

MINUTES

Members Present: Chair Butler; Commissioners Hall, Hillestad, Koch, Morgan, Stassens, Tiedge

Members Absent: Commissioner Chroust-Masin, Drabkin

Staff Present: Mr. Pomeroy, Ms. Haines, Ms. Kindel

1. Approval of Minutes – June 20, 2013 and July 18, 2013

Chair Butler called the meeting to order at 6:31 p.m., and called for action on the minutes from the June 20, 2013, Planning Commission meeting. He listed the names of the Commissioners who had been present at that meeting, and Commissioner Hall MOVED to APPROVE the minutes as presented; SECONDED by Commissioner Morgan. Motion PASSED unanimously. Following approval of the June minutes, Chair Butler listed the names of the Commissioners who had been present at the July 18, 2013, Planning Commission meeting, and Commissioner Morgan MOVED to approve the minutes as presented; SECONDED by Commissioner Koch. Motion PASSED unanimously.

2. Public Hearing (Quasi Judicial)

◆ Docket CU 6-13

Request: Approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence.

Location: 1409 SE Brooks Street and is more specifically described as Tax Lot 1001, Section 21DB, T. 4 S., R. 4 W., W.M.

Applicant: Robert and Nancy Emrick

Chair Butler opened the public hearing at 6:36 p.m., and requested disclosures, abstentions, or objections to jurisdiction. Commissioner Stassens stated that she was a partner in Winsome Construction, a commercial construction company currently working with Mr. Emrick on a project in McMinnville, but she would not have a conflict with the proposed project, and her decision on the application would not be influenced. Commissioner Koch said he had known Robert and Nancy Emrick for 30-some years, both personally and professionally. In addition, he was friends with the previous owners of the subject site; however, he said that neither association would influence his decision on the application. He also disclosed that he had attended numerous social events at that location through the years. There were no further disclosures, and Chair Butler called for the staff report.

Mr. Pomeroy explained that the application request was for a conditional use permit to operate a vacation home rental business in an existing home. He noted that the Planning Commissioners had approved permits for 10 vacation home rentals since the ordinance which regulated them had been approved in 2012, and nine of the facilities were still in operation. Further, he said that staff was not aware of any complaints about the vacation rentals which would trigger a review of the conditional use approval. He said that the subject site had plenty of paved parking, the application met the required criteria, and staff recommended approval of the application.

The applicant was not present, there was no proponent or opponent testimony, and Chair Butler closed the public hearing at 6:41 p.m.

There was no discussion of the application by the Planning Commissioners, and Commissioner Koch MOVED based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, to APPROVE CU 6-13; SECONDED by Commissioner Stassens. Motion PASSED unanimously.

3. Public Hearing (Quasi Judicial)

◆ Docket CU 5-13

Request: Approval of a conditional use permit to allow for the construction of a 44-bed memory care facility.

Location: North of Cumulus Avenue and west of the Virginia Garcia Clinic, and is more specifically described as Tax Lots 7601 and 7604, Section 22DD, T. 4 S., R. 4 W., W.M.

Applicant: Senior Development Resources, LLC

Chair Butler opened the public hearing at 6:43 p.m., and requested disclosures, abstentions, or objections to jurisdiction. Commissioner Stassens said that she was a partner in a commercial construction company that did similar projects; however, she had no direct conflict with the application. Chair Butler asked whether any of the Commissioners who had visited the subject site wanted to discuss their visit.

Commissioner Hillestad noted the existence of some large trees in the vicinity of the subject site, and asked whether they were actually on the site and, if so, whether they would be retained.

Mr. Pomeroy said he was not certain which trees were in question, but explained that removal of any large tree was restricted by a planned development overlay on the property and would require Planning Department approval. Further, he said it was the applicant's intent to retain as many trees as practicable.

Commissioner Hillestad asked whether the existing home carried an historic designation.

Mr. Pomeroy said that, although the home was on the city's historic register, the specific designation would not require protection and could be removed with the acquisition of a demolition permit.

There was no further discussion or disclosures from the other Planning Commissioners, and Chair Butler called for the staff report.

Mr. Pomeroy described the application as a request for a 44-bed memory care facility, and said it was essentially the same request and design as one proposed by the applicant a year ago for a different location. He said the application was thorough and met all of the criteria, and staff recommended approval with 13 conditions that were noted in the staff report.

Chair Butler called for the applicant's testimony.

Kathleen Leatham, Chief Executive Officer of Senior Development Resources, said the Planning Commission had previously approved the same project, but they had planned to build it in a different location. She said that McMinnville was in need of memory care, and they were well equipped to fill that need and would like to be able to do so. She stated that the proposed building design was ahead of its time, and had been designed after 23 years of working in memory care, during which time she developed an understanding of what was needed to ensure residents were comfortable, safe, and peaceful and afforded privacy and dignity. She said she understood and accepted the conditions of approval listed in the staff report.

Chair Butler noted a driveway access located on the east side of the subject site, which was used as a turnaround for buses, and asked whether such use would pose a problem.

Kirk Bales stated that the access was on the adjacent property, not the subject site.

Commissioner Tiedge asked what the applicant's relationship was to the property owner, and whether the owner was aware of the application.

Mr. Bales said that they had no direct relationship with the owners, but they did know about the application.

Commissioner Tiedge questioned why the application process allowed someone other than the property owner to request a change of use for the property. He noted that, although the application included the property owner's signature, there was nothing in the record to indicate the applicants had the right to request a change of use for the property.

Mr. Pomeroy explained that the signature of the property owner was empowerment to bring the application forward. The application would be considered incomplete without a signature, he said, and would not be processed.

There was no proponent or opponent testimony, and Chair Butler called for the public agency report.

Mr. Pomeroy said that there were extensive public agency comments included in the staff report, which had been incorporated into the conditions of approval. He noted that there were no comments in opposition.

Ms. Leatham waived the seven-day time period allowed to submit final written arguments in support of the application.

Chair Butler closed the public hearing at 6:59 p.m.

Commissioner Stassens complimented the applicants on the thoroughness of the application materials, and said she thought it was a good project. She stated that she thought the subject site was a better location than the previous one.

Commissioner Hillestad said he would encourage owners of historic buildings to investigate the possibility of relocation rather than destruction, in order to save the structures.

Chair Butler said the existing home on the subject site was included on the historic register because of when it was built.

Commissioner Hillestad said he understood that; however, he thought it was a shame to see old houses that had character torn down, and his comment was merely an encouragement.

Commissioner Hall MOVED based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, to APPROVE CU 5-13, subject to the conditions of approval noted in the staff report; SECONDED by Commissioner Stassens. Motion PASSED unanimously.

4. Work Session (continued from July 18, 2013, meeting – if time permits)

♦ Planning Commission Training / Discussion

Chair Butler opened the public work session at 7:01 p.m., and continued it to the September 19, 2013, Planning Commission meeting, to be held at 6:30 p.m.

5. Old/New Business

There was no discussion of old or new business.

6. Adjournment

Commissioner Stassens MOVED to adjourn the meeting; SECONDED by Commissioner Hall. Motion PASSED unanimously, and Chair Butler adjourned the meeting at 7:02 p.m.