

AGENDA 5 - 14

1. **Approval of Minutes:** April 17, 2014

2. **Public Hearing (Quasi Judicial)**

◆ **Docket CU 4-14**

Request: Approval of a conditional use permit to allow for the operation of a bed and breakfast business within an existing residence.

Location: 2361 NW Haun Drive, and more specifically described as Tax Lot 11500, Section 18AD, T. 4 S., R. 4 W., W.M.

Applicant: William Wilton

3. **Public Hearing (Quasi Judicial)**

◆ **Docket CU 5-14**

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

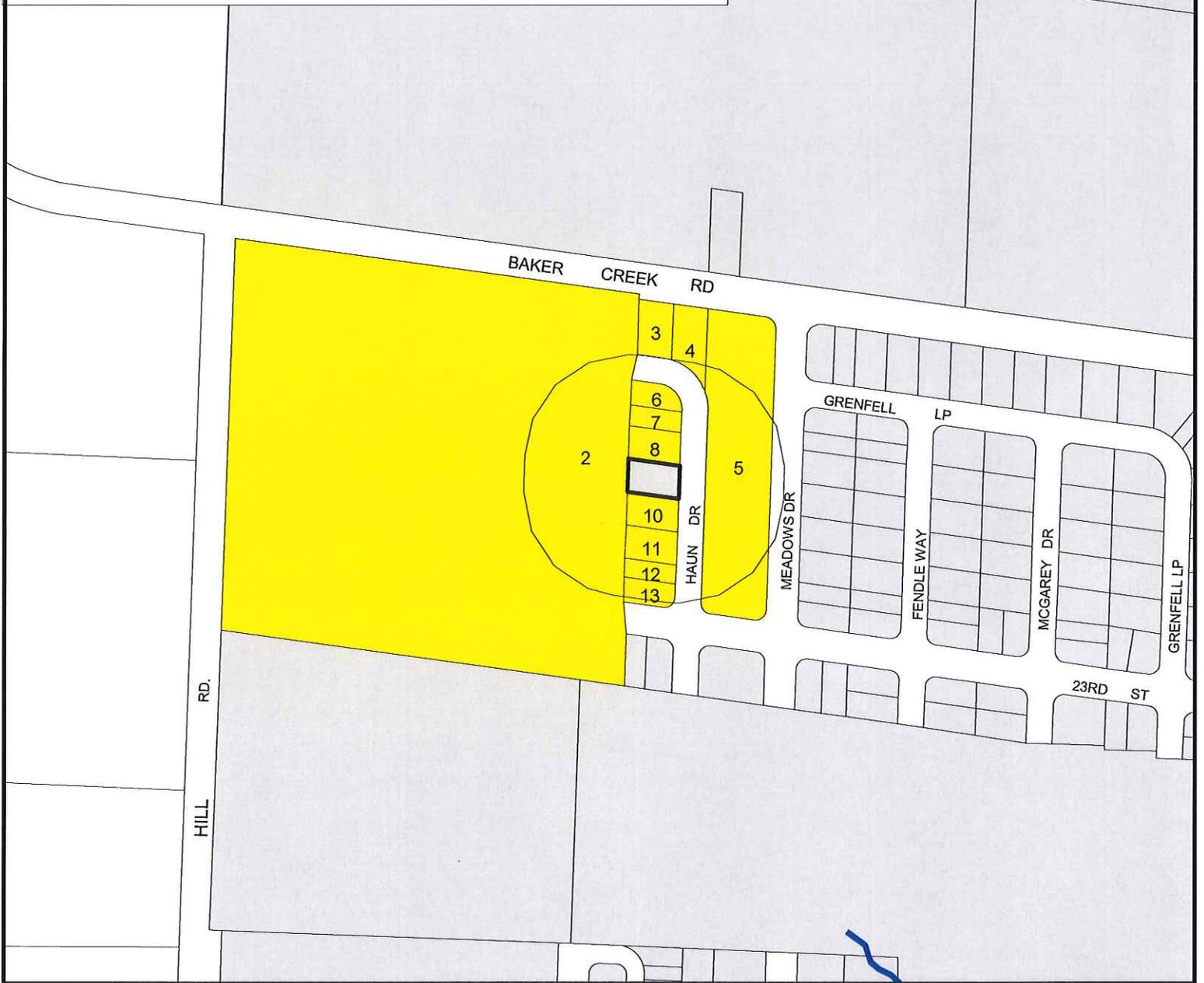
Location: 1055 NE Irvine Street, and more specifically described as Tax Lot 12100, Section 16CD, T. 4 S., R. 4 W., W.M.

Applicant: Mark and Shelley Houston

4. **Old/New Business**

5. **Adjournment**

Notification Map



CU 4-14

William Wilton is requesting approval of a conditional use permit to allow for the operation of a bed and breakfast business within an existing residence.

Recorded Owner:
William S. Wilton
2361 NW Haun Drive
McMinnville, OR 97128



Geographic Information System

APPROVED BY: PLANNING COMMISSION
CITY COUNCIL

ATTESTED TO BY: _____



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

Request: Approval of a conditional use permit to allow for the operation of a bed and breakfast business within an existing residence.

Location: The subject site is located at 2361 NW Haun Drive, and is more specifically described as Tax Lot 11500, Section 18 AD, T. 4 S., R. 4 W., W.M.

Applicant: William S. Wilton

EXHIBITS

1. Staff Report
2. CU 4-14 Application and Fact Sheets
3. Plot plan submitted by applicant
4. Assessor Map submitted by applicant
5. Deed of Trust submitted by the applicant
6. List of property owners to whom notice was sent
7. Letter from Carole and Ken Eidsvoog (received April 30, 2014)
8. Letter from Marlene D. and Robert W. Garvey (received May 7, 2014)
9. Affidavit of Publication
10. Referrals
11. Vicinity Sketch
12. McMinnville Planned Development Ordinance No. 4626

SUBJECT SITE

The subject site is located on the west side of NW Haun Drive, measures 64 feet by 100 feet, and is topographically flat. A two-story residence is situated in the approximate center of the site. Architecturally, the residence is of a contemporary colonial style and oriented east-west on the property. An attached two-car garage is served by a double-wide paved driveway extending west from Haun Drive. Horizontal lap siding is found on the lower and upper exteriors of all building facades. A covered porch extends along the southern half of the front façade.

The site is fronted by NW Haun Drive, a local residential street that has a curb, planting strip, and sidewalk along the west side of the public right-of-way. Along the east side of Haun Drive is found a section of the McMinnville Westside Bicycle and Pedestrian Greenway; a 1.31-mile long, landscaped, lighted, and hard-surfaced public recreational pathway for walkers, joggers, and bicycle riders. Only a curb exists along the edge of the greenway.

The site is well landscaped consisting of turf and a variety of shrubs in the front, side, and rear yards. Deciduous trees are found within the side and rear yards as well as two birch trees located in the curbside planter strip along Haun Drive. The rear and side yards are enclosed by a six-foot-tall wooden fence with gates to allow through passage in each side yard.

The subject site is zoned R-1 PD (Single-Family Residential, Planned Development), as are all the surrounding properties. Properties to the north and south are improved with single-family homes; to the east is the previously described public park; and to the west is vacant land within the McMinnville city limits. The subject site is part of the Shadden Claim Second Phase residential subdivision while property behind this residence (to the west) has not yet received specific development approval.

OBSERVATIONS

- The applicant is requesting approval of a conditional use permit to allow a bed and breakfast business within an existing two-story, three-bedroom residence at 2361 NW Haun Drive. The Planning Commission's responsibility regarding this type of land-use request is to conduct a public hearing and, at its conclusion, render a decision to approve, approve with conditions, or deny the request for a conditional use permit.
- The subject site is located within the Shadden Claim Second Addition residential subdivision which received Planning Commission approval in the year 2000. Previously, a zone change was approved by the City Council in 1996 (ORD No. 4626) on approximately 21.8 acres of land that included the site and would later become the Shadden Claim Second Addition subdivision. While this planned development remains binding on the subject site and the subdivision the site lies within, there is nothing in this ordinance (Exhibit 10) that is applicable to or influences the current request that is before you.
- According to City records, the subject residence was constructed in the year 2001.
- As the home has only been used as a single-family residence, the applicant indicates that the impact of the proposed use will be very similar and will not result in a noticeable impact on the surrounding neighborhood. The applicant also notes that this home is located within a neighborhood that enjoys a "family neighborhood feel."
- To operate a bed and breakfast business in McMinnville, the applicant must meet the requirements as stated in Section 17.12.020 (P) of the McMinnville Zoning Ordinance. Based upon the applicant's submitted narrative, several of these requirements appear to have already been met. Specifically, the house is designed and operated as a single-family residence and is functionally and architecturally compatible with the surrounding residential development. This bed and breakfast, if approved, would continue to remain owner-occupied. Further, while the applicant is not proposing any signage for the proposed use at this time, signage on the property would be limited to one non-illuminated or indirectly illuminated wooden sign not exceeding three (3) square feet of face area. Also, while the applicant has not stated specifically if smoke detectors are in place, this is a requirement for operating a vacation home rental business.

In responding to questions that are part of the conditional use application form, the applicant posed two seemingly conflicting statements. Specifically,

"I have one unused bedroom and bath and I would request permission to market my home online as a lodging option for wine tourists to McMinnville."

The applicant also stated:

"The business will be to offer hospitality with two existing rooms within my existing home."

In an attempt to reconcile these two statements and obtain clarification of the number of guest rooms the applicant intends to make available should this application be approved, City staff called the applicant on May 7, 2014. In that phone conversation the applicant clarified that the proposed guest accommodation specifically consists of only one bedroom, a large attached sitting room, and one bathroom.

- Section 17.12.020 (P) (4) specifically states that one off-street parking space is required for each two guest sleeping rooms. Sleeping rooms are also limited to a maximum of two per

bed and breakfast establishment. With only one guest room proposed for bed and breakfast rental use, one paved off-street vehicle parking space will need to be provided to serve this proposed use, in addition to the two parking spaces required for a single-family residence. These three spaces can be provided within the four available paved vehicle parking spaces located within the two-car garage and the double-wide driveway situated in the eastern portion of the site.

- As it is the applicant's intent to utilize this residence as a bed and breakfast, it would not serve the owner to allow the exterior to fall to disrepair or acquire an unkempt appearance. Toward this, the applicant has indicated that the bed and breakfast would be well managed, continue to be well maintained, and would enhance the livability of the surrounding neighborhood.
- Bed and breakfast businesses have been regulated since their addition to the McMinnville zoning ordinance in July of 1984 (McMinnville Ordinance No. 4292). Through this ordinance, bed and breakfast businesses are regulated in a fashion similar to the more recently regulated vacation home rental establishments. More specifically, bed and breakfasts are subject to limits on the size and type of signs that may be placed at the business location, the number of consecutive days that a guest may stay (seven, and no more than 15 days in any 30-day period), availability of adequate off-street parking, and having owner residency at the location of the business. Operation of this proposed bed and breakfast business would be subject to these requirements, if approved.

The bed and breakfast requirements of the zoning ordinance also provide a process for reviewing complaints from neighbors to the proposed use, and the ability of the Planning Commission to void a prior approval upon finding that the bed and breakfast has been operating in violation of its permit. To date, staff has not received a complaint on any of the bed and breakfast businesses approved by the Commission.

- A letter submitted by Carole and Ken Eidsvoog (Exhibit 7) dated April 28, 2014, was received by the Planning Department on April 30, 2014, in which they state their opposition to this request. This letter speaks to concerns that could be generally summarized as pertaining to on-street parking, pedestrian safety (in particular, that of children), signage, and allowing strangers to stay overnight in the neighborhood.

Staff shall address these concerns in the same order as stated:

On-street parking: The McMinnville Engineering, Fire, and Police Departments have reviewed this proposal and have stated that they find no conflicts with their interests. Further, Haun Drive was constructed in 2000 to local street standards in place at the time. This standard included a curb-to-curb dimension of 26 feet, with parking allowed on both sides of the street. Accordingly, parking is permitted along both sides of Haun Drive just as it is throughout both of the existing phases of the Shadden Claim development. There are no public safety concerns noted by any public agency relative to Haun Drive and the proposed conditional use permit request. Further, the applicant is required to provide adequate off-street parking for the existing single-family and proposed bed and breakfast uses, which should therefore minimize the need for on-street parking.

Pedestrian safety: The Eidsvoog's letter states "Children use this street to ride bikes, play basketball, soccer, and use chalk on the road for hop scotch games." While that may well be the case, it is staff's opinion that this proposed use (occasional use of one room for limited durations) would add a negligible increase in trips on this street and would not impact public safety.

Signage: The applicant has not proposed the display of any signage. Further, signage is regulated by the conditional use process.

Strangers staying in the neighborhood who would randomly be present for different lengths of time: The regulation of the comings and goings of individuals not known to other individuals in a neighborhood is not a criterion against which to judge this request. It is also not within the purview of the Planning Commission to decide or regulate such activity.

- A letter submitted by Marlene D. and Robert W. Garvey (Exhibit 8) dated May 5, 2014, was received by the Planning Department on May 7, 2014, in which they state their opposition to this request. This letter speaks to concerns that could be generally summarized as involving traffic, public safety (in particular, that of children), and suggested violation of one or more elements of the neighborhood's CC&Rs (Covenants, Conditions, and Restrictions).

Pertaining to statements related to traffic and public safety, please refer to the comments regarding Exhibit 7, above. As to the CC&R related comments, CC&Rs represent a private agreement and encumbrance and are not enforceable by the City. Staff would refer the Garvey's to their Homeowners' Association for further consideration of these concerns.

- The City of McMinnville Fire Department, Engineering Department, Building Department, City Manager, and City Attorney; McMinnville School District No. 40; McMinnville Water and Light; Yamhill County Public Works; Yamhill County Planning Department; Frontier; ComCast Cable; and Northwest Natural Gas were provided opportunity to review this request and provide comment. As of the drafting of this staff report, no comments in opposition were received from public agencies.
- Notice of this request was mailed to property owners located within 200 feet of the subject site. As of the date this report was written, the department had received written comments from two residents, as noted in the "Exhibits" section of this report, and as discussed in the above observations.
- The findings of fact and conclusionary findings are attached as Exhibit "A" to this report and are by this reference herein incorporated.

RECOMMENDATION

As noted in this report, there is some neighborhood concern regarding this proposal that, if approved, would allow the rental of a single room within the subject residence for individuals vacationing in the area. These concerns speak mostly to public safety, on-street parking, and alleged violations of the subdivision's private covenants. It is staff's opinion that the testimony provided in these letters fall well short of making a case for denial of this application.

Staff believes that use of the subject property for a bed and breakfast business is compatible with surrounding residential development and with development within this R-1 PD (Single-Family Residential, Planned Development) zone. The use of the residence as a bed and breakfast business will ensure (through ongoing maintenance) that the property will remain an asset to the neighborhood. It is staff's opinion that use of the subject site for this proposed use is reasonable and is consistent with both the goals and policies of Volume II of the Comprehensive Plan, and the requirements of the McMinnville Zoning Ordinance as they relate to development in this R-1 PD zone. We further believe that the conditions that exist in the City's zoning ordinance relative to operating a bed and breakfast business will ensure ongoing compatibility.

For these reasons, staff recommends that based on the findings of fact, the conclusionary findings for approval, and the materials submitted by the applicant, that CU 4-14 be approved, subject to conditions of approval, below:

1. That prior to use of the subject property for bed and breakfast purposes, the applicant shall register with the McMinnville Finance Department as a transient lodging provider. Local Transient Lodging Tax shall be collected and remitted to the City as provided in McMinnville Ordinance No. 4974.

MOTION

The Planning Department recommends the Commission make the following motion for approval:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVES CU 4-14, SUBJECT TO CONDITION OF APPROVAL AS PROVIDED IN THE STAFF REPORT.

RP:pjk

EXHIBIT "A"
FINDINGS OF FACT AND CONCLUSIONARY FINDINGS
DOCKET CU 4-14

FINDINGS OF FACT

1. The applicant is requesting approval of a conditional use permit to allow for the operation of a bed and breakfast business within an existing residence located at 2361 NW Haun Drive.
2. The subject site is designated Residential on the McMinnville Comprehensive Plan Map, 1980, and is zoned R-1 PD (Single-Family Residential, Planned Development) and is more specifically described as Tax Lot 11500, Section 18AD, T. 4 S., R. 4 W., W.M.
3. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville School District No. 40; McMinnville Water and Light; Yamhill County Public Works; Yamhill County Planning Department; Frontier; ComCast Cable, and Northwest Natural Gas. As of the date of this report, no comments in opposition to this application have been received from these agencies.
4. Goals and policies from Volume II of the McMinnville Comprehensive Plan which are applicable to this request include:

Parking:

- 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

Sanitary Sewer System:

- 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Storm Drainage:

- 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Water System:

- 144.00 The City of McMinnville, through the City Water and Light Department, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.
- 147.00 The City of McMinnville shall continue to support coordination between City departments, other public and private agencies and utilities, and the City Water and Light Department to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with the City Water and Light Department in making land use decisions.
- 178.00 The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.

5. The following sections of the McMinnville Zoning Ordinance (ORD 3380) are applicable to this request:

General Provisions:

"17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare."

Section 17.12.020 (P) of the McMinnville Zoning Ordinance states:

"Conditional uses. In an R-1 zone, the following uses and their accessory uses may be permitted, subject to the provisions of Section 17.72 and 17.74:"

[...] P. Bed and breakfast establishments provided:

1. That the structure be designed for and occupied as a single-family residence. The structure shall retain the characteristics of a single-family residence.
2. That the establishment be owner-occupied.
3. That no more than two guest sleeping rooms are provided on a daily or weekly basis for the use of no more than a total of five travelers or transients at any one time.
4. That a minimum of one off-street parking space be provided for the two permitted guest sleeping rooms. The required off-street guest parking may be provided on an existing parking lot located within 200 feet of the bed and breakfast establishment.
5. That signing be limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three square feet of face area.
6. That the duration of each guest's stay at the bed and breakfast establishment be limited to no more than seven consecutive days and no more than fifteen days in the 30-day period.
7. That smoke detectors be provided as per the requirements for "lodginghouses" in Ordinance No. 3997 of this code;
8. Permits may be renewed for one-year periods upon request of the applicant by filing a renewal application with the Planning Department and upon payment of a \$25 fee, provided that the permit has not been terminated under the provisions of Section 17.12.020(P)(9) below.
9. Complaints on conditions 1 through 8 above will be reviewed by the Planning Commission at a public hearing. The Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the bed and breakfast establishment is found to be in violation of the criteria, the Planning Commission may terminate the use.

Section 17.60.060(C)(22) provides requirements for off-street parking for a bed and breakfast business at a ratio of one space for the first two guest sleeping rooms and an additional space for each additional guest sleeping room.

Section 17.74.030 of the McMinnville Zoning Ordinance states:

"Authorization to grant or deny conditional uses. 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 with 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."

Section 17.74.040 of the McMinnville Zoning Ordinance states in part:

"Placing conditions on a permit. In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which it finds necessary to avoid a detrimental environmental impact and to otherwise protect the best interest of the surrounding area or the community as a whole [...]"

CONCLUSIONARY FINDINGS FOR APPROVAL

1. The subject request complies with applicable goals and policies of the McMinnville Comprehensive Plan, 1981 (Finding of Fact No. 4) as follows:
 - a. The subject site is properly designated and zoned for the proposed use on the McMinnville Comprehensive Plan Map, 1980, and the McMinnville Zoning Map.
 - b. Policy 126.00 is satisfied in that provision of adequate, paved, off-street parking is provided on the subject site.
 - c. Policies 136.00, 142.00, 144.00, and 147.00 are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer, and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, presently serve the site. Additionally, the Water Reclamation Facility has adequate capacity to continue to sufficiently serve the proposed use of this site. All municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards, and the City shall continue to support interagency cooperation to insure the coordinated provision of utilities to developing and redeveloping areas.
 - d. Policy 178.00 is satisfied in that approval of this request encourages a pattern of urban development that is energy efficient in that the subject site is within a developed neighborhood and directly across the street from the McMinnville Westside Bicycle and Pedestrian Greenway encouraging use of multi-modal transportation options.
2. The subject request complies with the applicable requirements of the McMinnville Zoning Ordinance (Finding of Fact No. 5) as follows:
 - a. Section 17.03.020 is satisfied by the request for the reasons enumerated in Conclusionary Finding for Approval No. 1.
 - b. The proposal complies with the requirements of Section 17.12.020 (P) and the procedure defined in Chapter 17.74.030 (Authorization to Grant or Deny a Conditional Use) of the McMinnville Zoning Ordinance. The applicant has met or will meet these requirements for the operation of a bed and breakfast business in this R-1 PD (Single-Family Residential, Planned Development) zone in that: 1) The structure is designed and will be operated as a single-family residence; 2) the establishment is owner occupied; 3) the applicant proposes to make only one room available for guest accommodations and a total of four guests at any one time; 4) adequate off-street parking is available in that three vehicle parking spaces are required for this use and four are provided; 5) signage will be limited as noted in the McMinnville Zoning Ordinance; 6) the duration of guests will be limited to a maximum of seven consecutive days and no more than 15 days in the 30-day period; and, 7) smoke detectors will be required, consistent with the Uniform Building Code. Further, a permit to continue this use may be renewed for one-year periods upon request by the applicant and review by the Planning Department. Any complaint regarding this business as pertains to item 1 through 7 above will be reviewed by the Planning Commission at a public hearing.
 - c. The proposal complies with the requirements of Section 17.60.060 (C) (22) as the subject residence will make one bedroom available for bed and breakfast guest use and the required off-street parking spaces (three) can be provided within the existing driveway and double-car garage.

3. The proposal complies with the requirements of Section 17.74.030 as follows:
 - a. The subject site is properly designated and zoned for the proposed use on the McMinnville Comprehensive Plan Map, 1980, and the McMinnville Zoning Map 1980, respectively. A bed and breakfast business is a conditional use allowed in the R-1 zone as stated in Section 17.12.020(P).
 - b. There was no evidence submitted as of the writing of this report that would indicate there would be any impact on the livability or appropriate development of the surrounding properties and neighborhood when compared to the impact of any single-family residence or other uses permitted in the R-1 zone. Based upon the history of similar bed and breakfast businesses in McMinnville, impacts of the proposed use will be similar or less when compared to uses that are permitted outright in this zone. The off-street parking is provided by direct vehicular access from NW Haun Drive, (a Local Residential street) which is designed to accommodate the traffic generated by this use. Adequate public facilities and services necessary to serve the proposed use are available to the site.
 - c. Operation of the proposed facility will be compatible with the surrounding neighborhood and is not anticipated to cause any significant adverse impact on the livability, value, or appropriate development or use of abutting properties.
 - d. The proposed facility is presently designed, landscaped, and situated in a manner that is complementary to existing development, and will not visually detract from the surrounding area.
 - e. The subject site has no environmental assets of particular interest to the community; therefore, Section 17.74.030 (E) is not applicable to the subject request.
 - f. The applicant has a bona fide intent and capability to use the land as proposed. There is no known inappropriate purpose for submitting the proposal.
4. Section 17.74.040 allows additional conditions to be imposed on a new conditional use. In this instance, in addition to those requirements provided in the McMinnville Zoning Ordinance and building, fire, life, and safety codes, the City has determined that there is no detrimental environmental impact to the surrounding area or community as a whole that necessitates the attachment of conditions to this request.

RP:pjk



Planning Department
 231 NE Fifth Street
 McMinnville, OR 97128
 (503) 434-7311 Office
 (503) 474-4955 Fax
www.ci.mcminnville.or.us

CONDITIONAL USE APPLICATION

APPLICANT/OWNER INFORMATION

Name of Applicant WILLIAM S. WILTON Phone (Hm) 503-435-9838
 Address 2361 NW HAUN DRIVE Phone (Wk) _____
 City, State, Zip M^cMINNVILLE, OR 97128
 Email Wm.Wilton@gmail.com

Applicant is: Property Owner Contract Buyer Option Holder
 Agent Other (specify) _____

Name of Property Owner _____ Phone (Hm) _____
(If different than above)
 Street Address _____ Phone (Wk) _____
 City, State, Zip _____
 Email _____

LEGAL DESCRIPTION OF PROPERTY

(If metes and bounds description, indicate on separate sheet)

Property Address 2361 NW HAUN DRIVE, McMinnville, OR 97128
 Assessor Map No. R44 -18AD- 11500 Total Lot Size 6321'
 Subdivision SHADDEN CLAIM 2ND EDITION Block _____ Lot 191
 Comprehensive Plan Designation R Zoning Designation R1 PD

Office Use Only:
 File No. 004-14 Date Received 4-7-14 Fee \$1000⁰⁰ Receipt No. 1400053 Staff RJK

State nature of the request in detail:

IT is my desire to open an AirBnB in my home as a vacation rental. I have one unused bedroom & bath and I would request permission to market my home online as a lodging option for wine tourist to McMinnville.

Describe in detail how the request will be consistent with the McMinnville Comprehensive Plan and the objectives of the zoning ordinance:

My home is a single family unit where I live alone. I have off street parking for two vehicles but I only have one myself. My AirBnB guests would be limited to 4 guest, more typically 2 the vast majority of the time. The nature of my guests & business does not violate the family neighborhood feel of my setting. Furthermore, my BnB is consistent with the wine tourism & hospitality of McMinn.

Describe how the location size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with, and have minimum impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration 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:

My business/AirBnB will have no discernable impact on my neighborhood or traffic patterns. The business will be to offer hospitality within 2 existing rooms within my existing home. NO addition structural changes are being made to the home. There will be no impact on my neighbors or to abutting properties whatsoever.

Describe what impact the proposed development may have on the livability, value, or appropriate development of abutting properties or the surrounding area when compared to the impact of permitted development that is not classified as conditional:

I believe that my proposed business will enhance the livability of my neighborhood. First of all, it offers incentive to me to maintain my home inside and out at a higher level than previously done.

Additionally, our neighborhood has several shared-wall houses and duplexes. These houses attract renters + more transient residence. All of the more permanent neighbors are excellent neighbors, who are upper middle income or above. My guests would come from this same demographic - wealthy / upper middle income, over 50 years of age, a couple on vacation for 2-5 days.

Describe how 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:

The location and design of the site will remain unchanged. The only changes will be cosmetic in nature. I plan to paint the house & enhance the landscaping slightly, all within the guidelines and acceptable practices of my neighborhood. It is currently an attractive home and will only get better from this usage if permitted.

Has the development been specifically designed to preserve any environmental assets or unique topography or vegetation of the site? If so, how? _____

not applicable

Explain how the development and use of the land as proposed has no inappropriate purpose, such as to artificially alter property values for speculative purposes: _____

*It is just a home in an existing neighborhood.
If sold, the home would sell only as a single family unit. There should be no speculative purpose whatsoever.
There are no plans to sell the property.*

In addition to this completed application, the applicant must provide the following:

- ✓ One (1) site plan drawn to scale indicating all required information as shown on page one of the information sheet. If the size of the site plans are larger than 11x17 inches 20 (twenty) copies will be required to be submitted with the application.
- ✓ A legal description of the property, preferably taken from deed.
- ✓ Payment of the applicable review fee.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

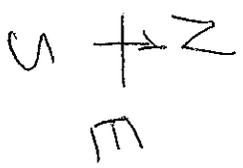
Wm. S. Witter
Applicant's Signature

April 8, 2014
Date

Wm. S. Witter
Property Owner's Signature

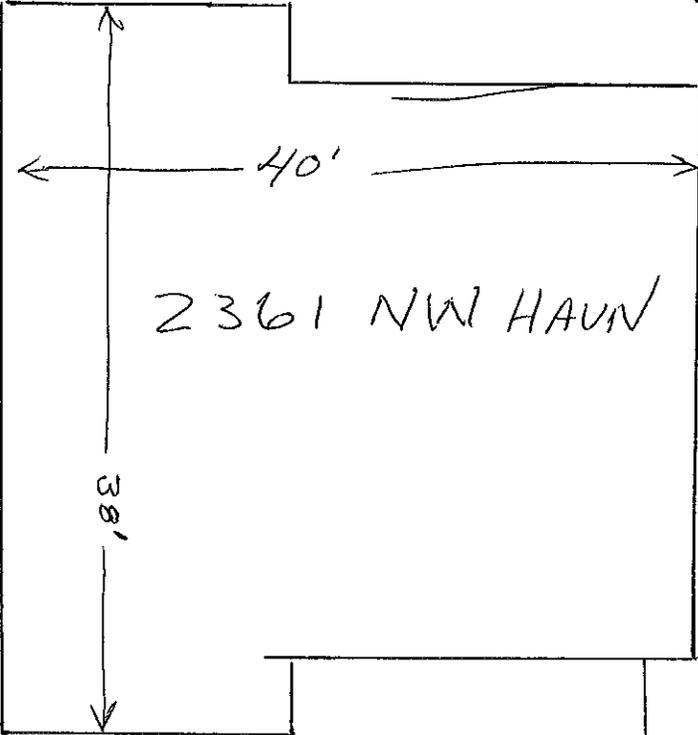
April 8, 2014
Date

Σ



Wm. WILTON
503-435-9938

63'



DRIVEWAY

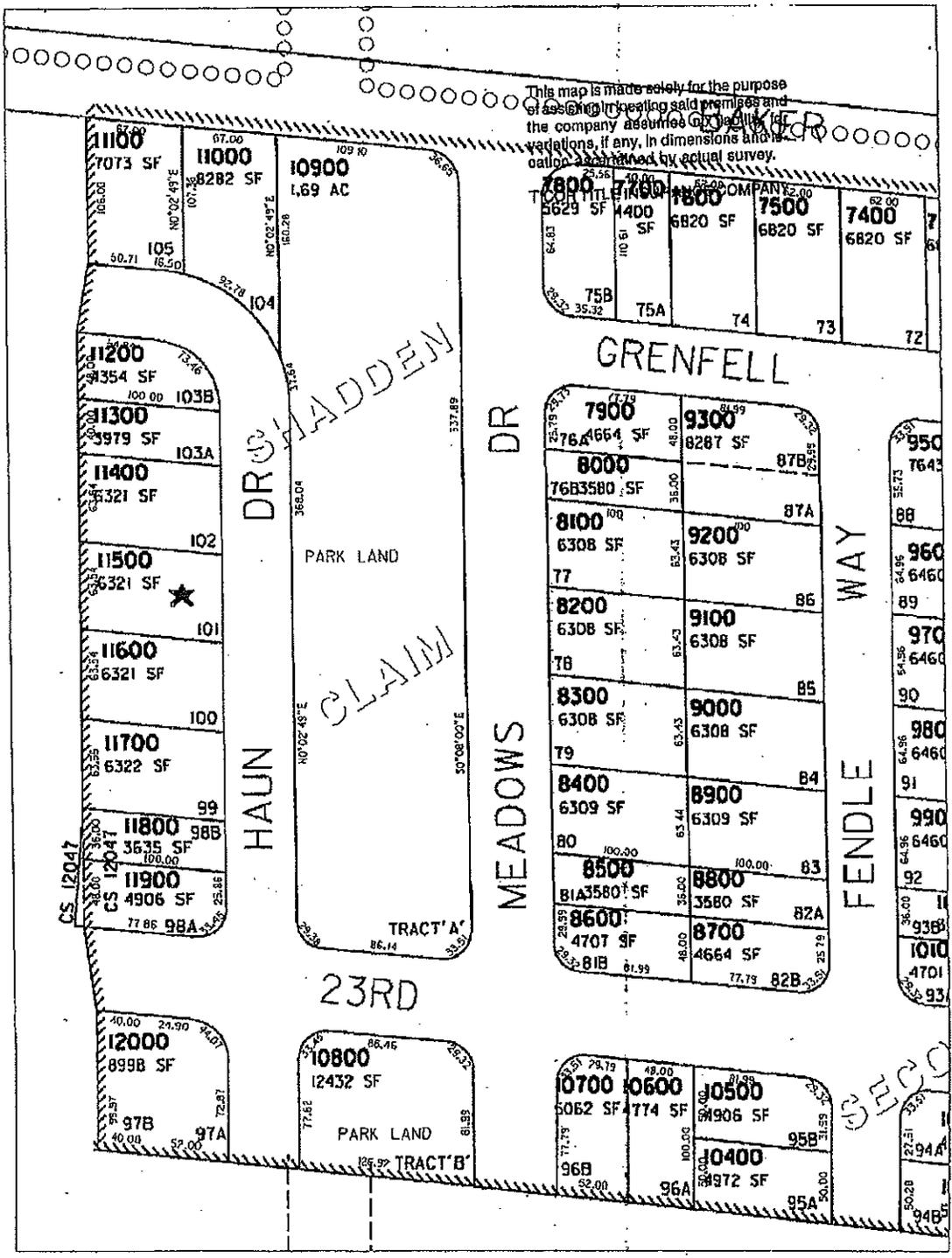
102'
113'

SIDEWALK

STREET

HAUN DRIVE

This map is made solely for the purpose of assessing the value of said premises and the company assumes no liability for variations, if any, in dimensions and location as obtained by actual survey.



11100
7073 SF

11000
8282 SF

10900
1.89 AC

105
50.71 16.50

11200
9354 SF

11300
9979 SF

11400
9321 SF

11500
9321 SF

11600
6321 SF

11700
6322 SF

11800
3635 SF

11900
4906 SF

12000
8998 SF

103B

103A

102

101

100

99

98B

98A

97B

97A

10800
12432 SF

10700
5062 SF

10600
774 SF

10500
5996 SF

10400
5972 SF

75B

75A

74

73

72

7900
764664 SF

8000
7683580 SF

8100
6308 SF

8200
6308 SF

8300
6308 SF

8400
6309 SF

8500
813580 SF

8600
4707 SF

8700
4664 SF

9300
8287 SF

9200
6308 SF

9100
6308 SF

9000
6308 SF

8900
6309 SF

8800
3580 SF

8700
4664 SF

10500
5996 SF

10400
5972 SF

7400
6820 SF

7300
6820 SF

7200
6820 SF

9500
7643

9600
6460

9700
6460

9800
6460

9900
6460

10000
6460

10100
4701

10200
9388

10300
9400

10400
9400

DR. WADDEN

DR. MEADOWS

CLAIM

TRACT 'A'

TRACT 'B'

GRENFELL

WAY

FENDLE

23RD

3200

Until a change is requested all tax statements shall be sent to the following address.

TOTAL MORTGAGE SOLUTIONS, LP
1555 W. WALNUT HILL LANE, SUITE 200A
IRVING, TX 75038

WHEN RECORDED MAIL TO
MetLife Home Loans - POST CLSG MAIL RM

1555 W Walnut Hill Ln #200 MC 6712
Irving TX, 75038

TAX ACCOUNT NUMBER
County: R4418AD City:

[Space Above This Line For Recording Data]

State of Oregon

DEED OF TRUST

| |
|-----------------|
| FHA Case No. |
| 431-4910579-703 |

MIN 100749500726217253

THIS DEED OF TRUST ("Security Instrument") is made on October 24th, 2009
The Grantor is WILLIAM S WILTON

("Borrower"). The trustee is TICOR TITLE

("Trustee"). The beneficiary is Mortgage Electronic Registration Systems, Inc. ("MERS"), (solely as nominee for Lender, as hereinafter defined, and Lender's successors and assigns). MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

MetLife Home Loans, a Division of MetLife Bank, N.A.,
("Lender") is organized and existing under the laws of THE UNITED STATES OF AMERICA, and
has an address of 4000 HORIZON WAY, IRVING, TEXAS 75063

Borrower owes Lender the principal sum of
THREE HUNDRED TWO THOUSAND FOUR HUNDRED TWENTY TWO & 00/100
Dollars (U.S. \$ 302,422.00).

This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on NOVEMBER 1, 2039. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the

0072621725
FHA Oregon Deed of Trust with MERS - 4/96
Wolters Kluwer Financial Services
VMP ©-4N(OR) (0305).01
Page 1 of 9
Amended 2/98
Initials: *LSW*



Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to the Trustee, in trust, with power of sale, the following described property located in Yamhill County, Oregon:
LOT 101, SHADDEN CLAIM SECOND ADDITION, IN THE CITY OF MCMINNVILLE,
COUNTY OF YAMHILL, STATE OF OREGON, ACCORDING TO THE PLAT THEREOF,
RECORDED JANUARY 14, 2000, AS INSTRUMENT NO. 200000594, PLAT RECORDS.

which has the address of 2361 NW HAUN DRIVE [Street]
MCMINNVILLE [City], Oregon 97128 [Zip Code] ("Property Address");

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument; but, if necessary to comply with law or custom, MERS, (as nominee for Lender and Lender's successors and assigns), has the right: to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing or canceling this Security Instrument.

BORROWER COVENANTS that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

Borrower and Lender covenant and agree as follows:
UNIFORM COVENANTS.

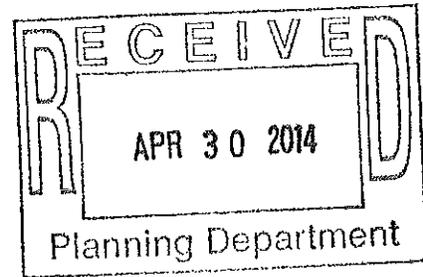
1. **Payment of Principal, Interest and Late Charge.** Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and late charges due under the Note.

2. **Monthly Payment of Taxes, Insurance and Other Charges.** Borrower shall include in each monthly payment, together with the principal and interest as set forth in the Note and any late charges, a sum for (a) taxes and special assessments levied or to be levied against the Property, (b) leasehold payments or ground rents on the Property, and (c) premiums for insurance required under paragraph 4. In any year in which the Lender must pay a mortgage insurance premium to the Secretary of Housing and Urban Development ("Secretary"), or in any year in which such premium would have been required if Lender still held the Security Instrument, each monthly payment shall also include either: (i) a sum for the annual mortgage insurance premium to be paid by Lender to the Secretary, or (ii) a monthly charge instead of a mortgage insurance premium if this Security Instrument is held by the Secretary, in a reasonable amount to be determined by the Secretary. Except for the monthly charge by the Secretary, these items are called "Escrow Items" and the sums paid to Lender are called "Escrow Funds."

Lender may, at any time, collect and hold amounts for Escrow Items in an aggregate amount not to exceed the maximum amount that may be required for Borrower's escrow account under the Real Estate Settlement Procedures Act of 1974, 12 U.S.C. Section 2601 *et seq.* and implementing regulations, 24 CFR Part 3500, as they may be amended

April 28, 2014

Doug Montgomery
McMinnville Planning Department
231 NE Fifth Street
McMinnville, OR 97128



Dear Mr. Montgomery:

I am writing this letter in response to the notification from the Planning Commission that William Wilton of 2361 NW Haun Drive is requesting a permit to open a bed and breakfast at his address.

I live at 1921 NW Haun Drive and would like to give my opinion, as I see it, to you, to assist with your decision to permit or not to permit this request.

NW Haun Drive is a small neighborhood area. There is parking only on one side of the street due to the narrowness of the street and the walking trail/green space that exists across the street from the site in question. The parking available for 2361 consists on the driveway and a small space in front of this home. Street sweepers, garbage trucks, recycling trucks, service technicians must use this road to service our homes. Children use this street to ride bikes, play basketball, soccer and use chalk on the road for hop scotch games.

This area really isn't suited for use for any business. Signs advertising and identifying the bed and breakfast would be an intrusion to all of us. Another issue that is paramount in my mind, is having strangers staying in our neighborhood who would randomly be present for different lengths of time.

I hope that the Commission will see that this bed and breakfast would not be compatible to neighborhood planning in our area.

Thank you for your time in reviewing my input in this issue.

Sincerely,

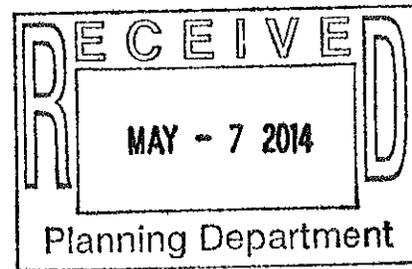
Carole Eidsvoog
Ken Eidsvoog
Carole and Ken Eidsvoog

1921 NW Haun Dr.

503-583-5755

May 5, 2014

Doug Montgomery, AICP
Planning Director
City of McMinnville
231 NE 5th Street
McMinnville, OR 97128



Dear Mr. Montgomery:

Re: William Wilton Conditional Use Permit Request
2361 NW Haun Drive
Docket Number CU4-14

This letter is in response to Mr. Wilton's request for a Conditional Use Permit to operate a Bed and Breakfast at his home.

We live on Meadows Drive across the park strip from 2361 NW Haun Drive. Because Haun Street is not a thru street and very narrow, parking is an issue. As a small neighborhood, this subdivision of Shadden Claim only has two main exits onto Baker Creek Road--Meadows and Shadden. Because of the park and the single family residence area, there are lots of children playing in the area especially when school is not in session. We already have lots of traffic using Meadows and Shadden, including service trucks like garbage, recycling, street sweepers and other necessary services.

The subdivision was to be developed in phases and only Shadden Claim I and II, which were designed as single family residences, have been completed. The balance of the subdivision parcels remain undeveloped and are presently being farmed. This also brings lots of traffic into our area during farming time.

According to our AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SHADDEN CLAIM SUBDIVISION recorded on January 14, 2000 in Yamhill County Records, we mention the following additional issues:

Article I, Lot Owners Association, Section 9, Leases. *Each Owner shall have the right to lease his/her Lot and the improvements thereon. Any such lease shall be in writing and shall provide that its terms shall be subject in all respects to the provisions of this Declaration and that any failure by the Lessee to comply with the provisions of said Declaration shall constitute a default under such lease. For purposes of this provision, the term "lease" includes, but is not limited to, a month to month rental agreement.* Operating a business such as a Bed and Breakfast with single day or multiple day stays in a single family residence does not seem to meet this criteria.

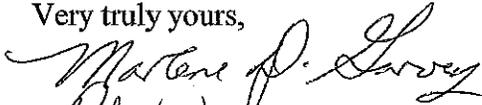
Article II, General Provisions, Lots 1 through 105 inclusive, Sec. 10 - Signs *No signs of any*

Mr. Doug Montgomery
Page 2
May 5, 2014

kind shall be displayed to the public view on any residential/duplex building or building lot except for not more than two (2) standard size real estate signs advertising the property for sale or rent. This restriction shall not prohibit the temporary placement of "political" signs on any lot by the owner or tenant, or the placement of a professional sign by the Developer or builders during development/construction. Business signs advertising a Bed and Breakfast do not seem to meet this criteria. Also any advertising in newspapers or other media would bring unwanted publicity to our single family residential area.

We would appreciate the McMinnville Planning Commission's consideration in determining that this business use of a single family residence is not in the best interest of our neighborhood. Thank you.

Very truly yours,




Marlene D. Garvey
Robert W. Garvey
2332 NW Meadows Dr.
McMinnville, OR 97128

cc Al Bartsch, President
Shadden Claim Homeowners Assn.

Lucy King, Board Member
Shadden Claim Homeowners Assn.

NOTICE

NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 15th day of May, 2014, at the hour of 6:30 p.m. in the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

DOCKET
NUMBER

CU 4-14 William Wilton is requesting approval of a conditional use permit to allow for the operation of a bed and breakfast business within an existing residence. The subject site is located at 2361 NW Haun Drive and is more specifically described as Tax Lot 11500, Section 18AD, T. 4 S., R. 4 W., W.M.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision.

The Planning Commission's decision on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Testimony and evidence at the public hearing must be directed toward those criteria, which are generally as follows:

1. The goals and policies of the McMinnville Comprehensive Plan.
2. The requirements of McMinnville Ordinance No. 3380 (Zoning Ordinance) with particular emphasis on Chapter 17.03.020 (Purpose), Chapter 17.12 (R-1 Single-Family Residential Zone), Chapter 17.72 (Applications and Review Process), and Chapter 17.74 (Review Criteria).

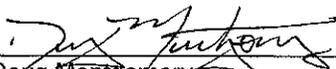
Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity to provide the Planning Commission opportunity to respond to the issue, precludes appeal to the City Council on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE Fifth Street, McMinnville, Oregon, during working hours.

For additional information contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.

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.



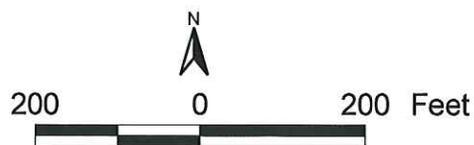
Doug Montgomery
Planning Director

(Map of area on back)

Vicinity Map



Geographic Information System



City of McMinnville
Planning Department
231 NE Fifth St
McMinnville, OR 97128
(503) 434-7311

| Map No. | Tax Lot | Site Address | Owner | Attn: | Mailing Address | City State | Zip |
|---------|--------------|-----------------|------------------|--------------------------------------|---------------------------|--------------------|-------|
| 2 | R4418 00203 | | VI-2 DEVELOPMENT | VI-2 DEVELOPMENT INC | 695 COMMERCIAL ST SE NO 4 | SALEM OR | 97301 |
| 3 | R4418AD11100 | 1921 NW HAUN DR | EIDVOOG KENNETH | EIDVOOG CAROLE R | 1921 NW HAUN DR | MCMINNVILLE OR | 97128 |
| 4 | R4418AD11000 | 1903 NW HAUN DR | DRULINER LARRY | DRULINER BARBARA | 1903 NW HAUN DR | MCMINNVILLE OR | 97128 |
| 5 | R4418AD10900 | | MCMINNVILLE CITY | MCMINNVILLE CITY OF | 230 NE 2ND ST | MCMINNVILLE OR | 97128 |
| 6 | R4418AD11200 | 1918 NW HAUN DR | BLOS RICHARD | BLOS RICHARD & NANCY AB LIVING TRUST | 351 NE ALDER ST | DUNDEE OR | 97115 |
| 7 | R4418AD11300 | 2391 NW HAUN DR | BLOS RICHARD | BLOS RICHARD & NANCY AB LIVING TRUST | 351 NE ALDER ST | DUNDEE OR | 97115 |
| 8 | R4418AD11400 | 2379 NW HAUN DR | THESSIN WILLIAM | MURRAY CAROLE J | 2379 NW HAUN DR | MCMINNVILLE OR | 97128 |
| 10 | R4418AD11600 | 2349 NW HAUN DR | GRISWOLD JEAN | GRISWOLD JEAN E TRUST | PO BOX 25856 | PRESCOTT VALLEY AZ | 86312 |
| 11 | R4418AD11700 | 2335 NW HAUN DR | YEO RICHARD | YEO RICHARD & CARLA LIVING TRUST | PO BOX 534 | YAMHILL OR | 97148 |
| 12 | R4418AD11800 | 2321 NW HAUN DR | BENTON DONALD | BENTON DONALD A & COLLENE R JT RLT | 2313 NW HAUN DR | MCMINNVILLE OR | 97128 |
| 13 | R4418AD11900 | 2313 NW HAUN DR | BENTON DONALD | BENTON DONALD A & COLLENE R JT RLT | 2313 NW HAUN DR | MCMINNVILLE OR | 97128 |
| Owner | R4418AD11500 | 2361 NW HAUN DR | WILTON WILLIAM | WILTON WILLIAM S | 2361 NW HAUN DR | MCMINNVILLE OR | 97128 |

Date Sent 4-23-14
 Sent By SP

ORDINANCE NO. 11626

An Ordinance amending the City of McMinnville Comprehensive Plan Map from an existing commercial designation to a residential designation and rezoning certain property from a C-3 PD (General Commercial Planned Development) zone to an R-1 PD (Single-Family Residential Planned Development) zone on 1.2 acres of land, and a zone change from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone on approximately 21.8 acres of land located south of Baker Creek Road and east of Hill Road.

RECITALS:

The Planning Commission received an application from Don Jones for a comprehensive plan map amendment and zone change (CPA 1-96/ZC 1-96), dated April 9, 1996, for the property described as a portion of Tax Lot 200, Section 18, T. 4 S., R. 4 W., W.M.

A public hearing was held on May 9, 1996, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on May 4, 1996, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said requests, found that said changes conformed to the review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that plan map amendment and the zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan map amendment and zone change and has recommended said changes to Council;

The City Council called for a public hearing and set the hour of 7:30 p.m., July 9, 1996, to consider the application, and the matter came on for hearing as scheduled; and

New testimony was received as was the entire record of the previous Planning Commission hearing on the matter, and the Council found that based on the testimony received, the findings of fact, the conclusionary findings for approval, and the previous record received, the Planning Commission had made the correct decision and that that decision should be sustained; now, therefore,

THE CITY OF McMinnville ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Don Jones.

Section 2. That the Comprehensive Plan Map shall be amended from a commercial designation to a residential designation for the property described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

Section 3. That the property described in Exhibit "B" is hereby rezoned from a C-3 PD (General Commercial Planned Development) zone to an R-1 PD (Single-Family Residential Planned Development) zone and the property described in Exhibit "C" is hereby zoned from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone, subject to the following conditions:

1. That the conceptual plan for that portion of the subject site not included in the tentative subdivision plan shall not be binding on the City.
2. That site plans and building elevations for the proposed multi-family units must be submitted to and approved by the Planning Director prior to the issuance of any building permits for said units. The multiple-family project(s) must be nonlinear in design and parking lots must be broken up by landscaping. In addition, useable open space shall be provided within the development, and streetside landscaping shall be emphasized.
3. That the minimum interior side yard setback shall be 7.5 feet.
4. That duplexes shall be allowed on corner lots 134, 136, and 140 with a minimum lot size of 8,000 square feet.
5. That the exterior side yard setback for lots 68, 69, 96, 108, 109, 120, 134, 136, and 140 shall be a minimum of 15 feet.
6. That VJ-2 Company dedicate to the City of McMinnville the parkland as designated on the tentative plan for Shadden Claim, First Addition. VJ-2 Company shall submit to the City for review and approval a detailed design plan for the development of the proposed parkland. At a minimum the park design plan shall include grading, drainage, lighting and irrigation system information, proposed landscaping, and path location and construction details. The improvement and maintenance of the parkland shall be the responsibility of VJ-2 Company and their successors in interest in the Shadden Claim development. VJ-2 Company shall enter into an agreement with the City of McMinnville setting out the terms and provisions of the improvement and maintenance responsibilities for the parkland. Said agreement shall be prepared by the City Attorney. The City shall

also be authorized to improve and maintain the parkland if VJ-2 Company or its successors in interest fail to do so and to levy a lien against each and every lot within this subdivision for said costs and to record these liens in the City's Docket of Liens.

7. That the applicant shall initiate with the City a process which will result in the designation of a minimum of a net 10 acres of land on the north side of Baker Creek Road in close proximity to its intersection with Hill Road for commercial purposes. The process shall include the application of a planned development overlay which restricts the property from use for residential purposes.

Read and passed by the Council this 9th day of July 1996 by the following votes:

Ayes: Hughes, Kirchner, Massey, Payne, Tomcho, Windle

Nays: _____

Approved this 9th day of July 1996.



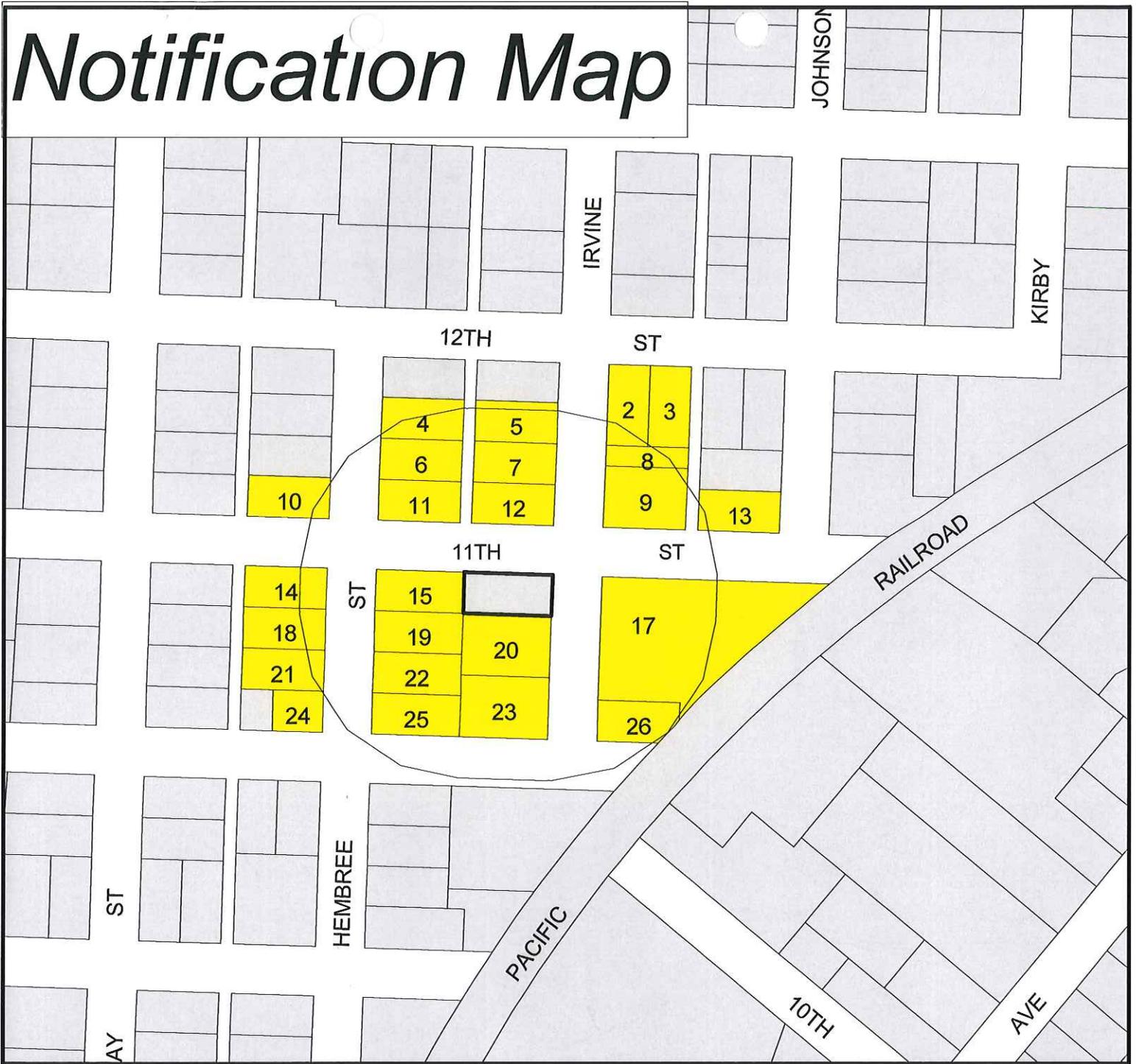
MAYOR

Attest:



RECORDER

Notification Map



CU 5-14

Mark and Shelley Houston are requesting approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence.

Recorded Owner:

Mark & Shelley Houston
1025 NE Irvine Street
McMinnville, OR 97128



Geographic Information System

APPROVED BY: PLANNING COMMISSION

CITY COUNCIL

ATTESTED TO BY: _____



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

- Request:** Approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence.
- Location:** The subject site is located at 1055 NE Irvine Street, and is more specifically described as Tax Lot 12100, Section 16 CD, T. 4 S., R. 4 W., W.M.
- Applicant:** Mark S. and Shelley L. Houston

EXHIBITS

1. Staff Report
2. CU 5-14 Application and Fact Sheets
3. Plot plan submitted by applicant
4. Floor Plan Sketch submitted by applicant
5. Assessor Map submitted by applicant
6. List of property owners to whom notice was sent
7. Affidavit of Publication
8. Referrals
9. Vicinity Sketch

SUBJECT SITE

The subject site is located at the southwest corner of the intersection of NE Irvine Street and NE 11th Street. The site is rectangular in shape, measuring some 50 feet by 107 feet and is topographically flat. A two-story residence is situated in the eastern half of the property (facing onto NE Irvine Street), west of which is attached a double-car garage (facing onto NE 11th Street). Architecturally, the residence is of a rural vernacular style with a sloped roof oriented north-south on the property. Two windows are provided on the upper front façade, while the lower portion consists of a large picture window and entry door. Horizontal lap siding is found on the lower and upper exteriors of all building facades. A covered porch extends along the length of the front façade. According to the applicant, the residence's interior consists of a living room, dining room, kitchen, pantry and a half-bath on the first floor, with three bedrooms and two bathrooms on the upper floor. A small accessory building is located near the southwest corner of the site.

The site is fronted by NE Irvine Street, a local residential street that has curbs and planting strips along both sides and a public sidewalk along the east side of this right-of-way. Curbs, planting strips, and public sidewalks extend along both sides of NE 11th Street adjacent to the north side of the subject property. The back yard of the site consists essentially of a gravel parking area that also functions as the driveway connecting the site's concrete driveway apron along 11th Street to the home's attached double-car garage. A private concrete walkway with four steps extends directly to the front door from the public curb along NE Irvine Street.

Site landscaping in the front and side yards of the property is minimal, consisting predominantly of turf. Small shrubs are fairly evenly spaced around most of the home's foundation. Three street trees are situated in each of the two public planting strips adjacent to the property. A three-foot tall chain-link fence encloses the front yard and most of the exterior side yard of the property. A six-foot-tall wooden fence exists along most of the interior side yard and along the entire length of the back yard property line.

The subject site is zoned R-3 (Two-Family Residential), as are the surrounding properties with the exception of property located to the east across NE Irvine which is zoned M-2 (General Industrial) and is developed with two flex-space buildings currently hosting the MVP Performance Training, and Gallery Ballet & Tap businesses.

OBSERVATIONS

- The applicant is requesting approval of a conditional use permit to allow a vacation home rental business within an existing two-story, three-bedroom residence at 1055 NE Irvine Street. The Planning Commission's responsibility regarding this type of land-use request is to conduct a public hearing and, at its conclusion, render a decision to approve, approve with conditions, or deny the request for a conditional use permit.
- According to City records, the subject residence was constructed in 2008.
- As the home has only been used as a single-family residence, the applicants indicate that the impact of the proposed use will be very similar and will not result in a noticeable impact on the surrounding neighborhood. The applicants also note that this home is located within walking distance of the "lively Third Street happenings." The applicants' narrative also states that as a vacation home rental this property would help to promote local commerce and support civic events by providing a more robust visitor population.
- To operate a vacation home rental business in McMinnville, the applicant must meet the requirements as stated in Section 17.18.020 (P) of the McMinnville Zoning Ordinance. Based upon the applicants' submitted narrative, several of these requirements appear to have already been met. Specifically, the house is designed and operated as a single-family residence and is functionally and architecturally compatible with the surrounding residential development. Further, while the applicant is not proposing any signage for the proposed use at this time, signage on the property would be limited to one non-illuminated or indirectly illuminated wooden sign not exceeding three (3) square feet of face area. Furthermore, the applicant has provided contact information (lives next door), should an emergency or complaint situation arise. While the applicant has not stated specifically if smoke detectors are in place, this is a requirement for operating a vacation home rental business.
- Section 17.12.020 (R) specifically states that one off-street parking space is required for each guest bedroom. With three guest rooms proposed for vacation home rental use, three off-street parking spaces will need to be provided to serve this proposed use. These spaces can be provided within the two-car garage and the driveway that are situated in the western portion of the site. As with any similar use, the requirement to pave off-street parking spaces (Section 17.60.080 (A)) would extend to a vacation home rental. This gravel area would therefore need to be paved. Further, the driveway leading to the parking spaces will also need to be paved.

This parking situation is similar to that of Conditional Use CU 2-11 approved by the Planning Commission in October, 2011. That proposed vacation home rental was also short one paved parking space. As a condition of that approval the Commission required that, within 60 days of the approval, the required off-street parking spaces all be paved. Staff recommends that, should the Commission approve this request, a similar condition be attached as provided in this report's recommendation.

- As it is the applicant's intent to utilize this residence as a vacation home rental, it would not serve the owner to allow the exterior to fall to disrepair or acquire an unkempt appearance. Toward this, the applicants have indicated that the vacation home rental would be well managed and continue to be well maintained; additionally, the applicants have noted that they own and live in the house next door.

- As the Planning Commission is aware, vacation home rental businesses have been regulated since 2008 following the adoption of Ordinance No. 4902 which was codified into the McMinnville Zoning Ordinance and can be found at Section 17.12.020 (R). Through this ordinance, vacation home rental businesses are regulated in a fashion similar to bed and breakfast establishments. More specifically, vacation home rentals are subject to limits on the size and type of signs that may be placed at the business location, the number of consecutive days that a guest may stay, availability of adequate off-street parking, and having owner residency or an emergency contact person within the McMinnville city limits. Operation of this proposed vacation rental would be subject to these conditions, if approved.

The vacation home rental ordinance also provides a process for reviewing complaints from neighbors to the proposed use, and the ability of the Planning Commission to void a prior approval upon finding that the vacation rental has been operating in violation of its permit. To date, staff has not received a complaint on any of the vacation home rental businesses currently in operation.

- The City of McMinnville Fire Department, Engineering Department, Building Department, City Manager, and City Attorney; McMinnville School District No. 40; McMinnville Water and Light; Yamhill County Public Works; Yamhill County Planning Department; Frontier; ComCast Cable; and Northwest Natural Gas were provided opportunity to review this request and provide comment. As of the drafting of this staff report, no comments in opposition were received from public agencies.
- Notice of this request was mailed to property owners located within 200 feet of the subject site. As of the date this report was written, no comments as regard the applicant's request had been received by the Planning Department from those who were notified.
- The findings of fact and conclusionary findings are attached as Exhibit "A" to this report and are by this reference herein incorporated.

RECOMMENDATION

Staff believes that use of the subject property for a vacation home rental business is compatible with surrounding development and with development within the R-3 (Two-Family Residential) zone. The use of the residence as a vacation home rental business will ensure (through ongoing maintenance) that the property will remain an asset to the neighborhood. It is staff's opinion that use of the subject site for this proposed use is reasonable and is consistent with both the goals and policies of Volume II of the Comprehensive Plan, and the requirements of the McMinnville Zoning Ordinance as they relate to development in the R-3 (Two-Family Residential) zone. We further believe that the conditions that exist in the City's zoning ordinance relative to operating a vacation home rental business will ensure ongoing compatibility.

For these reasons, staff recommends that based on the findings of fact, the conclusionary findings for approval, and the materials submitted by the applicant, that CU 5-14 be approved, subject to conditions of approval, below:

1. That prior to use of the subject property for vacation home rental purposes, the applicant shall register with the McMinnville Finance Department as a transient lodging provider. Local Transient Lodging Tax shall be collected and remitted to the City as provided in McMinnville Ordinance No. 4974.

2. That within 60 days of this approval, the gravel area connecting the site's NE 11th Street driveway apron to the two-car garage shall be paved thereby resulting in a minimum of three paved off-street parking spaces to serve this vacation home rental business. All areas required to access these parking spaces shall also be paved.

MOTION

The Planning Department recommends the Commission make the following motion for approval:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVES CU 5-14, SUBJECT TO CONDITIONS OF APPROVAL AS PROVIDED IN THE STAFF REPORT.

RP:pjk

EXHIBIT "A"
FINDINGS OF FACT AND CONCLUSIONARY FINDINGS
DOCKET CU 5-14

FINDINGS OF FACT

1. The applicant is requesting approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence located at 1055 NE Irvine Street.
2. The subject site is designated Residential on the McMinnville Comprehensive Plan Map, 1980, and is zoned R-3 (Two-Family Residential) and is more specifically described as Tax Lot 12100, Section 16CD, T. 4 S., R. 4 W., W.M.
3. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville School District No. 40; McMinnville Water and Light; Yamhill County Public Works; Yamhill County Planning Department; Frontier; ComCast Cable, and Northwest Natural Gas. As of the date of this report, no comments in opposition to this application have been received from these agencies.
4. Goals and policies from Volume II of the McMinnville Comprehensive Plan which are applicable to this request include:

Parking:

- 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

Sanitary Sewer System:

- 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Storm Drainage:

- 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Water System:

- 144.00 The City of McMinnville, through the City Water and Light Department, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.
- 147.00 The City of McMinnville shall continue to support coordination between City departments, other public and private agencies and utilities, and the City Water and Light Department to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with the City Water and Light Department in making land use decisions.
- 178.00 The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.

5. The following sections of the McMinnville Zoning Ordinance (ORD 3380) are applicable to this request:

General Provisions:

"17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare."

Section 17.18.020 of the McMinnville Zoning Ordinance states:

"Conditional uses. In an R-3 zone, the following uses and their accessory uses may be permitted, subject to the provisions of Section 17.74.030:"

[...] P. Vacation home rentals, subject to the provisions of Section 17.12.020 (R):

Section 17.12.020 (R) of the McMinnville Zoning Ordinance states:

1. That the structure be designed for and occupied as a single-family residence. The structure shall retain the characteristics of a single-family residence.
2. That a minimum of one off-street parking space be provided for each guest room.
3. That signage is limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three (3) square feet of face area.
4. That the duration of each guest's stay at the residence be limited to less than 21 (twenty one) consecutive days.
5. That smoke detectors be provided as per the requirements for "lodging houses" in Ordinance No. 3397.
6. That the property owner shall live within the city limits or shall provide contact information of a person living within the city limits who shall be available to respond immediately to any emergency or complaint related to the vacation home rental.
7. Permits may be renewed for one-year periods upon request of the applicant by filing a renewal application with the Planning Department and upon payment of a \$25 fee, provided that the permit has not been terminated under the provisions of Section 17.12.020(R)8 below.
8. Complaints on conditions 1 through 7 above will be reviewed by the Planning Commission at a public hearing. The Planning Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the vacation home rental is found to be in violation of the criteria, the Planning Commission may terminate the use.

Section 17.60.060.C.22 provides requirements for off-street parking for a vacation home rental business at a ratio of one space for each guest room.

Section 17.74.030 of the McMinnville Zoning Ordinance states:

"Authorization to grant or deny conditional uses. 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 with 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."

Section 17.74.040 of the McMinnville Zoning Ordinance states in part:

"Placing conditions on a permit. In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which it finds necessary to avoid a detrimental environmental impact and to otherwise protect the best interest of the surrounding area or the community as a whole [...]"

CONCLUSIONARY FINDINGS FOR APPROVAL

1. The subject request complies with applicable goals and policies of the McMinnville Comprehensive Plan, 1981 (Finding of Fact No. 4) as follows:
 - a. The subject site is properly designated and zoned for the proposed use on the McMinnville Comprehensive Plan Map, 1980, and the McMinnville Zoning Map.

- b. Policy 126.00 is satisfied in that provision of adequate, paved, off-street parking sufficient to support the proposed use can be made available as per the recommended condition of approval (condition of approval number two).
 - c. Policies 136.00, 142.00, 144.00, and 147.00 are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer, and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, presently serve the site. Additionally, the Water Reclamation Facility has adequate capacity to continue to sufficiently serve the proposed use of this site. All municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards, and the City shall continue to support interagency cooperation to insure the coordinated provision of utilities to developing and redeveloping areas.
 - d. Policy 178.00 is satisfied in that approval of this request encourages a pattern of urban development that is energy efficient in that the subject site is within close proximity to downtown McMinnville and the use of this property as a vacation home rental would be anticipated to add to the existing commercial activity in the area.
2. The subject request complies with the applicable requirements of the McMinnville Zoning Ordinance (Finding of Fact No. 5) as follows:
- a. Section 17.03.020 is satisfied by the request for the reasons enumerated in Conclusionary Finding for Approval No. 1.
 - b. The proposal complies with the requirements of Section 17.18.020 (P) as a vacation home rental business is a conditional use allowed under the provisions of Chapter 17.12.020 (R) and the procedure defined in Chapter 17.74.030 (Authorization to Grant or Deny a Conditional Use) of the McMinnville Zoning Ordinance. The applicant has met or will meet these requirements for the operation of a vacation home rental business in an R-3 (Two-Family Residential) zone in that: 1) The structure is designed and will be operated as a single-family residence; 2) adequate off-street parking is available in that three vehicle parking spaces are required for this use and will be provided as conditioned; 3) signage will be limited as noted in the McMinnville Zoning Ordinance; 4) the duration of guests will be limited to a maximum of 21 consecutive days; 5) smoke detectors will be required, consistent with the Uniform Building Code; and, 6) the applicant's contact information will be kept on file should an emergency or complaint situation arise which requires staff to contact the applicant. Further, a permit to continue this use may be renewed for one-year periods upon request by the applicant and review by the Planning Department. Any complaint regarding this business as pertains to item 1 through 6 above will be reviewed by the Planning Commission at a public hearing
 - c. The proposal complies with the requirements of Section 17.60.060 (C) (22) as the subject residence has three bedrooms and the required off-street parking spaces (three) can be provided within the existing driveway and double-car garage.
3. The proposal complies with the requirements of Section 17.74.030 as follows:
- a. The subject site is properly designated and zoned for the proposed use on the McMinnville Comprehensive Plan Map, 1980, and the McMinnville Zoning Map 1980, respectively. A vacation home rental is a conditional use allowed in the R-3 zone as stated in Section 17.18.020(P).

- b. There was no evidence submitted that would indicate that there would be any impact on the livability or appropriate development of the surrounding properties and neighborhood when compared to the impact of any single-family residence or other uses permitted in the R-3 zone. Based upon the history of similar vacation home rentals in McMinnville, the Commission finds that impacts of the proposed use will be similar or less when compared to uses that are permitted outright in this zone. The off-street parking is provided direct vehicular access from NE 11th Street, (a Local Residential street) which is designed to accommodate the traffic generated by this use. Adequate public facilities and services necessary to serve the proposed use are available to the site.
 - c. Operation of the proposed facility will be compatible with the surrounding neighborhood and is not anticipated to cause any significant adverse impact on the livability, value, or appropriate development or use of abutting properties.
 - d. The proposed facility is presently designed, landscaped, and situated in a manner that is complementary to existing development, and will not visually detract from the surrounding area.
 - e. The subject site has no environmental assets of particular interest to the community; therefore, Section 17.74.030 (E) is not applicable to the subject request.
 - f. The applicant has a bona fide intent and capability to use the land as proposed. There is no known inappropriate purpose for submitting the proposal.
4. Section 17.74.040 allows additional conditions to be imposed on a new conditional use. In this instance, in addition to those requirements provided in the McMinnville Zoning Ordinance and building, fire, life, and safety codes, the City has determined that there is no detrimental environmental impact to the surrounding area or community as a whole that necessitate the attachment of conditions to this request.

RP:pjk



Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311 Office
(503) 474-4955 Fax
www.ci.mcminnville.or.us

CONDITIONAL USE APPLICATION

APPLICANT/OWNER INFORMATION

Name of Applicant ^{Mark S. Houston Jr} Shelley L. Houston Phone (Hm) ^{Mark} 541-556-7867
Address 1025 NE Irvine Phone (Wk) ^{Shelley} 541-554-9782
City, State, Zip McMinnville, OR 97128
Email writing.the.story.of.life@gmail.com

Applicant is: Property Owner Contract Buyer Option Holder
 Agent Other (specify) _____

Name of Property Owner SAME Phone (Hm) _____
(If different than above)
Street Address _____ Phone (Wk) _____
City, State, Zip _____
Email _____

LEGAL DESCRIPTION OF PROPERTY

(If metes and bounds description, indicate on separate sheet)

Property Address 1056 NE Irvine St., McMinnville, OR
Assessor Map No. R44 -16 -CD 12100 Total Lot Size 5375 SF
Subdivision Oak Park Addition Block 40 Lot 5
Comprehensive Plan Designation Res'L Zoning Designation R-3

Office Use Only:
File No. 5-14 Date Received 4/10/14 Fee 1000⁰⁰ Receipt No. 14m0057 Staff [Signature]

State nature of the request in detail:

WE ARE REQUESTING A CONDITIONAL USE PERMIT FOR THE PROPERTY TO BE USED AS A VACATION HOME RENTAL AS DEFINED IN 17.12.020 OF THE CITY ZONING ORDINANCE. ALL REQUIREMENTS OF 17.12.020 WILL BE MET.

Describe in detail how the request will be consistent with the McMinnville Comprehensive Plan and the objectives of the zoning ordinance: McMinnville's comprehensive plan sets goals that encourage development while protecting residential, commercial, industrial and civic interests. This downtown home will meet those goals in that it will be preserved as a single family residence and yet, as a vacation home rental promote local commerce and support civic events by providing a more robust visitor population.

Describe how the location size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with, and have minimum impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration 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:

This property is ideally suited for a vacation home rental. It is a newer home kept in pristine condition and located on the edge of downtown. This delightful location allows for visitors to enjoy the quiet of the neighborhood while benefitting from the luxury of being walking distance to the lively 3rd Street happenings. Since we own and live in the house next door we can assure this rental will be well managed and maintained. Also, the house has a two car garage, an ample driveway and RV parking. We expect there to be no impact to surrounding streets.

Describe what impact the proposed development may have on the livability, value, or appropriate development of abutting properties or the surrounding area when compared to the impact of permitted development that is not classified as conditional:

There is no expected impact on the livability, value or appropriate development of abutting properties except to improve the same. Since it is imperative to create and maintain an attractive property to sustain interest by patrons, the attractiveness of the property is insured.

Describe how 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: _____

Please refer to above.

Has the development been specifically designed to preserve any environmental assets or unique topography or vegetation of the site? If so, how? To the best of our knowledge, there are no environmental assets or unique topography. We will maintain current landscaping.

Explain how the development and use of the land as proposed has no inappropriate purpose, such as to artificially alter property values for speculative purposes: _____

The proposed use is congruent with existing zoning and the comprehensive plan and does not support any inappropriate purpose or is designed to artificially alter property value

In addition to this completed application, the applicant must provide the following:

- ✓ One (1) site plan drawn to scale indicating all required information as shown on page one of the information sheet. If the size of the site plans are larger than 11x17 inches 20 (twenty) copies will be required to be submitted with the application.
- ✓ A legal description of the property, preferably taken from deed.
- ✓ Payment of the applicable review fee.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.


Applicant's Signature

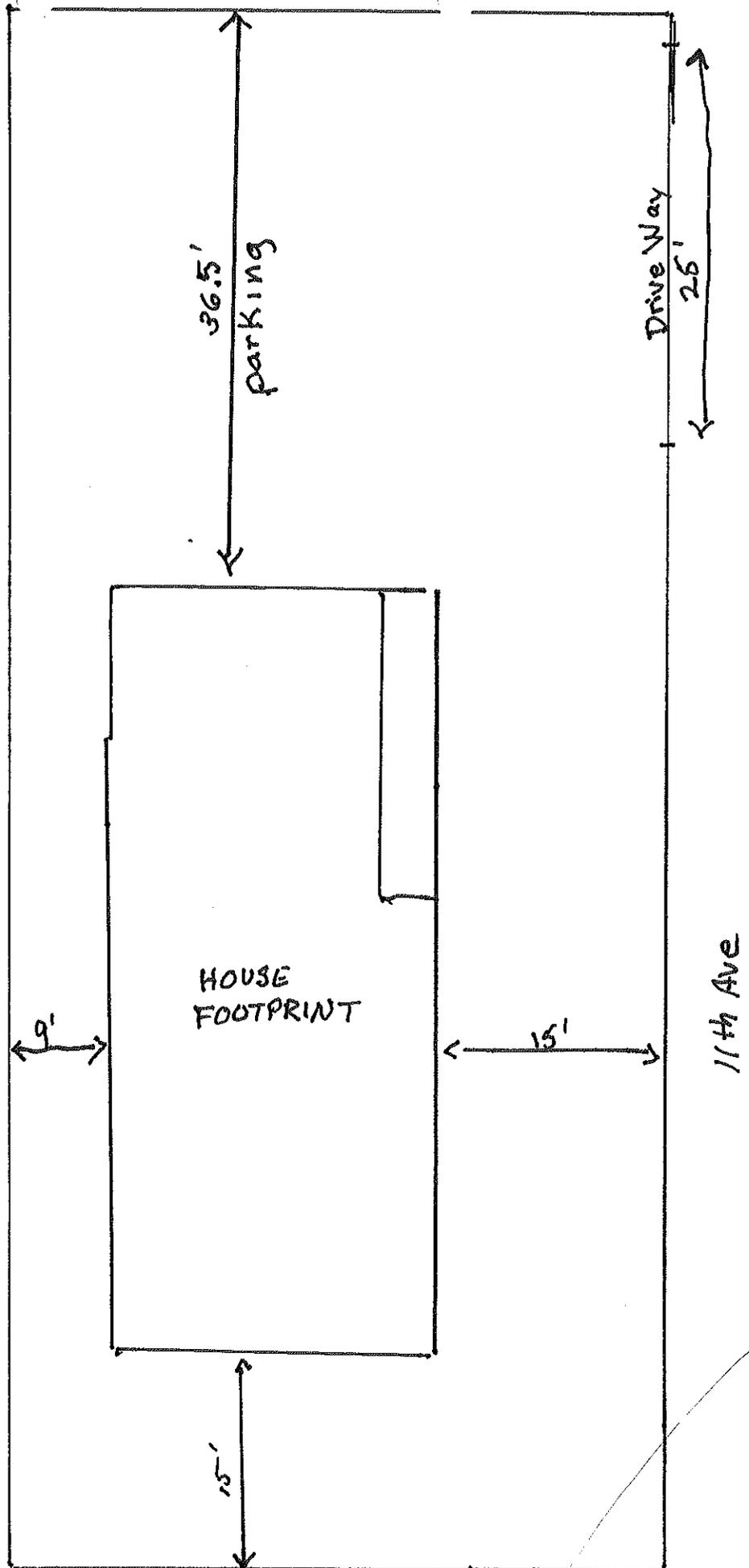
4-10-14
Date


Property Owner's Signature

4-10-14
Date

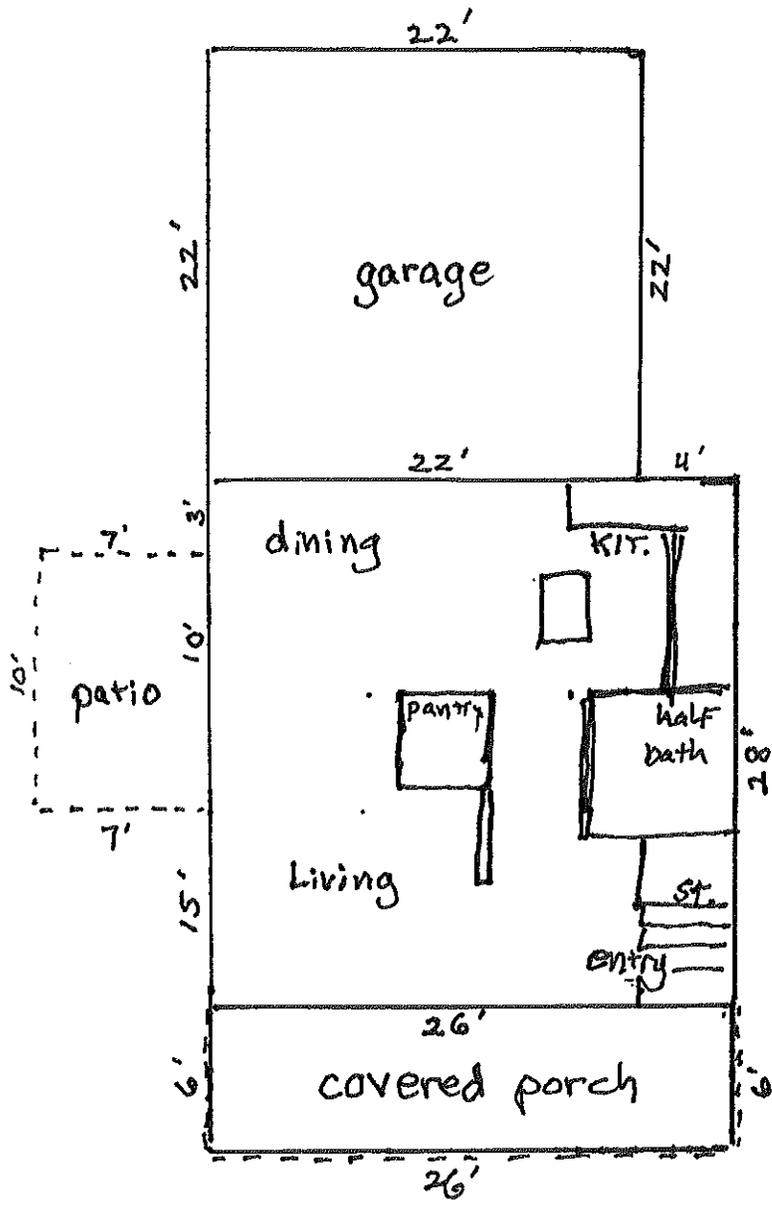
107.5
~~117 Feet~~
(107.5 X 50 Feet)

1055 NE Irvine
McMinnville

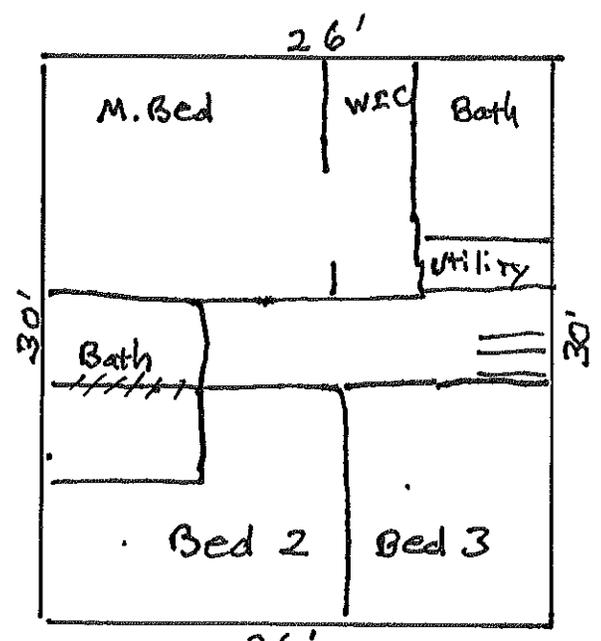


NE Irvine

1055 NE Irvine
McMinneville, OR



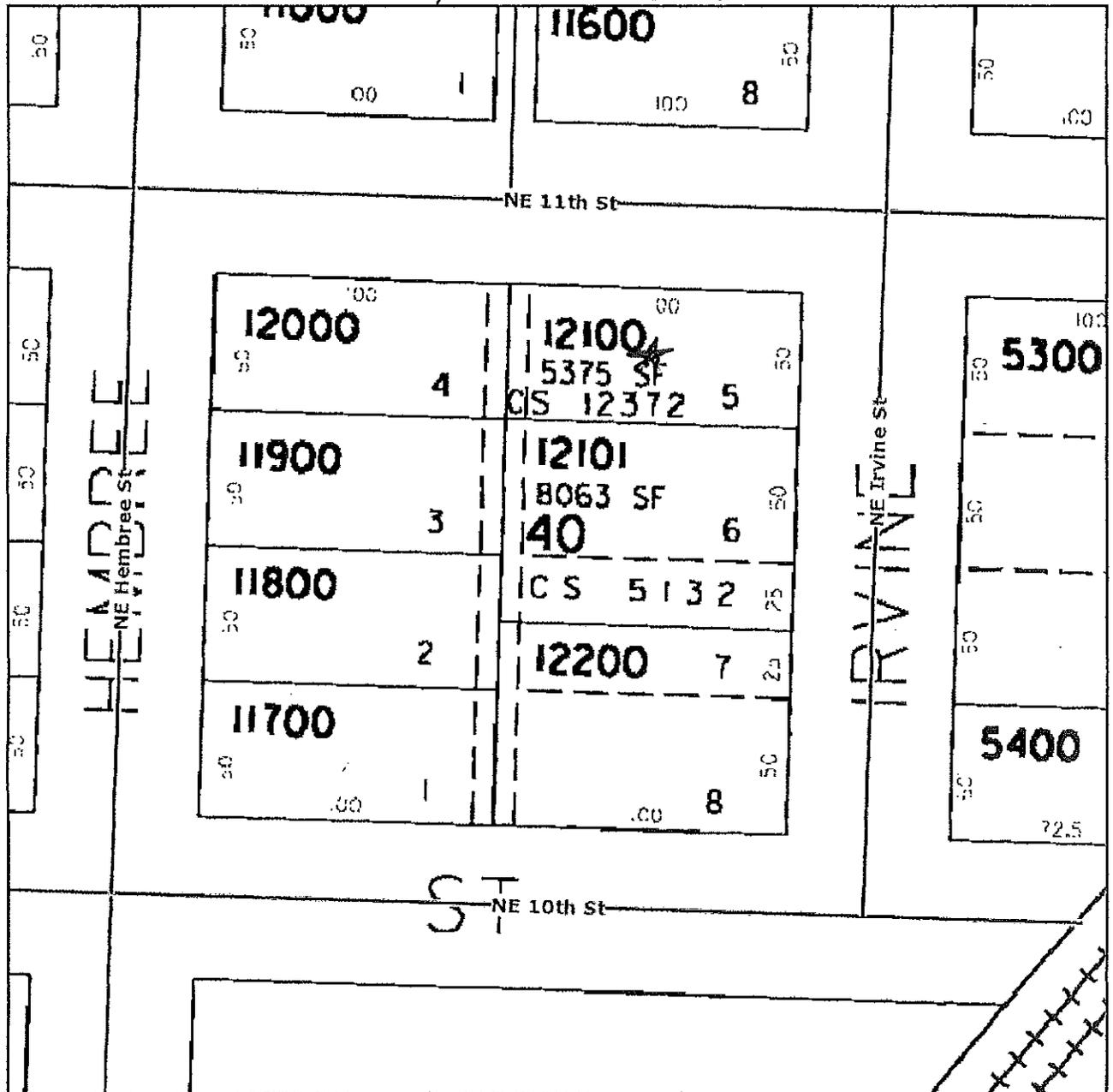
main floor



upper level
overhangs
garage by
2'

FLOOR PLAN SKETCH BY SHELLEY L. HOUSTON
room positions are approximate

→ 1055 NE Irvine ←



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NOTICE

NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 15th day of May, 2014, at the hour of 6:30 p.m. in the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

DOCKET
NUMBER

CU 5-14 Mark and Shelley Houston are requesting approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence. The subject site is located at 1055 NE Irvine Street and is more specifically described as Tax Lot 12100, Section 16CD, T. 4 S., R. 4 W., W.M.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision.

The Planning Commission's decision on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Testimony and evidence at the public hearing must be directed toward those criteria, which are generally as follows:

1. The goals and policies of the McMinnville Comprehensive Plan.
2. The requirements of McMinnville Ordinance No. 3380 (Zoning Ordinance) with particular emphasis on Chapter 17.03.020 (Purpose), Chapter 17.18 (R-3 Two - Family Residential Zone), Chapter 17.72 (Applications and Review Process), and Chapter 17.74 (Review Criteria).

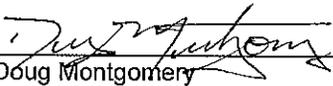
Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity to provide the Planning Commission opportunity to respond to the issue, precludes appeal to the City Council on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE Fifth Street, McMinnville, Oregon, during working hours.

For additional information contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.

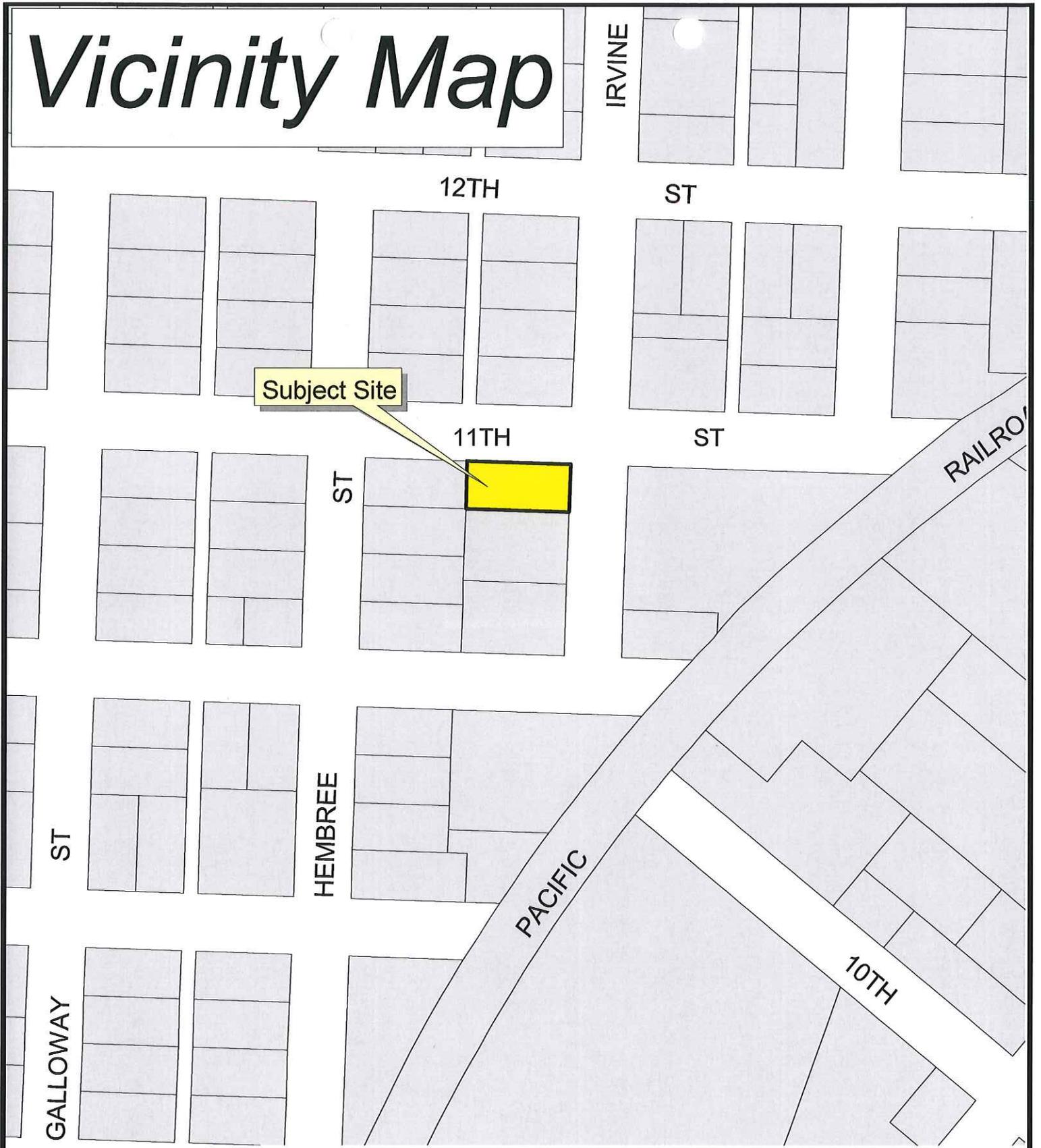
The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.



Doug Montgomery
Planning Director

(Map of area on back)

Vicinity Map



Geographic Information System



City of McMinnville
Planning Department
231 NE Fifth St
McMinnville, OR 97128
(503) 434-7311

| Map No. | Tax Lot | Site Address | Owner | Attn: | Mailing Address | City State | Zip |
|---------|--------------|--------------------|-------------------|--------------------------------------|-------------------------------|----------------|-------|
| 2 | R4416CD04600 | 904 NE 12TH ST | GARCIA JUAN | GARCIA JUAN C & BEATRIZ | 2100 COUGAR AVE SW | ALBANY OR | 97321 |
| 3 | R4416CD04500 | 918 NE 12TH ST | TORO ABRAHAM | GUZMAN JESENIA | 918 NE 12TH ST | MCMINNVILLE OR | 97128 |
| 4 | R4416CD11200 | 1122 NE HEMBREE ST | CANTERA JOSE | CANTERA JOSE V | 1122 NE HEMBREE ST | MCMINNVILLE OR | 97128 |
| 5 | R4416CD11401 | 1125 NE IRVINE ST | JUAREZ RAQUEL | JUAREZ RAQUEL | 1125 NE IRVINE ST | MCMINNVILLE OR | 97128 |
| 6 | R4416CD11100 | 1112 NE HEMBREE ST | SCITERN CHARLES | SCITERN CHARLES C & VIRGINIA M | 1112 NE HEMBREE ST | MCMINNVILLE OR | 97128 |
| 7 | R4416CD11500 | 1117 NE IRVINE ST | CARLSON MELISSA | CARLSON MELISSA M | 1117 NE IRVINE ST | MCMINNVILLE OR | 97128 |
| 8 | R4416CD04700 | 1116 NE IRVINE ST | FORSTER KELVIN | FORSTER KELVIN & CHARITY A | 143 SW HOWARD DR | MCMINNVILLE OR | 97128 |
| 9 | R4416CD04800 | 1106 NE IRVINE ST | WILLIAMS STEVEN | WILLIAMS STEVEN L | 1106 NE IRVINE ST | MCMINNVILLE OR | 97128 |
| 10 | R4416CD10500 | 1103 NE HEMBREE ST | INGRAM JEFFREY | INGRAM CHERYL | 1103 NE HEMBREE ST | MCMINNVILLE OR | 97128 |
| 11 | R4416CD11000 | 833 NE 11TH ST | MESSINA FRANK | MESSINA FRANK & JOYCE & | 1265 NW MICHELBOOK LN | MCMINNVILLE OR | 97128 |
| 12 | R4416CD11600 | 833 NE 11TH ST | SINGLETON ALFRED | SINGLETON ALFRED FAMILY LIVING TRUST | 833 NE 11TH ST | MCMINNVILLE OR | 97128 |
| 13 | R4416CD04400 | 1105 NE JOHNSON ST | LYNAGH JENNIFER | LYNAGH JENNIFER | 1105 NE JOHNSON ST | MCMINNVILLE OR | 97128 |
| 14 | R4416CD12700 | 1035 NE HEMBREE ST | NORCROSS CYNTHIA | NORCROSS CYNTHIA | 1035 N HEMBREE ST | MCMINNVILLE OR | 97128 |
| 15 | R4416CD12000 | 1032 NE HEMBREE ST | SHEETS MICHAEL | SHEETS MICHAEL JR & DAWN | 1032 NE HEMBREE ST | MCMINNVILLE OR | 97128 |
| 17 | R4416CD05300 | 906 NE 11TH ST | MORRIS THOMAS | MORRIS THOMAS LLC | 1405 NE LAFAYETTE AVE SUITE E | MCMINNVILLE OR | 97128 |
| 18 | R4416CD12800 | | NORCROSS CYNTHIA | NORCROSS CYNTHIA | 1035 N HEMBREE ST | MCMINNVILLE OR | 97128 |
| 19 | R4416CD11900 | 1026 NE HEMBREE ST | ELIAS VICENTE | ELIAS VICENTE & VIRGINIA & | 1026 NE HEMBREE ST | MCMINNVILLE OR | 97128 |
| 20 | R4416CD12101 | 1025 NE IRVINE ST | HOUSTON MARK | HOUSTON SHELLEY L | 1025 NE IRVINE ST | MCMINNVILLE OR | 97128 |
| 21 | R4416CD12900 | 1015 NE HEMBREE ST | JOY JOAN | JOY JOAN R | 13620 SW 21ST ST | BEAVERTON OR | 97008 |
| 22 | R4416CD11800 | 1014 NE HEMBREE ST | LOPEZ JESSE | JAKOBSEN NANCY J 1/4 | 19 E PHILLIPS RD | CORRALTON CA | 95076 |
| 23 | R4416CD12200 | 1021 NE IRVINE ST | MCCOMB RAEMAN | MCCOMB RAEMAN | 1021 NE IRVINE ST | MCMINNVILLE OR | 97128 |
| 24 | R4416CD13100 | 1005 NE HEMBREE ST | DIAZ R | DIAZ R MOISES & MARTHA | 2524 NE CHALMERS WAY | MCMINNVILLE OR | 97128 |
| 25 | R4416CD11700 | 1008 NE HEMBREE ST | IRVIN DANNY | IRVIN DANNY L & NANCY J | 1008 NE HEMBREE ST | MCMINNVILLE OR | 97128 |
| 26 | R4416CD05400 | 1004 NE IRVINE ST | MORRIS-THOMAS LLC | MORRIS-THOMAS LLC | 1405 NE LAFAYETTE AVE SUITE E | MCMINNVILLE OR | 97128 |
| Owner | R4416CD12100 | 1055 NE IRVINE ST | HOUSTON MARK | HOUSTON SHELLEY L | 1025 NE IRVINE ST | MCMINNVILLE OR | 97128 |