



PLANNING DEPARTMENT, 231 NE Fifth Street, McMinnville, Oregon 97128  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

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**PUBLIC HEARING NOTICE  
PLANNING COMMISSION REVIEW OF A  
CONDITIONAL USE PERMIT  
855 NE MASRH LN.**

NOTICE IS HEREBY GIVEN that an application for a conditional use permit has 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 the application 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 Tom Schauer with any questions at 503-474-5108, or [tom.schauer@mcminnvilleoregon.gov](mailto:tom.schauer@mcminnvilleoregon.gov).

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**DOCKET NUMBER:** CU 2-20 (Conditional Use Permit)

**REQUEST:** Request for approval of a conditional use permit to allow for the construction and operation of a fueling station facility, primarily for fueling McMinnville Water & Light fleet vehicles, also providing at least mutual aid (emergency use) for City of McMinnville fleet vehicles. The proposed facility will have access via Marsh Lane, and will occupy approximately one-half acre of the property. The proposed facility is comprised of two above-ground tanks and a card lock fueling pump kiosk under a permanent canopy. The applicant is requesting approval of two options which differ in access and fencing configuration, but are otherwise the same proposed facilities in the same location.

**APPLICANT:** City of McMinnville, acting by and through its Water and Light Commission (McMinnville Water and Light), c/o Samuel R. Justice, General Counsel

**SITE LOCATION(S):** 855 NE Marsh Ln. (see attached map)

**MAP & TAX LOT(S):** R4421 00100

**ZONE(S):** M-1 (Light Industrial)

**MMC REQUIREMENTS:** McMinnville Municipal Code (MMC) Section 17.74.030 (see reverse side for specific review criteria)

**NOTICE DATE:** July 31, 2020

**PUBLIC HEARING DATE:** August 20, 2020 at 6:30 P.M.

**HEARING LOCATION:** Zoom Online Meeting:  
<https://mcminnvilleoregon.zoom.us/j/96993146808?pwd=WUdQRzRjWkdscDVKNUJkaFhxbFBzdz09>  
Meeting ID: 969 9314 6808  
Passcode: 921023  
(See below for more detailed instructions on how to join Zoom meeting)

**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 approve or deny the application.

Persons are hereby invited to attend (via Zoom – please see instructions below) the McMinnville Planning Commission hearing to observe the proceedings, and to register any statements in person (via Zoom – please see instructions below), by attorney, or by mail to assist the McMinnville Planning Commission 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 5<sup>th</sup> Street, McMinnville, OR 97128, or by email to [tom.schauer@mcminnvilleoregon.gov](mailto:tom.schauer@mcminnvilleoregon.gov).

The decision-making criteria, application, and records concerning this matter are available on the Planning Department's portion of the City of McMinnville webpage at [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov). The materials can also be made available at the McMinnville Planning Department office at 231 NE 5<sup>th</sup> Street, McMinnville, Oregon. However, due to the COVID-19 public health emergency, the Planning Department office is closed to walk-in customers. If you cannot access the materials electronically, please call the Planning Department at (503) 434-7311 to request a copy of the materials, and staff will assist in making the materials available physically by appointment and in a manner that meets social distancing requirements.

**Appeal:** Failure to raise an issue in person (via Zoom – please see instructions below) 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.

**Invitation to Zoom Meeting:** The public is invited and welcome to attend the Planning Commission meeting. Due to the COVID-19 public health emergency and in accordance with Governor Kate Brown's Executive Order, the Planning Commission meeting is being held virtually through the Zoom meeting software to avoid gatherings and allow for social distancing. The Planning Department encourages those that are interested in participating and have access to technology to access the Zoom meeting online or through the call in options (see below for details).

The public may join the Zoom meeting online here:

<https://mcminnvilleoregon.zoom.us/j/96993146808?pwd=WUdQRzRjWkdscDVKNUJKaFhxbFBzdz09>

Meeting ID: 969 9314 6808  
Passcode: 921023

The public may also join the Zoom meeting by phone by following the instructions below:

+1 669 900 9128 US (San Jose)  
Meeting ID: 942 3599 8716

If you do not have access to a telephone or computer to participate in the meeting, a conference room with access to a computer to participate in the Zoom Online Meeting can be provided at the Community Development Center at 231 NE 5<sup>th</sup> Street, McMinnville, OR 97128. Please call the Planning Department at (503) 434-7311 at least 24 hours in advance of the meeting for assistance. Participation in the conference room will be limited to accommodate social distancing guidelines and will be provided on a first-come, first-served basis.

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:**

### **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:

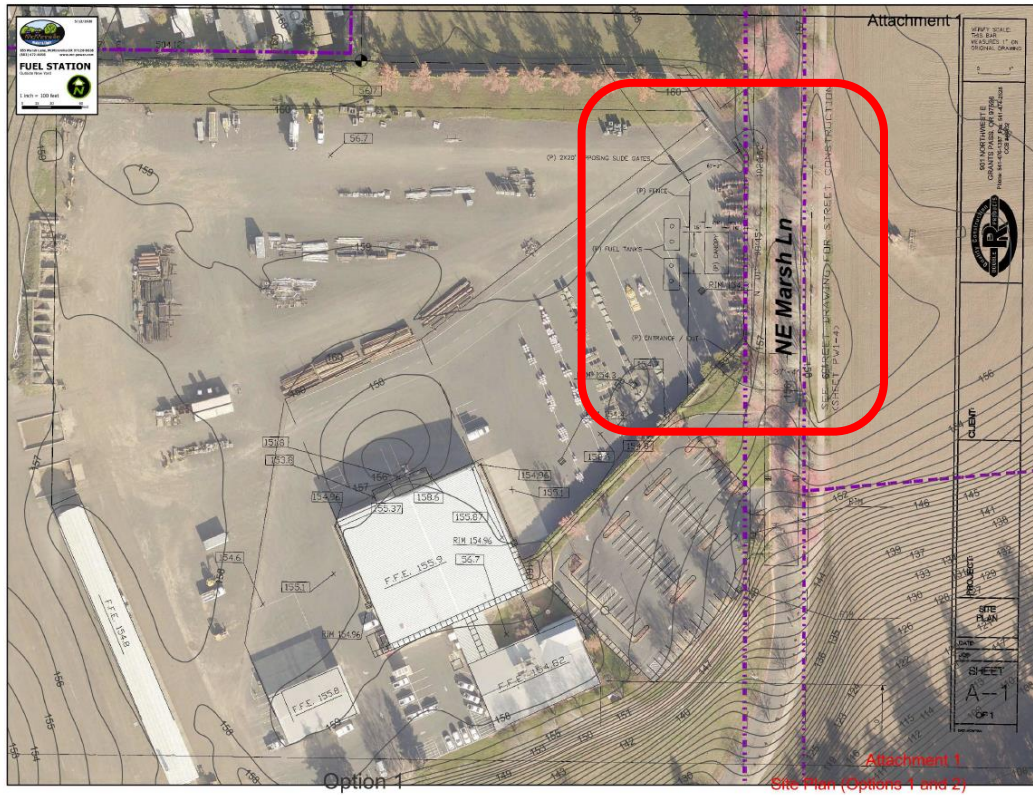
- A. The proposal will be consistent with the comprehensive plan and the objectives of the zoning ordinance and other applicable policies of the city;
- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with 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.

### **Comprehensive Plan Goals and Policies:**

All applicable goals and policies apply to this request.

# SITE PLAN OF PROPOSED FUELING STATION:

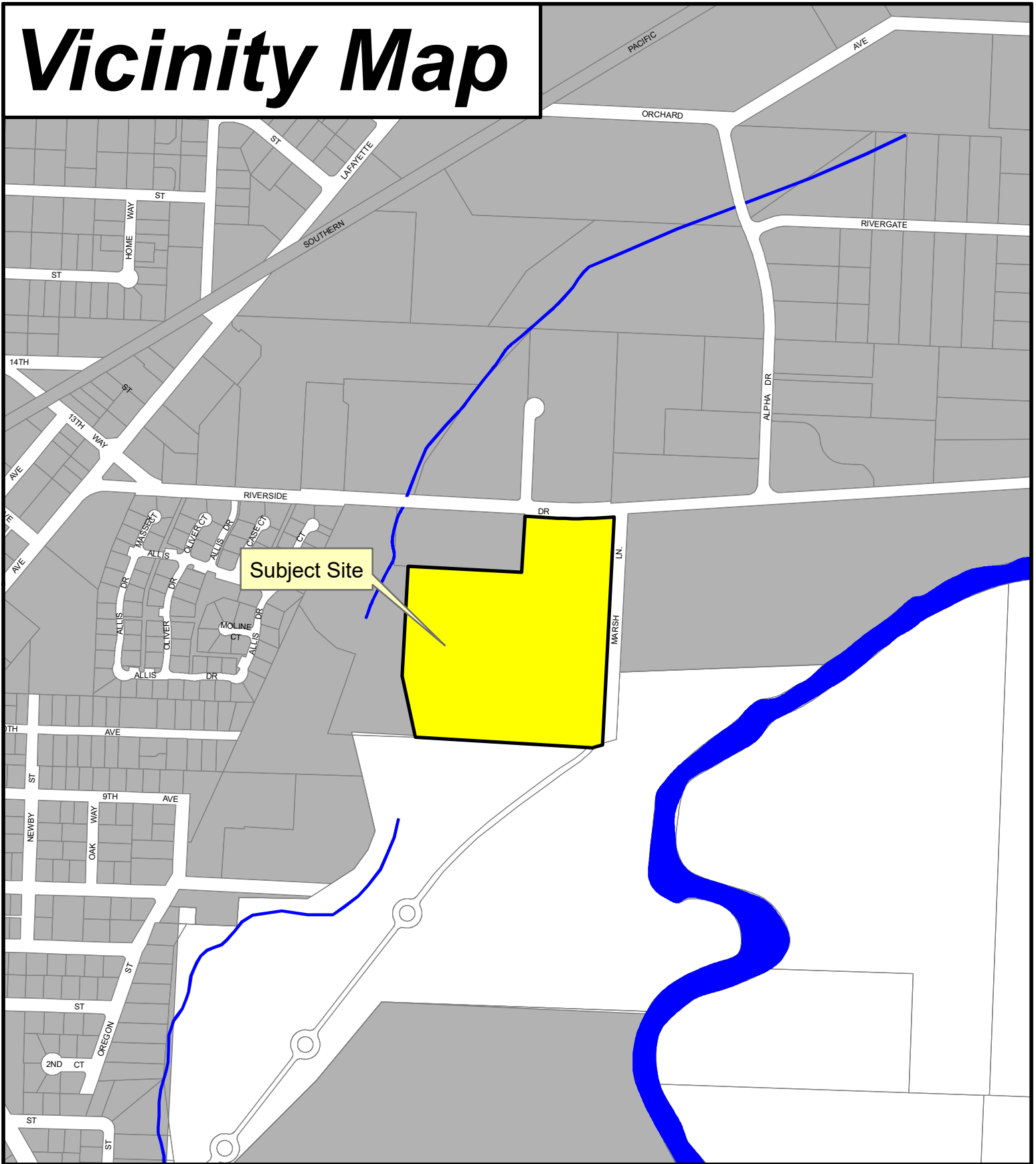
## Option 1:



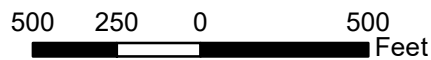
## Option 2:



# Vicinity Map



Geographic Information System



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