



City of McMinnville
Planning Department
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EXHIBIT 4 - STAFF REPORT

DATE: December 16, 2021
TO: Planning Commission Members
FROM: Heather Richards, Planning Director
SUBJECT: PUBLIC HEARING: ZC 1-21 (Zoning Change)

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.



ECONOMIC PROSPERITY

Provide economic opportunity for all residents through sustainable growth across a balanced array of traditional and innovative industry sectors.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This proceeding is a quasi-judicial public hearing of the Planning Commission to consider a Zoning Change (ZC 1-21), to rezone the subject property from O-R (Office Residential) to C-3 (General Commercial). This application is expanding the existing C-3 zone one property to the north.

Planning Commission is to take all public testimony and make a recommendation to the City Council.

Background:

The subject property and property to the north are zoned O-R. Properties to the south and west are zoned C-3, and property to the east is zoned R-4. The underlying comprehensive map designation is commercial. Predominant surrounding uses are a mix of commercial and residential. The subject property is developed with a single-family residence and accessory structures, as shown in the aerial photo. Curb, gutter, and sidewalk are present along the property frontage on SE Baker Street.

The request would rezone the property from O-R to C-3 to allow for a wide range of commercial uses. The property is developed with an existing historic building that has recently gone through extensive renovations. The owner is requesting to use the property for lodging which would be allowed in the C-3 zone.

Attachments:
ZC 1-21 Decision Document

Discussion

Summary of Criteria for ZC 1-21

In accordance with Section 17.74.020, the Planning Director, required materials to demonstrate compliance with the following three criteria:

1. The proposed change is consistent with the relevant goals and policies of the McMinnville Comprehensive Plan and this code.
2. 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.
3. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.

In addition, the existing development, if it is to remain, should meet the standards of the new zone. Below is a table summarizing the application’s compliance with the criteria of the C3, General Commercial Zone.

The Decision Document for the land-use application has the detailed analysis and findings for this compliance:

Section 17.33.010	Permitted Uses	Lodging and Short Term Rentals are both permitted uses in the C-3 zone.
Section 17.33.010(B)	Yard Requirements: Rear yard shall not be less than twenty feet when adjacent to a residential zone.	Per the site plan illustrated as Exhibit 4, the rear yard setback which is adjacent to a residential zone is thirty-four feet.
Section 17.33.040	Building Height, buildings shall not exceed a building height of eighty feet.	The building does not exceed a height of eighty feet.
Section 17.33.050,	Use limitations, screening outside storage.	There is no outside storage on the site.
Section 17.60.060.C.13	One off-street parking space is required for each guest room.	The site has paved parking for six off-street parking spaces.

Analysis of Land-Use Request

The Property is located directly on Hwy 99W in a corridor of properties on both sides of the highway that are designated commercial by the comprehensive plan. Most of the properties within this corridor are zoned C-3. This proposal to expand the C-3 zoning to the north will allow this property a more robust allowance of commercial uses under the C-3 zone that are appropriate on the Highway 99W corridor. The property is already designated commercial under the Comprehensive plan. The change to C-3 will just allow this property the additional flexibility of commercial uses thus encouraging the continued growth and diversification opportunities in McMinnville.

Public Comments

Notice of the proposed applications was mailed to property owners and published in the newspaper. As of the date of this Staff Report, no public comments were received.

Agency Comments

Notice of the proposed applications was sent to affected agencies and departments. Agency comments were received from the McMinnville Building, McMinnville Water and Light, and Oregon Department of Transportation. No other comments were received.

Fiscal Impact:

Not Applicable

Planning Commission Options for ZC 1-21 (Zone Change):

- 1) Close the public hearing and forward a recommendation for **APPROVAL** of the application to the McMinnville City Council, per the decision document provided which includes the findings of fact.
- 2) **CONTINUE** the public hearing to a specific date and time.
- 3) Close the public hearing but **KEEP THE RECORD OPEN** for the receipt of additional written testimony until a specific date and time.
- 4) Close the public hearing and **DENY** the application, providing findings of fact for the denial, specifying which criteria are not satisfied, or specifying how the applicant has failed to meet the burden of proof to demonstrate all criteria are satisfied, in the motion to deny.

Staff Recommendation:

Staff has reviewed the proposal for consistency with the applicable standards and criteria. Absent any new evidence to the contrary presented during the hearing, staff finds that, subject to the recommended conditions specified in the attached Decision Documents, the application submitted by the applicant and the record contain sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL**, subject to the conditions specified in the attached Decision Document.

Suggested Motion for ZC 1-21:

BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL APPROVE ZC 1-21.

Exhibit 1: Vicinity Map & Aerial Photo

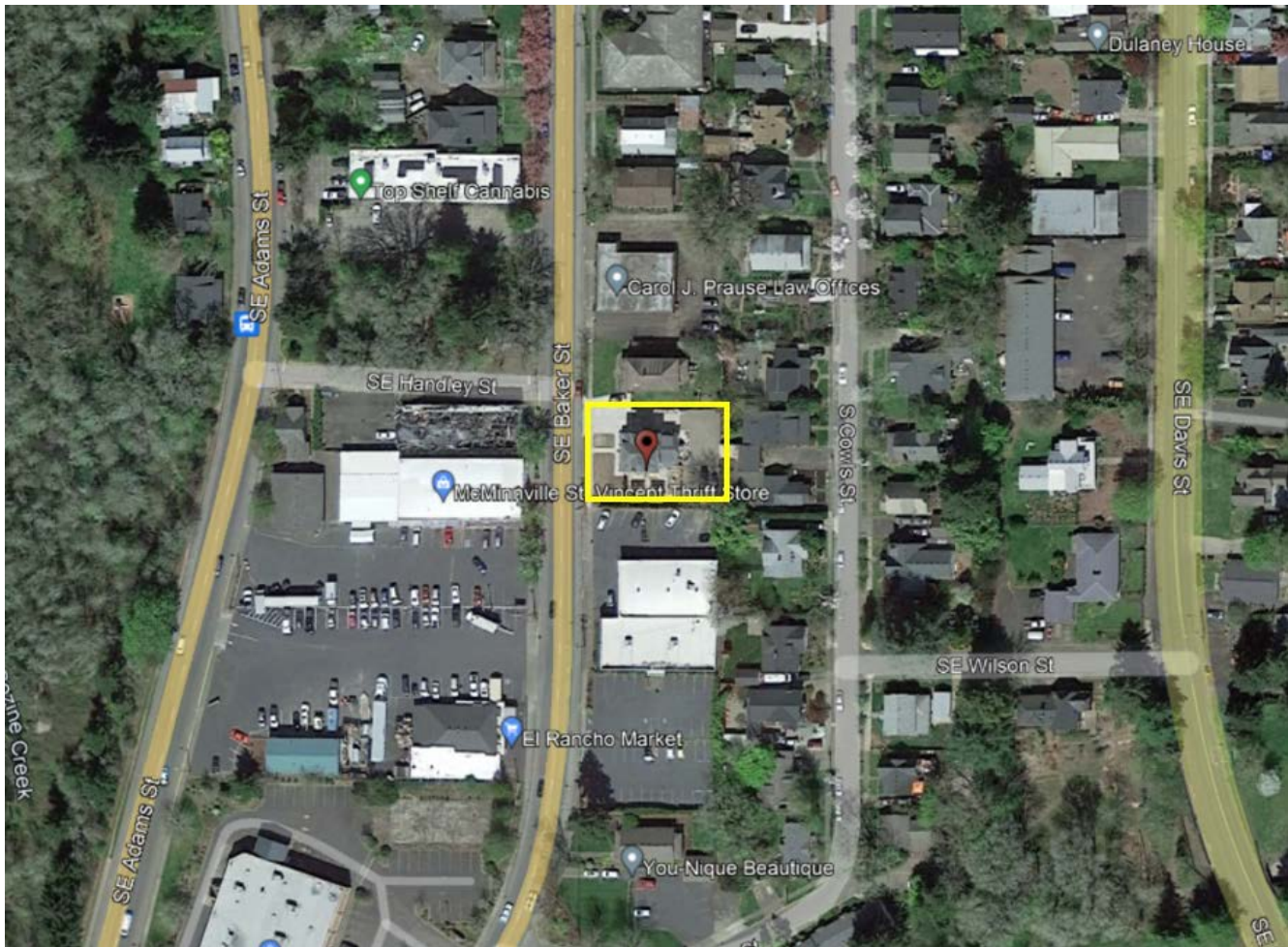


Exhibit 2: Current Zoning



Exhibit 3: Proposed Zoning

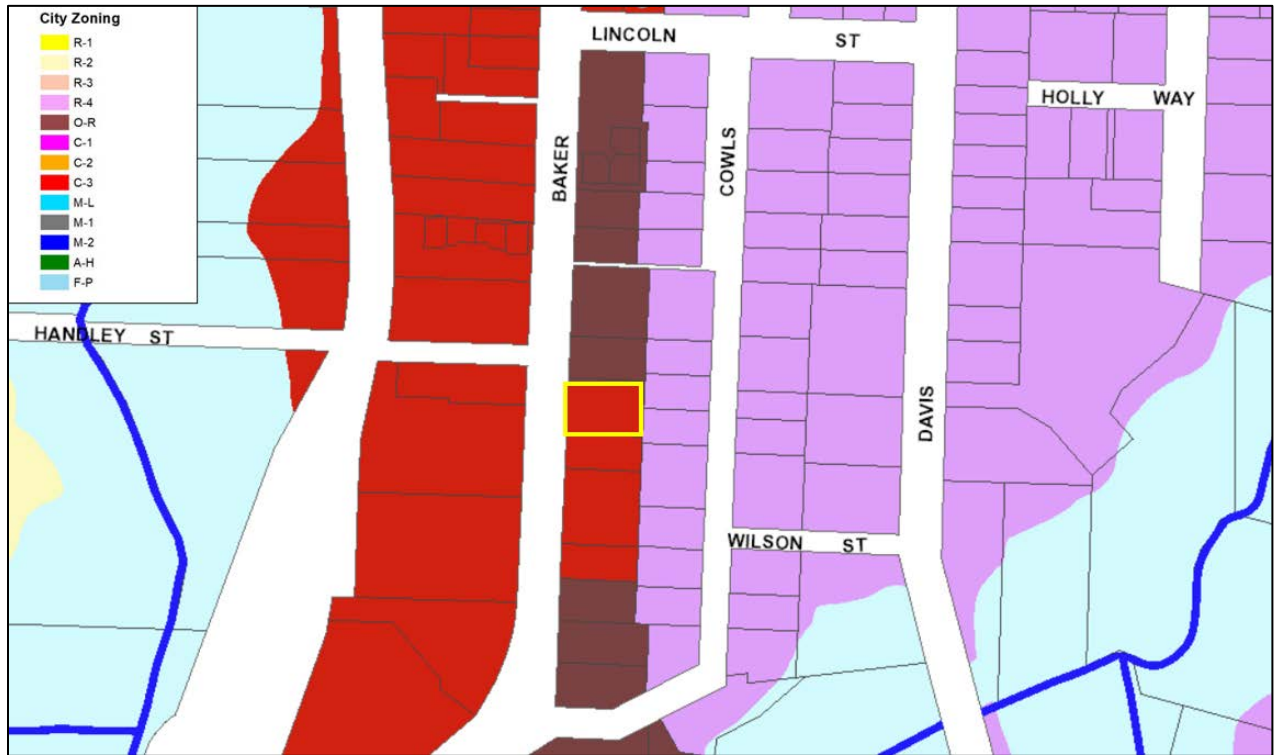


Exhibit 4: Site Plan

