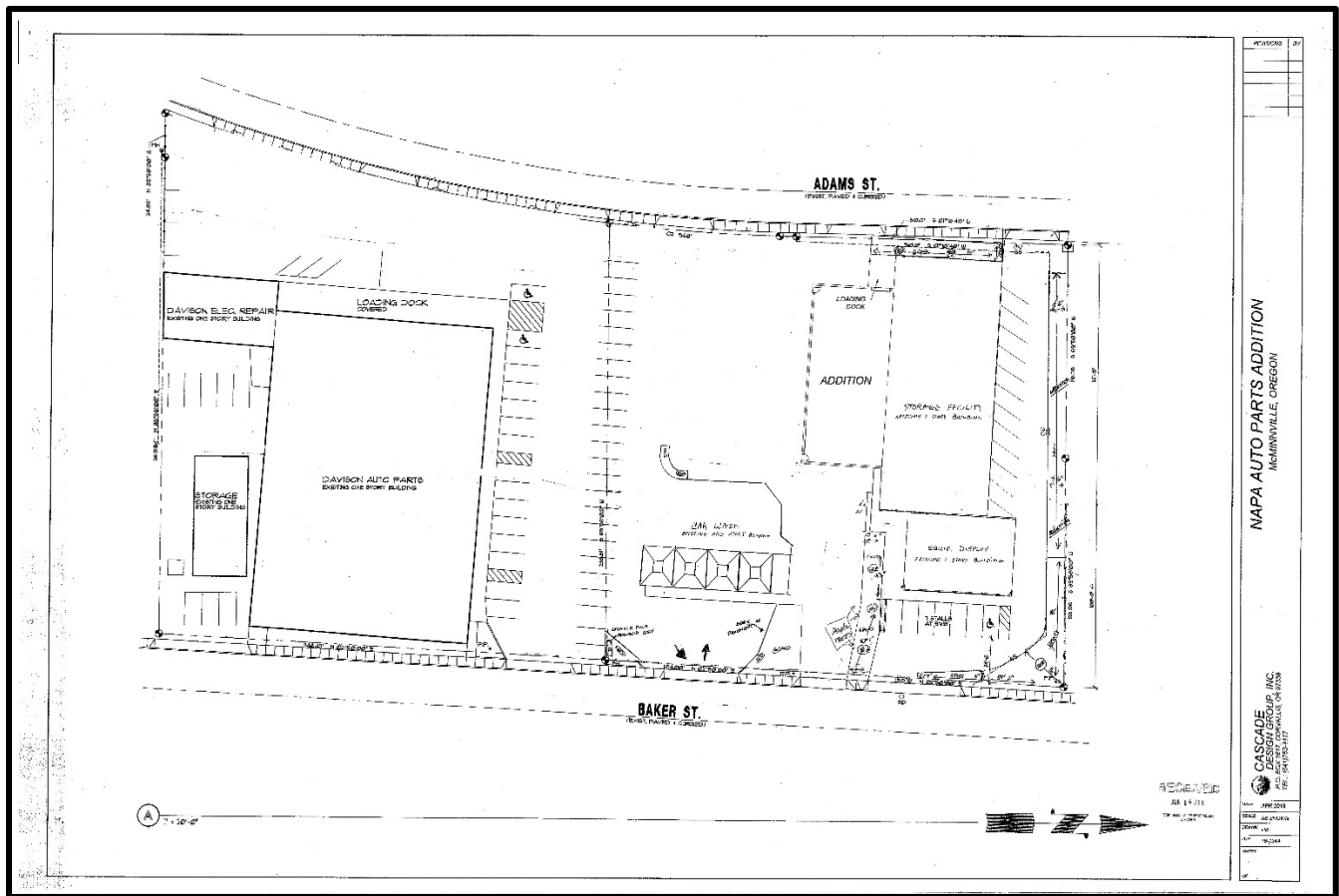
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Address	Zone	Minimum Req'd Landscaping 17.57.070(A)	Gross Lot Area (s.f.)	Building Area (s.f.)						Lot Coverage	Area Determination Formula <sup>1</sup> 17.57.070(A)(5)		
				Structure #1	Structure #2	Standard 8.5x19	Compact 8x16	HC 12x19	Loading Bay 12x35		Not-To-Exceed Area <sup>2</sup> 17.57.070(A)(5)	Required Landscape 17.57.070(A)(5)	
1819 NE Baker Street	C-3	7%	36,155	Existing 8,000	2,580	15	0	1	2	14,071	861	335	335
				Additional 4,300		3	0	0	0	4,785			

<sup>1</sup> [ALC (additional lot coverage)/ELC (existing lot coverage)] x (% required landscaping) x (total lot area)  
<sup>2</sup> ALC (additional lot coverage) x (% required landscaping)

Based on the formula calculation in MMC Section 17.57.070(A)(5) (Area Determination-Planning Factors), 335 square feet of new landscaping is required based on the 4,300 square foot addition to an existing commercial structure and additional parking to meet minimum off street parking and loading requirements. The applicant has not proposed any new landscaping.

The landscape plan showing the existing landscaping that was submitted with the application can be seen below:



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

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

The subject site is bordered on the west by NE Baker Street and on the east by NE Adams Street. To the south are commercially zoned properties under the same ownership as the subject property. Immediately adjacent to the subject site is a self-service car wash and undeveloped gravel area. To the south of the car wash is an auto parts store and its associated parking. Northeast of the subject site is a commercially zoned property with a dry cleaning business, and to the northwest is an R-4 zoned property with a multi-family apartment building. East of the site, across NE Baker Street is a retail store and gas station on commercially zoned lots, and across NE Adams Street to the west of the site are several two-family residential structures on R-3 zoned properties.

As submitted, with no proposed new landscaping, the landscape plan is not compatible with the proposed project and the uses on the site. More information is required to determine if the required landscaping will be compatible with the proposed project and the abutting uses.

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

Based on the information provided in the application, the proposed use will not be adequately screened. No landscape areas are proposed adjacent to the building, or any place nearby that would provide screening. A close up view of this area showing the site's exposure to surrounding properties and right-of-ways can be seen below:

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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 portion of the subject property being developed consists mainly of an empty gravel and asphalt lot. No existing trees, landscape areas, or natural areas exist where the proposed addition would take place.

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

The landscape plan as submitted does not indicate any new parking spaces, and therefore no islands or plantings are proposed. However, it appears that additional parking spaces will be required to meet the minimum requirements for the current and proposed uses on the site.

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.

There are no street trees proposed for the subject site. The portion of the site being developed with the new commercial building is internal to the property at 1819 NE Baker Street.

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

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Since no new landscaping is being proposed, there are no irrigation systems or watering facilities being proposed around the addition to the existing building.

**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 above, staff is recommending that the landscape plan be continued. The continuation of the landscape plan is being recommended so that additional information can be provided to determine whether the landscape review criteria are being satisfied. Specifically, staff suggests that the Landscape Review Committee request the following additional information:

1. Revised Landscape Plan showing proposed new landscaping and watering facilities or irrigation systems to meet the 335 square foot landscaping requirement per the formula calculation in MMC 17.57.070(A)(5).

Suggested Motion:

**THAT BASED ON THE FINDINGS OF FACT, MATERIALS SUBMITTED BY THE APPLICANT, AND THE ADDITIONAL ITEMS REQUIRED TO DETERMINE WHETHER THE LANDSCAPE REVIEW CRITERIA ARE BEING SATISFIED, THE LANDSCAPE REVIEW COMMITTEE CONTINUE L 21-18 ON THE BASIS THAT THE ADDITIONAL INFORMATION BE PROVIDED AS RECOMMENDED BY STAFF.**

JF:sjs

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