

MINUTES

March 19, 2026
Planning Commission
Regular Meeting

6:30 pm
Hybrid Meeting
McMinnville, Oregon

Members Present: Brian Everest, Rachel Flores, Meg Murray (zoom), Abigail Neilan, and Elena Mudrak

Members Absent: Sidonie Winfield, Sylla McClellan, Matt Jones, and Brian Randall

Staff Present: Tom Schauer – Senior Planner, Heather Richards – Community Development Director, and Missy Ryan – Contract Land Use Legal Counsel

Guests: None

1. Call to Order

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

2. Citizen Comments

None.

3. Minutes

a) February 19, 2026

Commissioner Everest moved to approve the February 19, 2026, meeting minutes. The motion was seconded by Commissioner Neilan and approved unanimously 5-0.

4. Public Hearings

A. Quasi-Judicial Hearing: Appeal (AP 1-26). Property east of the easterly terminus of NW Orchard Avenue, Tax Lot R4415 03100

Vice Chair Mudrak 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.

Vice Chair Mudrak asked if any Commissioner had visited the site. Most of the Commission had.

Vice Chair Mudrak 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 Presentation: Community Development Director Richards said the applicant submitted a minor partition application to divide the lot into two parcels, which was an administrative decision. It was approved with conditions. The applicant was appealing one of the conditions, Condition #5. Staff agreed with the appeal and provided two amended conditions of approval. She discussed the subject site, unique topography, original condition to improve the full street, revised conditions that would require the street to be built 24 feet wide with curb and sidewalk on one side, and the City would move forward with an agreement with the neighboring property to finish the street.

There was discussion regarding the process for the improvements to be built by the neighboring property.

Appellant's Testimony: Kate Gowell, attorney representing the appellant, explained the changes to Condition #5 proposed by the applicant, striking the sidewalk requirements and striking the requirement to provide security for deferring the street improvements. She also would like Condition #12 changed, striking the requirement to construct the driveways and improvements related to the sidewalks. The applicant thought it was reasonable to defer sidewalk and driveway construction until development and plans were solidified and applied for with the City in the normal course of property construction. She explained the code staff used to require building of the street improvements at the time of recording the plat and how she thought it applied to subdivisions, not partitions. Also, the applicant did not have adequate notice that they would be required to build sidewalks and should not be required to do so before approval of the final plat for the partition. They were not suggesting that sidewalks would never be constructed, just that it should not be a condition to recording of the plat. The most practical timing was pulling of the permit when the property would be developed. She had looked at past minor partition decisions, and they were not required to file for a partition plat or do improvements. She thought it was unreasonable to ask the applicant to provide a surety bond that the improvements would be done in the future when development plans for the property had not been finalized and might not occur for years.

There was discussion regarding the changes to Condition #5, sidewalks on the east side and not west side due to the embankment and topography, how they would still be putting in the road, and change to Condition #12 to coincide with the changes to Condition #5.

Proponents: Doug Hurl was speaking for McMinnville Industrial Promotion, the appellant. They had been around for a long time. This was the last piece of road in the Industrial Park that they had developed in the 1970s. There were main water and electric lines where the road should go. To put the road in the lower level, they would have to move those lines. They wanted to put the road in up top and partition the land into two pieces. They wanted to bring industrial jobs to the City and be good citizens. Sidewalks were expensive and they didn't know where the curb cuts would be yet.

Mike Bisset, McMinnville Industrial Promotion Board Member, had been the City's Community Development Director before he retired. Historically, the sidewalks were required at the time of building permit for properties that were vacant. They also had not required a bond for sidewalks in past partition applications. It did not occur with residential subdivisions either and there were a number of different subdivisions that would eventually have sidewalks. None of those required bonds at the time the subdivision plat was recorded. They asked that the requirement be applied as it had been historically, at the time of the building permit. Bonding for the sidewalks was expensive and would drive up the cost of development.

Opponents: None.

Community Development Director Richards discussed the triggers for requiring sidewalks in the code, legal opinion that this applied to any subdivision of land and that staff should require the improvements and if deferred there needed to be an agreement with a surety, and how other subdivisions that were underway did not have sidewalks but they had done a deferment agreement. This decision would set a precedent moving forward in how the code was interpreted. The applicant had provided new testimony that she did not know was part of the appeal and she needed time to review it.

Ms. Gowell did not think the surety was a requirement in the code, but if it could be a requirement when the building permit was pulled, that would be acceptable.

City Attorney Ryan said the difficult position the City had been put in was what the code said and she did not see any mechanism in the code to waive the requirement. Her advice was the City follow what the code said. The applicant's interpretation not only affected this application but was an interpretation of the code that would become the interpretation going forward. The 120-day deadline was April 11 and the Commission would not be able to hold another meeting before the deadline. They could request an extension from the appellant.

Commissioner Neilan moved to close the public hearing and public record; Seconded by Commissioner Everest. The motion passed unanimously 5-0.

Vice Chair Mudrak closed the public hearing.

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

Commission Deliberation: The Commission understood the need to keep costs low and the fact there was not a design proposed and they could possibly have to rip out sidewalks if they were put in the wrong place now was unfortunate. Having sidewalks in the area would encourage development of the land. However, the sidewalks could be deferred with a surety bond. They thought the requirement was clear in the code, and they had to follow it.

Commissioner Everest MOVED to FAVOR the appeal and APPROVE the amended decision document and findings with the amended conditions for the minor partition as presented by staff for document AP 1-26; SECONDED by Commissioner Neilan. The motion PASSED unanimously 5-0.

B. Quasi-Judicial Hearing: Zone Change (ZC 2-24) and Subdivision Tentative Plan (S 2-24), 1465 & 1525 SW Cypress Ln., Tax Lot R4430AD 00100 & 00201

Vice Chair Mudrak 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.

Vice Chair Mudrak asked if any Commissioner had visited the site. Most of the Commission had.

Vice Chair Mudrak 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 Presentation: Senior Planner Schauer said this was a concurrent application for a zone change from EF-80 and R-1 to R-3 and a 9-lot subdivision. He described the subject property, vicinity map, current zoning, proposed zoning, subdivision plan, annexation agreement, easements, connection to City services, development in two phases, review criteria for the zone change, criteria for the subdivision, conditions, and staff recommendation for approval with additional conditions.

There was discussion regarding extending City services to the property and access easements.

Applicant's Testimony: Bruce Cook, applicant, said this was a unique site with properties developed around it and they were trying to fit in. There was R-3 to the north and the City was interested in higher density. All the criteria had been met.

Proponents: None

Opponents: Vanessa Hawkins, McMinnville resident, was not opposed to development of the land, but she was opposed to extending Emily Drive. She questioned whether emergency vehicles could get in and out as there was only one entrance/exit point. There were already parking issues and traffic, and the street could not handle more. She thought access should be off Cypress. She asked if there was a plan for sidewalks and fire hydrants.

David Poe, McMinnville resident, spoke about the parking issues on the street. Adding cars would make the problem worse and there was no dedicated way in or out on the other end. It was not safe for pedestrians and emergency vehicles would not be able to turn around.

Jose Huerta, McMinnville resident, said Emily Drive was very narrow with cars parked on the street and there was only one entry point. When there was a fire a couple of years ago, the road was closed. He asked about the access on the private driveway and if it was wide enough for emergency vehicles in case the main entry was closed or for residents to leave in an emergency. There was no way to park more vehicles on the road.

Rebuttal: Mr. Cook said originally they had designed it with no exit out to Cypress and the Fire Department approved it, but he thought it was important to put that in. It would be a second access for emergency vehicles. There would be sidewalks in the subdivision and along the alleyway to Cypress. He appreciated that the street was tight. The amount of homes they were adding was well within the framework for what the street was designed for. The private drive could be used in emergencies.

Community Development Director Richards noted the Fire Department reviewed the plan and approved it.

Mr. Poe wanted to present more information and requested the hearing be continued.

The Commission requested a representative from the Fire District attend the next meeting.

Commissioner Murray MOVED to CONTINUE the hearing for Zone Change (ZC 2-24) and Subdivision Tentative Plan (S 2-24), 1465 & 1525 SW Cypress Ln, to April 2, 2026; SECONDED by Commissioner Flores. The motion PASSED unanimously 5-0.

5. Action Items

A. Deliberations: Natural Hazards Planning (G 3-22)

Vice Chair Mudrak said the public hearing for this item was held in February and they had closed the hearing and record, but continued deliberations to a future meeting which was now before the Commission. No new testimony would be taken.

Community Development Director Richards explained the recommended products for the natural hazards work, where they were in the discussion, nomenclature for the overlay zone that would not be a liability for property value and insurance provisions, and adding a provision to the assessment language that identified impacts of proposed development on adjacent sites.

There was discussion regarding the suggested overlay/sub district nomenclature and what was most commonly used in Oregon, leaning towards the “Managed Development Overlay” language, and in favor of staff’s recommendation for the geological site assessment and geotechnical report of a property to be conducted within 200 feet of the subject property measured from the property boundaries.

Commissioner Everest MOVED to RECOMMEND the City Council adopt the McMinnville Natural Hazards Planning Program per docket G 3-22 as amended by the Planning Commission on March 19, 2026 utilizing the “Managed Development Overlay” proposed overlay name and “Managed Development Area” and “Limited Development Area” sub district area names as well as the 200 feet for the property assessments; SECONDED by Commissioner Neilan. The motion PASSED unanimously 5-0.

6. Commissioner Comments

None.

7. Staff Comments

Senior Planner Schauer discussed upcoming meetings.

Community Development Director Richards acknowledged there were problems in the code and hoped the upcoming development code amendments could address some of the issues that were discussed tonight.

8. Adjournment

Vice Chair Mudrak adjourned the meeting at 8:39 p.m.