



City of McMinnville
Planning Department
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MINUTES

April 20, 2023
Planning Commission
Regular Meeting

6:30 pm
Hybrid Meeting
McMinnville, Oregon

Members Present: Sidonie Winfield, Beth Rankin, Dan Tucholsky, Matt Deppe, Gary Langenwalter, Megan Murray, Sylla McClellan, and Brian Randall

Members Absent:

Staff Present: Heather Richards – Community Development Director, and Tom Schauer – Senior Planner

1. Call to Order

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

2. Minutes

- **March 2, 2023**

Commissioner Tucholsky noted for the March 2 minutes, Casey Kuhla was not a McMinnville resident.

Commissioner McClellan moved to approve the March 2, 2023 minutes as amended. The motion was seconded by Commissioner Langenwalter and passed 8-0.

- **March 16, 2023**

Commissioner Tucholsky moved to approve the March 16, 2023 minutes. The motion was seconded by Commissioner Murray and passed 8-0.

3. Public Hearings

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

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

Applicant: Kimco McMinnville LLC, c/o Michael Strahs

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

Location: 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

C. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 2-21) and Zone Change, including Planned Development Overlay Designation (ZC 3-21)

Location: 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 3330 TML, c/o Bryan Hays

Chair Winfield said all three applications would be bundled together, and all three had requests for continuance. She opened the public hearing and read the hearing statement. She 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.

Staff Report: Senior Planner Schauer entered written testimony into the record that was received after the staff report. The applicants had requested a continuance to August 17 to ensure sufficient time to agree on a modified plan consistent with the 33 net developable acreage limitation in the 3MLAP and submit revised application materials without further continuances. Testimony from the opponents was against a continuance. The Chair opened the hearing to take testimony regarding the continuance only. He gave a background on the continuances of the applications. These were proposed amendments to the Comprehensive Plan and were not subject to the 120 day processing requirement. The "fixed goal post rule" did not apply, the parties involved could request a continuance at the first evidentiary hearing, and there were limitations on renewal of the applications. He then gave options for Commission action.

There was discussion regarding the rules and process that applied to the applications, including the continuance of the hearing to a date certain.

Applicant's Testimony: Mike Conners, representing two of the applicants, said they were requesting a continuance to provide time for the parties to work out a modified plan. He understood there was frustration about the ongoing continuances. He gave a background and context for the continuances including creating a proposal to meet the Three Mile Lane Area Plan, traffic analysis and transportation mitigation, concern about shadowing or complicating the Three Mile Lane area process, and Council-imposed 33 net developable acre limitation. He admitted there had been a lack of communication to the City on the status and reasons for the continuances. He thought the August date would allow them enough time to accomplish what was needed. He did not think it would benefit the City to open the hearing for a proposal that was in the process of being modified and denying the application, putting his clients in a position of trying to determine what to do next.

There was discussion regarding the reasons for the delay, the requirement to meet the Three Mile Lane area standards, and if the August date was sufficient.

Merissa Moeller, representing one of the applicants, reiterated the request to continue until August 17 for all the reasons given by Mr. Conners. They would use this time to further evaluate the new proposal.

Proponents: None

Opponents: Mark Davis, McMinnville resident, said the applicants received a letter from staff in October explaining what needed to happen. He did not think the applicants treated it as urgently as needed. He suggested they withdraw the applications and come back with a single application.

There was discussion regarding starting over which would add several months to the process.

Steve Iverson, McMinnville resident, agreed with the suggestion to withdraw and come back with a single application.

City Attorney Kabeiseman said it was up to the applicants whether they wanted to combine to a single application. The City could not force them to do so.

Senior Planner Schauer said they would create a planned development overlay that all the developments would have to follow. Also, a master plan would have to be submitted which also had a hearing process and required traffic analysis.

Commissioner Langenwaller MOVED to CONTINUE the hearings for CPA 2-20/ZC 3-20, CPA 1-21/ZC 2-21, and CPA 2-21/ZC 3-21 to the August 17, 2023 meeting with final documents to be submitted to staff by July 18, 2023. SECONDED by Commissioner Deppe. The motion PASSED 8-0.

4. Commissioner Comments

Commissioner Deppe thanked staff for the minute summaries.

There was discussion regarding paperless packets except plan sets that would still be copied.

5. Staff Comments

Community Development Director Richards said no final decision had been made on the Gwendolyn Hotel applications. However, the City Council had directed staff to write findings for denial. The final decision was due on May 9.

6. Adjournment

Chair Winfield adjourned the meeting at 7:59 p.m.