

MINUTES

February 17, 2022
Planning Commission
Work Session Meeting

5:30 pm
Zoom Online Meeting
McMinnville, Oregon

Members Present: Robert Banagay, Lori Schanche, Gary Langenwalter, Brian Randall, Beth Rankin, Dan Tucholsky, Sidonie Winfield, Matt Deppe, and Sylla McClellan

Members Absent:

Staff Present: Heather Richards – Planning Director, Tom Schauer – Senior Planner, Monica Bilodeau – Senior Planner, and Amanda Guile-Hinman – City Attorney

WORK SESSION

Chair Winfield called the Work Session to order at 5:30 p.m.

- **Planning Commission Agreement**
- **Planning Commission Work Plan**

Planning Director Richards discussed items on the Work Plan including the long range plans, Comp Plan amendments, and Zoning Ordinance amendments as well as funding for the projects. Other items requested by the Planning Commission including parking lot, proprietary rental buying in neighborhoods, and short term rentals.

Commissioner Rankin reviewed her research on proprietary rental buying. She was still researching to find out if there really was a problem and if there was something they could do about it.

Commissioner McClellan was looking into properties that were vacation rentals but did not have a City permit and other cities' policies regarding short term rentals.

There was discussion regarding impacts of short term rentals to neighborhoods, current spacing standard, affordable housing, staff time, and putting in a moratorium.

There was consensus for staff to bring back a recommendation regarding a moratorium timeline and background on the current process for short term rentals.

There was discussion regarding upcoming agenda items and possibly meeting twice per month to get through the workload and changing the deadline for written public testimony.

There was consensus for staff to bring back a recommendation for a deadline that met state law.

Planning Director Richards discussed the neighborhood meeting requirement and how these meetings sometimes became hostile.

The Commission thought it was a valuable communication tool with the neighborhood. Commissioner Randall recommended sign postings at the sites.

Chair Winfield adjourned the Work Session at 6:28 p.m.

1. Call to Order

Chair Winfield called the meeting to order at 6:30 p.m.

2. Citizen Comments

None

3. Minutes

- **December 16, 2021**

Chair Winfield said she had to leave the December meeting early, which was not noted in the minutes.

Commissioner Langenwaller moved to approve the December 16, 2021 minutes as amended. The motion was seconded by Commissioner Schanche and passed 9-0.

4. Public Hearing:

A. Legislative Hearing: Proposed Comprehensive Plan Amendments (G 7-21)

(Continued from January 20, 2022, PC Meeting)

Request: This is a legislative action initiated by the City of McMinnville to amend the McMinnville Comprehensive Plan by adopting the Three Mile Lane Area Plan as a supplemental document and to amend the Comprehensive Plan, Volume II, Chapter VI, Transportation System, to add a proposal to amend the Comprehensive Plan Map and Transportation System Plan consistent with the Three Mile Lane Area Plan.

Applicant: City of McMinnville

Disclosures: Chair Winfield opened the public hearing and asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Staff Presentation: Planning Director Richards gave a background on the Three Mile Lane Area Plan including the study area, project goals, public input, land use plan, and transportation plan. She then addressed credibility and accountability, planning staff's role, desire for commercial from the community, Friends of Yamhill County's testimony on retail leakage, Comprehensive Plan Map amendments, plan elements and overlay requirements, south side housing opportunities, and public testimony received since the last hearing on January 20.

Naomi Zwerdling, ODOT Planning and Development Review Manager, said ODOT had reviewed the technical aspects of the project. They supported the plan and would help to successfully implement it.

Michael Duncan, ODOT Senior Region Planner, explained the funding availability for implementation of the plan, how mobility targets were established and how the plan met the targets, models used and methodologies they were based on, how Highway 18 would retain its current classification as an expressway, how Highway 18 was access controlled, and how the plan would not change the speed limit.

Andrew Mortensen, Senior Transportation Planner with David Evans and Associates, discussed the preferred facility design for the area including grade changes, connectivity to downtown, pedestrian/bicycle amenities, and options for local street circulation.

Questions for Staff: Commissioner Langenwalter supported a pedestrian/bicycle overpass over Highway 18 at Norton Lane and Cumulus Avenue. He asked why they were not included in the design. Planning Director Richards said that was discussed, however funding and the highway width were issues. Mr. Mortensen did not think it was reasonable to assume they would get the state funding for all the interchanges at once in this 20 year planning horizon.

Commissioner Schanche thought it should be included in the plan in case there was funding in the future.

Commissioner Langenwalter thought without a bridge, more people would use their cars instead. He also wanted to leave the bridges in the plan at both Norton and Cumulus.

Mr. Mortensen discussed Option 1 for the facility design interchanges and staging of these bridges. It became a question of when to make the investment and what the ultimate design configuration would be.

Planning Director Richards suggested amending the plan to add the bridges in the Future Considerations section.

Commissioner Tucholsky suggested a ped/bike tunnel instead of a bridge. Mr. Mortensen said safety was an issue for tunnels.

Commissioner Schanche thought they should add a note that more detailed design would occur for the jughandle and Chemeketa College.

Commissioner Banagay asked how they could ensure they had the land in the future to build the bridges. Could they require developers to dedicate the land? Planning Director Richards said if they could not show a basis for it, they could not require the dedication.

Josh Anderson, David Evans and Associates, said there was an option that upon development they could require additional setbacks to accommodate a potential future ped/bike facility.

Commissioner Langenwalter asked about local traffic to the new retail area as opposed to destination traffic. Planning Director Richards said the data showed that people were

leaving McMinnville to shop at various shopping destinations. If the retail was here, that money would be spent here.

Public Testimony:

Proponents: None

Opponents: Sid Friedman, Friends of Yamhill County, said McMinnville already had a human-scaled, pedestrian-friendly town center on 3rd Street and it did not need another across an expressway from the rest of town. He compared the commercial developments in Bend and Hillsboro with McMinnville's proposed regional shopping center. He thought the commercial uses in this area should be neighborhood-scaled and neighborhood-serving. McMinnville had a commercial land surplus of at least 31 acres with the recent UGB expansion. He explained the Friends' recommendations.

Mark Davis, McMinnville resident, thought the reports were technically correct. However, they should look at the numbers for the volume to capacity ratio for Cumulus which he thought were in error. The roundabout would change the speed limit on Highway 18. The volume to capacity ratios did not speak to drivers' personal experiences, which was how the public perceived it and adding more lights would slow traffic even more. He did not think the plan met all of the Great Neighborhood Principles. There was no safe way for pedestrians/bicyclists to cross Highway 18. He thought they should keep the existing industrial designations and try to find an employer that would provide good paying jobs.

Steve Iversen, McMinnville resident, said the land use plan gave the impression that they were also approving the zoning. The transportation plan did not include the pedestrian crossings, which he thought were essential. He did not think pedestrians and bicyclists would use the connection to downtown. Instead of using the funding for the interchange reconfiguration at Three Mile Lane and Highway 18, the funding should go to the Norton Lane interchange.

Jim Croytsbender, McMinnville resident, discussed current speeding and traffic accidents on Highway 18. He was also concerned about people getting on the frontage roads before the new bridge was built. He thought the bridge should be built first before any development. He was concerned about national chains putting local businesses out of business. Retail jobs would not pay enough for people to live here, but industrial jobs would. He did not think they should rezone for more commercial.

Margaret Cross, McMinnville resident, addressed the process and how community engagement suffered due to Covid. The public was not aware of the plan and needed more time to review and comment on it. She thought the public involvement process needed to be started over.

Ilsa Perse, McMinnville business owner, said there was a lot of controversy over the kind of retail that a development like this would attract. If the land was rezoned to commercial, they needed to look at innovative solutions for the neighborhood they wanted to create there. The descriptions in the plan were vague and would not require developers to do what the community wanted.

Cheryl Lambright, McMinnville resident, thought they needed to slow the process down and make thoughtful plans. She agreed with what had been stated by the other commenters.

Rebuttal: Planner Director Richards said part of the efficiency standards for the recent UGB amendment was to rezone 40 acres of industrial land to commercial land in this area. There were concerns about the design of the commercial development. There was discussion

regarding sustainable design, but it did not make it into the goals or document. However, it could be included. Regarding adding traffic to Highway 18, there was a lot of vacant land in the City limits in this area that would be developed. What they were talking about was how it would be developed and serve the community. If they wanted more community process, she would have to get additional resources through the City Council. They were going to be adding trips to Highway 18, but they were also going to improve the functionality of the highway by removing local access points. Housing was an issue in McMinnville. This type of master planning was what would put the foundation on the ground for how they wanted to see things move forward.

Mr. Duncan clarified the volume to capacity ratio on Norton and Cumulus, which were below the mobility targets.

Mr. Mortensen discussed the traffic safety analysis that was done and safety solutions proposed. The frontage road improvements could still be done regardless of the reconstruction of the interchange at Three Mile Lane. They would need to be a part of future development to ensure connectivity.

Planning Director Richards explained they had looked at the examples from other cities to see how they could bring the need for additional commercial in a way that was not generic and was an asset to McMinnville. She listed the possible uses for the commercial, which did allow multi-family housing as well as office and retail space. They were hesitant to put in housing due to the proximity of the airport. That was the reason the housing was focused further west.

Commissioner Langenwalter did not think they wanted 40 acres of shopping center. Planning Director Richards said it was not meant to create the big pad, big box situation. It should be unique architecturally and something that represented McMinnville. Some of the testimony was the implementing language did not go far enough to clarify that in the standards. They could work to make it clearer.

Commissioner McClellan thought clearer design standards should be a future discussion.

Commissioner Schanche asked about setting a maximum square footage. Planning Director Richards said the large format commercial standards applied to all commercial development for a certain size regardless of where it was located. It limited the overall impact of the size of a building and broke it up. It did not limit the interior layout in terms of space devoted to one tenant. She did not want to set the standards so high that something could not be developed even if it met the value system for McMinnville.

Commissioner Randall suggested setting up a block pattern for each block that would not allow a big box retailer.

Commissioner Tucholsky clarified by adopting the plan, they were not giving up the opportunity to adopt design standards. Those would be done at a later date. Planning Director Richards said that was correct.

Commissioner Tucholsky MOVED to CLOSE the public hearing, SECONDED by Commissioner Langenwalter. The motion PASSED 9-0.

Chair Winfield closed the public hearing.

Commission Deliberation: Commissioner McClellan suggested staff bring back amended language in the plan that strengthened the need for unique design and development standards.

Commissioner Langenwalter asked for amended language regarding the bike/ped bridges.

Commissioner Schanche MOVED to CONTINUE G 7-21 to the March 17, 2022 meeting with direction to staff to bring back amended language to address the bike/ped bridges and design standards. SECONDED by Commissioner Rankin. The motion PASSED 9-0.

B. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 2-20) and Zone Change, including Planned Development Overlay Designation (ZC 3-20)

(Continued from January 20, 2022, PC Meeting)

Applicant has requested a continuance to March 17, 2022

Request: Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for approximately 37.7 acres of a 90.4-acre property.

The 37.7 acres includes 4.25 acres intended for right-of-way dedication for a future frontage road. The application also shows a portion of the area subject to the map amendment intended for a north-south extension of Cumulus Avenue and future east-west street connectivity.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at 3310 SE Three Mile Lane, more specifically described at Tax Lot 700, Section 26, T.4S., R 4 W., W.M.

Application: Kimco McMinnville LLC, c/o Michael Strahs

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Commissioner Rankin asked why this application was being continued again. Planning Director Richards said they had paused for the other two property owners to put together proposals based on the Planning Commission's request. They also had to do a more in depth transportation analysis and the ODOT personnel for the review had taken some time off.

Commissioner Langenwalter MOVED to CONTINUE the hearing for CPA 2-20/ZC 3-20 to March 17, 2022. The motion was seconded by Commissioner McClellan and PASSED 9-0.

C. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 1-21) and Zone Change, including Planned Development Overlay Designation (ZC 2-21)

Applicant has requested a continuance to March 17, 2022

Request: Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for a property of approximately 8 acres.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at 3330 SE Three Mile Lane, more specifically described at Tax Lot 600, Section 26, T.4S., R 4 W., W.M.

Applicant: Ken Sandblast, Westlake Consultants, Inc. representing property owner 3330 TML, c/o Bryan Hays

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Commissioner Tucholsky MOVED to CONTINUE the hearing for CPA 1-21/ZC 2-21 to March 17, 2022. The motion was seconded by Commissioner McClellan and PASSED 9-0.

D. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 2-21) and Zone Change, including Planned Development Overlay Designation (ZC 3-21)***Applicant has requested a continuance to March 17, 2022***

Request: Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-L (Limited Light Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for approximately 21.1 acres of an 89.9-acre property, plus an additional 1.5 acres of the 89.9-acre property proposed to be dedicated for right-of-way at the time of development.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at Three Mile Lane and Cumulus Avenue, more specifically described at Tax Lot 100, Section 27, T.4S., R 4 W., W.M.

Applicant: Ken Sandblast, Westlake Consultants, Inc. representing property owner DRS Land, LLC c/o Dan Bansen

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Commissioner Banagay MOVED to CONTINUE the hearing for CPA 2-21/ZC 3-21 to March 17, 2022. The motion was seconded by Commissioner Tucholsky and PASSED 9-0.

E. Quasi-Judicial Hearing: Historical Parking Variance (VR 4-21)

Request The applicant has requested a historical structure parking variance to reduce the existing required number of off-street parking spaces by fifty percent, from twenty-six (26) parking spaces to thirteen (13) parking spaces.

Location: The subject site is located at 425 NE Evans Street; R4421BC02800.

Applicant: David Queener, JADA Ventures, LLC

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Winfield asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none. Chair Winfield asked if any Commissioner had visited the site. If so, did they wish to discuss the visit to the site. Several members of the Commission had visited the site, but had no comments to make on the visits.

Staff Presentation: Senior Planner Bilodeau said this was a request for a historic structure parking variance to reduce the existing required number of off-street parking spaces by 50%. She described the subject site and gave a brief history of the historic telephone register site. The applicant requested reduction of the parking spaces from 26 to 13. The property was zoned C-3 and the existing space was 5,200 square feet to be used as a taphouse. It required one space per 100 square feet of floor area, which was 52 off street parking spaces. The downtown reduction allowed this number to be reduced in half to 26 spots. She reviewed the criteria for the variance, parking plan, and agency and public comments received. Staff recommended approval with conditions.

Questions for Staff: Commissioner Rankin asked about access to the back parking lot of the adjacent property. Senior Planner Bilodeau said this variance would not change any current access.

Commissioner Langenwalter asked about the previous owner's requirement for office space parking. Senior Planner Bilodeau said office use had a lower standard for parking requirements. They were able to meet the requirements without a variance.

Commissioner Deppe asked if the variance would be allowed for any future use. Senior Planner Bilodeau said the variance would only be for the current application. A new use would need to go through the process.

Commissioner Deppe asked if there was concern about people backing out of the parking spots onto 4th. Senior Planner Bilodeau said Engineering did not have any concerns.

Commissioner Deppe asked if the parking requirements were for the whole building or only the dining area. Senior Planner Bilodeau said the calculations were based on the total square footage.

Applicant: David Queener, business owner, said he was moving his business to this location. He explained his operation of a lunch and dinner restaurant. There was additional parking for customers at the parking garage and on street parking. It was also a walkable area.

Commissioner McClellan asked if he planned to use the parking lot for any outdoor seating. Mr. Queener said he did not have plans to use it for that purpose. He would like to have sidewalk seating.

Commissioner Rankin thought he would be getting a larger volume of customers in this new location, especially for lunch. However, she thought there was enough parking that people could find a place to park.

Commissioner Deppe asked if he had contacted the owner of the parking to the north that would help with circulation and people not backing onto 4th. Mr. Queener was open to reaching out to them.

Public Testimony: None

Chair Winfield closed the public hearing.

The applicant waived the 7 day period for submitting final written arguments in support of the application.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to APPROVE VR 4-21 with conditions. SECONDED by Commissioner Tucholsky. The motion PASSED 9-0.

5. Commission Comments

None

6. Staff Comments

Planning Director Richards discussed staff recruitment.

7. Adjournment

Chair Winfield adjourned the meeting at 11:20 p.m.

Heather Richards
Secretary