



PLANNING DEPARTMENT, 231 NE Fifth Street, McMinnville, Oregon 97128
www.mcminnvilleoregon.gov

PUBLIC HEARING NOTICE
PLANNING COMMISSION REVIEW OF A
ZONE CHANGE REQUEST & CONDITIONAL USE PERMIT
1945 NW 2nd STREET (TAX LOT R4419AD01500)

NOTICE IS HEREBY GIVEN that applications for a zone change and a conditional use permit have been submitted to the McMinnville Planning Department. The purpose of this notice is to provide an opportunity for surrounding property owners to submit comments regarding these applications or to attend the public meeting of the Planning Commission where this request will be reviewed and a public hearing will be held. Please contact Jamie Fleckenstein with any questions at 503-474-4153, or jamie.fleckenstein@mcminnvilleoregon.gov.

DOCKET NUMBER: ZC 4-19 (Zone Change), CU 4-19 (Conditional Use Permit)

REQUEST: Approval to rezone the property from R-1 (Single-Family Residential) to R-4 (Multiple-Family Residential), and approval of a conditional use permit to allow for development of a dental clinic.

APPLICANT: Doug Egan of MD Builders, Inc., on behalf of Melinda Judd, property owner

SITE LOCATION(S): 1945 NW 2nd Street (see attached map)

MAP & TAX LOT(S): R4419AD01500

ZONE(S): Existing: R-1 (Single-Family Residential)
Proposed: R-4 (Multiple-Family Residential)

MMC REQUIREMENTS: Zone Change: McMinnville Municipal Code (MMC) Section 17.74.020; Conditional Use Permit: MMC Section 17.74.030, MMC Chapter 17.21 (R-4 Multiple-Family Residential Zone), Comprehensive Plan Goals and Policies (see reverse side for specific review criteria)

NOTICE DATE: November 27, 2019

PUBLIC HEARING DATE: December 19, 2019 at 5:30 P.M.

HEARING LOCATION: McMinnville Civic Hall Building
200 NE 2nd Street, McMinnville, OR, 97128

Proceedings: A staff report will be provided at least seven days before the public hearing. The Planning Commission will conduct a public hearing, take testimony, and then make a decision to either recommend approval of the application to the McMinnville City Council or deny the application.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, and to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission and City Council in making a decision. Should you wish to

submit comments or testimony on this application prior to the public meeting, please call the Planning Department office at (503) 434-7311, forward them by mail to 231 NE 5th Street, McMinnville, OR 97128, or by email to jamie.fleckenstein@mcminnvilleoregon.gov.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5th Street, McMinnville, Oregon during working hours and on the Planning Department's portion of the City of McMinnville webpage at www.mcminnvilleoregon.gov.

Appeal: Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity precludes appeal to the Land Use Board of Appeals (LUBA) on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the Commission to respond to the issue precludes an action for damages in circuit court.

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.

REVIEW CRITERIA:

For Zone Change:

MMC, Section 17.74.020: Comprehensive Plan Map Amendment and Zone Change - Review Criteria:

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

- A. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan;
- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;
- C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.

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

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

For Conditional Use Permit:

MMC Section 17.74.030: Authorization to Grant or Deny Conditional Use:

A conditional use listed in this ordinance shall be permitted, altered or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, a change in the use or in lot area, or an alteration of any structure shall conform to the requirements for conditional uses. In judging whether or not a conditional use proposal shall be approved or denied, the planning commission shall weigh its appropriateness and

desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

- A. The proposal will be consistent with the comprehensive plan and the objectives of the zoning ordinance and other applicable policies of the city;
- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;
- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;
- E. The proposal will preserve environmental assets of particular interest to the community;
- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

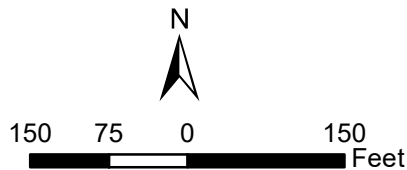
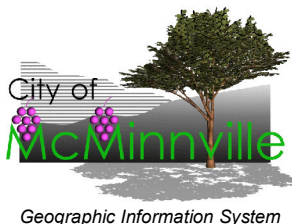
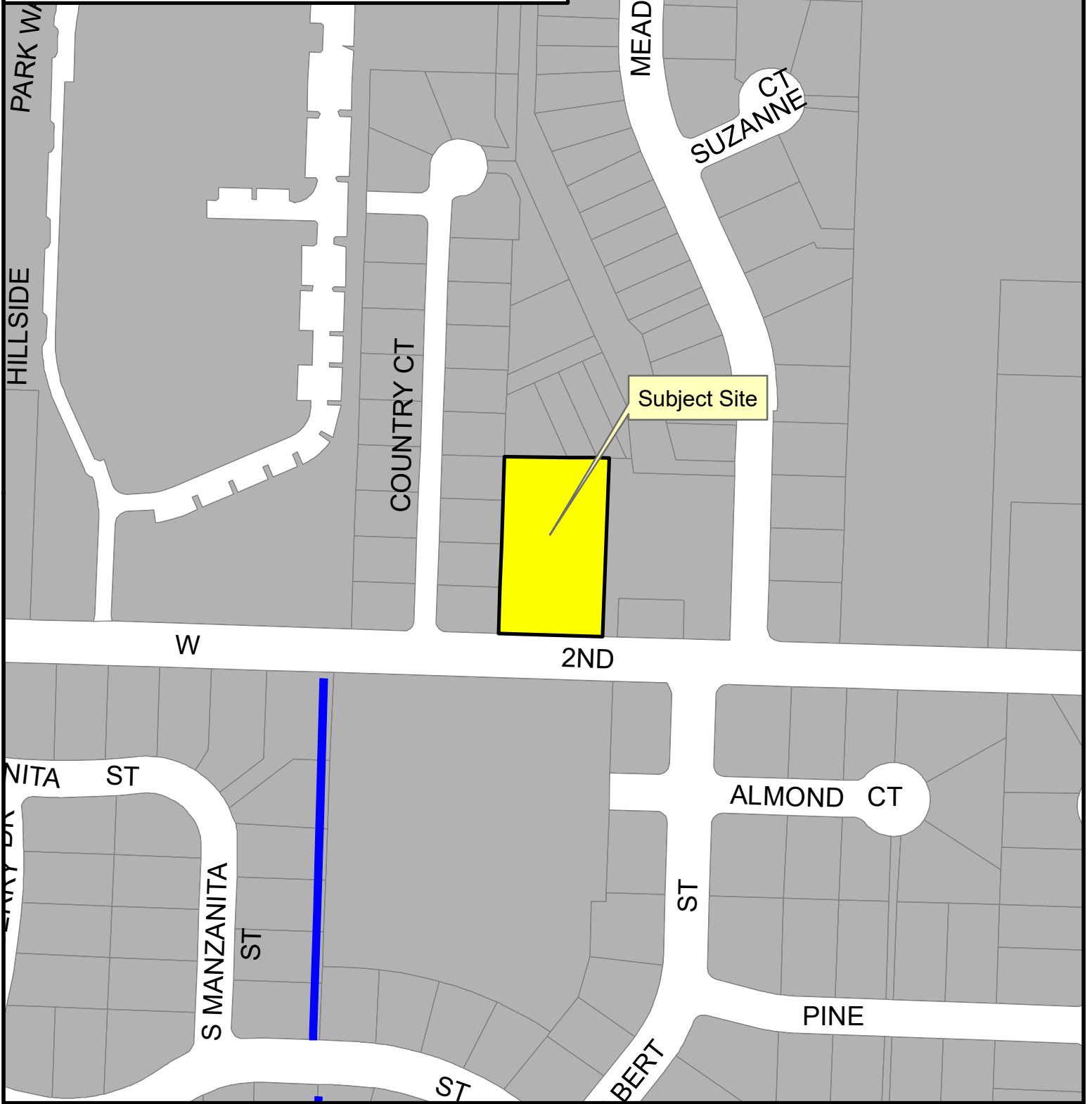
MMC Chapter 17.21 (R-4 Multiple-Family Residential Zone):

All applicable criteria in Chapter 17.21 apply to this request.

Comprehensive Plan Goals and Policies:

All applicable goals and policies apply to this request.

Vicinity Map



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