

MINUTES

Members Present: Chair Butler; Commissioners Drabkin, Hall, Hillestad, Morgan, Stassens, Thomas, Tiedge

Members Absent: Commissioner Chroust-Masin

Staff Present: Mr. Montgomery, Ms. Haines, Ms. Kindel

1. Approval of Minutes: May 15, 2014

Chair Butler called the meeting to order at 6:30 p.m., and called for action on the Planning Commission minutes from the May 15, 2014, meeting. He listed the names of those Commissioners who had been present at that meeting, and Commissioner Morgan MOVED to APPROVE the minutes as presented; SECONDED by Commissioner Drabkin. Motion PASSED unanimously by all Commissioners present (Commissioner Stassens arrived at 6:32 p.m., which was after the vote.)

2. Public Hearing (Quasi Judicial)

◆ Docket VR 1-14

Request: Approval of an exception to Chapter 17.62 (Signs) of the McMinnville Zoning Ordinance to allow a second free-standing sign measuring approximately 20 feet in height.

Location: 2835 NE Highway 99W, and is more specifically described as Tax Lot 00101, Section 10C, T. 4 S., R. 4 W., W.M.

Applicant: Meyer Sign Company of Oregon

Chair Butler opened the public hearing at 6:34 p.m. There were no disclosures, abstentions, or objections to jurisdiction, and he requested the staff report.

Mr. Montgomery noted for the record that the Commissioners had been provided with a revised sign design submitted by the applicants, which was more consistent with the sign standards detailed in the staff report. He stated that the staff report had responded to the applicant's submittal in detail, and that staff had recommended denial of the request. The applicant had been provided a copy of the staff report and had been advised of the recommendation for denial, he said. He advised Commissioner Morgan that the existing sign met the current sign standards.

Chair Butler called for the applicant's testimony.

Frank Moore introduced Tony McCormick, and said they were with Meyers Sign Company of Oregon and represented Porter's Market/Texaco/Pacific Pride commercial fueling station located on the subject site. Mr. Moore explained that their application request was for a variance to the sign standards in order to be allowed to place a second sign at the facility, which was located on a very large piece of property. He shared some approximate dimensions of the site and discussed some of the visibility issues for approaching 18-wheeled trucks attempting to locate the business before passing by. He stated that the facility was simply not visible due to the size of the property. Therefore, they wanted to retain the existing Texaco sign, which he said was required by the State of Oregon in order to post pricing, and add a new sign to help identify the Texaco and the Porter's Market, approximately 300 feet to the west along Highway 99W. He pointed out that they had modified their original proposed sign and reduced both the overall square footage and height in order to comply with minimum distance requirements from the existing overhead communications conductor. He acknowledged that the revised sign would still be noncompliant; however, he said it came closer to meeting the sign code standards. He drew attention to a statement in his submittal, and reiterated that they were not seeking to gain a competitive advantage over other nearby facilities with an additional sign; rather, they simply needed to help prospective customers identify and locate the facility, which was not visible to passing motorists.

Commissioner Stassens asked whether the applicants had considered installing a sign that was in compliance with the sign standards, in order to accomplish the same thing.

Mr. Moore said they had not done so.

Discussion ensued with regard to a row of street trees that bordered the subject site, and whether they would block visibility of the proposed sign, whether they had discussed removal of the trees, and whether they would be allowed to remove the trees, if they wished to do so. There was further discussion about visibility of the proposed sign in general, depending on which direction a vehicle was traveling, and available routes to access the subject site if a truck needed to turn around because a driver failed to see the sign before passing by.

Additional discussion ensued with regard to mathematical errors in the applicant's submittal related to the square footage of the proposed sign; and why the applicants had not redesigned the proposed sign to meet the allowable sign standards.

Mr. Moore explained that they had revised the original sign specifically to address safety issues. They had not altered their request to meet city standards, he said; which was the reason they had submitted a variance request.

Mr. Montgomery reminded the Planning Commissioners that, although the revised sign design came closer to meeting the standards, the issue was not about the sign itself. He stated that consideration should be given to the criteria and whether there was anything unique or extraordinary about the subject site that would require a second sign; irrespective of the sign size or location. Further, he said that a second sign would be permitted on the subject site, but it would be limited to a ground-mount style, up to 48 square feet in size, and up to six feet tall. In response to questions from Commissioner Tiedge, he explained that the number of signs allowed would not change if the subject site was subdivided into multiple parcels if the individual parcels remained under a single ownership.

There was no proponent testimony, and Chair Butler called for opponent testimony.

Susan Pynn, said she lived on Michelbook Lane, and had lived in McMinnville for 20 years. She stated that she had lived in other states, but had moved here to retire, and considered the state and the community to be beautiful. She said she was against signs, and thought the applicants could serve their purpose with a small sign to advertise the business. She said this was a wonderful community and she did not want to see it camouflaged with signs. Ms. Pynn said she hoped the Commissioners would deny the applicant's request.

There was no further testimony, and Chair Butler called for the public agency report.

Mr. Montgomery said the public agency comments had been included in the staff report.

The applicants waived the seven-day time period allowed for submission of final written arguments in support of the application, and Chair Butler closed the public hearing at 7:04 p.m.

All Commissioners present were in agreement with staff's opinion that the applicants had failed to meet the criteria for approval of a variance to the sign standards, and Commissioner Stassens MOVED, based on the findings of fact, the findings for denial, the testimony, and the material submitted by the applicant, to DENY VR 1-14; SECONDED by Commissioner Hillestad. Motion PASSED unanimously.

3. Old/New Business

- ◆ Request to schedule work session for purposes of discussing possible amendments to vacation rental and bed and breakfast review process.

Chair Butler said that there had been a request from one of the Commissioners to schedule a work session to discuss possible amendments to the review process for vacation home rental and bed and breakfast applications.

Commissioner Hall asked why the request was made, and who made it.

Commissioner Drabkin explained that she had made the request because the topic had been brought up previously by the Chair. The ensuing discussion amongst the Commissioners, which happened to follow a hearing for a vacation home rental, she said, was emotional and did not include all of the information they might need to make a decision on the matter. She said staff had informed them that the application fee did not cover the City's costs, and Commissioners had noted that the fee posed a hardship for people. She stated that, if it was possible to have a more efficient and cost-effective way for McMinnville's citizens to submit applications, they should discuss it. Further, she pointed out that the vacation rentals had been an emotional topic for the Planning Commissioners; however, there was a clear set of approval criteria, and if that remained the same, she believed there should be an efficient process for dealing with the applications.

Chair Butler said a work session would allow an opportunity for staff to provide information relative to possible options in order to facilitate an informed, intelligent discussion rather than one that was emotional and “off-the-cuff. “ Therefore, he said he was in favor of having a work session on the topic.

Mr. Montgomery explained that the work session would give the Commissioners time to consider material provided to them in advance of the meeting, so they could discuss it and, ultimately, decide whether they wished to make a recommendation to amend the zoning ordinance. If such a recommendation was the outcome of the work session discussion, he said they would then direct staff to schedule a public hearing on the matter; which would be advertised and public comment elicited beforehand.

Following discussion about vacation rentals, the application process and associated fees, Chair Butler affirmed there was a consensus of the Planning Commissioners to direct staff to schedule a work session for the purpose of discussing the review process for vacation home rentals and bed and breakfast establishments. He noted that they did not want to evaluate the application fee structure at the work session.

Mr. Montgomery said staff would produce a map that depicted the location of the facilities that had been approved, to-date, for their review.

4. Adjournment

Commissioner Hall MOVED to adjourn the meeting; SECONDED by Commissioner Morgan. Motion PASSED unanimously.

Chair Butler adjourned the meeting at 7:23 p.m.

Doug Montgomery
Secretary