



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

**PUBLIC HEARING NOTICE
PLANNING COMMISSION REVIEW OF A
CONDITIONAL USE PERMIT REQUEST
FOR A WIRELESS COMMUNICATIONS ANTENNA
375 NE FORD STREET**

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 Chuck Darnell with any questions at 503-434-7311, or chuck.darnell@mcminnvilleoregon.gov.

DOCKET NUMBER: CU 2-18 (Conditional Use)

REQUEST: Approval of a Conditional Use Permit to allow for the placement of wireless communications antennas on the rooftop of an existing building within the Downtown Design Standards and Guidelines area. The antennas are proposed to be placed on the rooftop of the Atticus Hotel building, which will serve as the alternative antenna support structure for the antennas. The antennas will be at a height of 7 feet above the roof surface after mounting and will be setback 15 feet from the nearest building wall.

APPLICANT: Patrick Fuchs, on behalf of McMinnville Access Company

SITE LOCATION(S): 375 NE Ford Street (see attached map)

MAP & TAX LOT(S): R4421BC04700

ZONE(S): C-3 (General Commercial)

MMC REQUIREMENTS: McMinnville City Code (MMC), Sections 17.74.030 and 17.55.050 (Wireless Communication Facility Development Review Standards) (see reverse side for specific review criteria)

NOTICE DATE: December 28, 2018

PUBLIC HEARING DATE: January 17, 2018 at 6:30 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 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 chuck.darnell@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:

MMC, Section 17.55.050. Development Review Standards

Placement of antennas subject to all wireless communications facility development review standards in Section 17.55.050.

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.

Vicinity Map

