

MINUTES

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

Members Absent: Mr. Chroust-Masin, Ms. Pietz and Ms. Thomas,

Staff Present: Mr. Montgomery, Mr. Pomeroy, Mr. Bisset, Ms. Haines, Ms. Morrison

1. Approval of Minutes: July 16, 2015

Chair Stassens called the meeting to order at 6:31 p.m. and called for action on the Planning Commission minutes from the July 16, 2015 meeting. Commissioner Butler wished to have a correction to the minutes showing that Chair Stassens adjourned the meeting at the end of the last page and then MOVED to APPROVE the minutes as corrected; SECONDED by Commissioner Morgan. Motion PASSED unanimously.

2. Public Hearing (Quasi Judicial)

◆ **Docket CU 2-15**

Request: Approval of a conditional use permit to allow a year-round social relief facility providing residential care for up to 13 (thirteen) persons and a year-round cold weather shelter providing emergency care for up to 35 persons.

Location: 1234 NE 14th Street and 1315 NE Macy Street, and is more specifically described as Tax Lots 01500 and 01600, Section 16DC, T. 4 S., R. 4 W., W.M.

Applicant: Yamhill County Gospel Rescue Mission

Chair Stassens opened the public hearing at 6:37 p.m., and requested disclosures, abstentions, or objections to jurisdiction. There were none noted by any members of the Planning Commission. Chair Stassens then asked if any of the commissioners had visited the location and all had except for Commissioner Tiedge. Chair Stassens informed the audience that she wished to remind them to please testify in accordance with the criteria.

Chair Stassens then requested the staff report from Mr. Pomeroy.

Mr. Pomeroy provided the staff report and entered five additional letters into the record. Mr. Pomeroy stated that the staff report mentions that in the Findings of Fact in Exhibit "A" of the staff report, item number one states that the applicant is requesting approval of a conditional use permit to allow a year-round social relief facility providing residential care for up to 13 (thirteen) persons and

a year round cold weather shelter. Mr. Pomeroy asked to strike "cold weather" from that statement to clarify for the record that it was not just a cold weather shelter. Mr. Pomeroy stated that this application did meet all of the criteria and that the Planning Department was recommending approval subject to the conditions listed in the staff report.

Commissioner Morgan referenced page three of the applicants conditional use permit as to the difference between modular and manufactured homes and then clarified that there were significant differences in their building codes. Commissioner Morgan further stated the he has some professional experience in this area as he worked as an engineer for twenty years and has been associated with manufactured housing industry for forty five years.

Chair Stassens asked Mr. Montgomery about amending the conditional use language for the building placed on the property to be subject to the more stringent building codes. Mr. Montgomery responded that this action should be considered under deliberation prior to any action to approve.

Chair Stassens asked for any additional questions from the Commission. Hearing none, then called for the applicant's testimony.

Applicant Kaye Sawyer, Director of the Yamhill County Gospel Rescue Mission, and representative Dave Haugeberg were present. Ms. Sawyer informed the committee that she filed the application for expansion of its current facility on the adjoining property. Ms. Sawyer spoke as to how the mission was started. Ms. Sawyer stated she was a dispatcher for several years for Yamhill Communications Agency (YCOM) and was made aware of the community's need for a shelter and the many reasons people needed immediate and temporary housing.

Ms. Sawyer explained that the current location started as a cold weather shelter in 2009 and at that time it was not a 24/7 facility. Due to community need, the shelter transitioned to a year-round, 24/7 facility. Ms. Sawyer shared some stories of people that the mission has assisted. Ms. Sawyer further stated that there is currently a waiting list for use of the facility. Ms. Sawyer is asking for the City to allow a shelter on the south end of the property to provide immediate relief from inclement weather conditions or if there is a need for immediate day to day housing needs. Ms. Sawyer explained that this building would not be a permanent or overnight shelter unless an emergency situation was identified. This building would only be open daily until 9:00 p.m. The other building that is proposed in the application would be intended to be used for a men's only shelter that would be part of the regular 24/7 shelter currently in operation. Ms. Sawyer states that both planned structures would be more attractive than what is currently located on the property in addition to enhanced landscaping with a privacy screen. Ms. Sawyer stated that she is working with a landscape designer to come up with a plan that would enhance the neighborhood and would focus the main entrance to the east of the industrial side of the property. After obtaining input from neighbors, she would like to have a main courtyard that would be away from the street view and in the middle of the proposed buildings so as to minimize noise in the neighborhood. A smoking area would be on the east side of the property away from neighborhood housing. Parking would be addressed by having additional spaces available on the east side of the site adjacent to Macy Street and in the mission's driveway on 14th Street. According to her, creation of new parking areas would eliminate some of the congestion on Logan and 14th Streets. Ms. Sawyer addressed security issues brought up by neighbors and stated that the mission will continue to do background checks and that any person with disqualifying conditions will not be allowed to stay. Staff will be on site at all times and outside surveillance cameras will be installed. Ms. Sawyer indicated that she had received many favorable comments from neighbors and feels that the neighbors are supportive of the facility. Ms. Sawyer felt that any concerns with the facility would be solved by adding the requested additions to the property.

Commissioner Morgan asked Ms. Sawyer what percentage of guests would have vehicles. Ms. Sawyer responded that there are about two to three vehicles at any given time and that most of the guests do not have vehicles and that they arrive at the facility via public transportation or walking. Ms. Sawyer stated she has planned for enough parking for staff and guests in the new design.

Commissioner Morgan asked Ms. Sawyer if the triple wide that was proposed in the permit was new or donated. Ms. Sawyer responded that initially a unit was to be donated, but since that fell through she is looking for a new unit to specifications that the City is requiring. Commissioner Morgan asked which school within the district the modular double wide unit would be donated. Ms. Sawyer responded that the McMinnville School District planned to donate the modular unit that is currently located near the district office and that this unit currently has two bathrooms. Ms. Sawyer further explained that the unit will need to have a sprinkler system installed and a shower in one of the bathrooms.

Chair Stassens asked Ms. Sawyer how guests arrived at the mission. Ms. Sawyer responded that they are sometimes provided a ride by the mission, dropped off, or use public transportation as well as walk to the shelter.

Chair Stassens asked if there were any additional questions and there were none.

Mr. Haugeberg requested that Mary Alice Russell, McMinnville School District Superintendent speak as well as Marci Ingram, the McMinnville School District drop-out prevention/homeless youth advocate. Ms. Russell stated that the McMinnville School District has over 200 children identified as homeless in its district. Ms. Ingram shared a personal experience of homelessness. Ms. Russell shared that many school district employees use their own funding and time to assist homeless families and that many of the behavior problems seen in classrooms and schools are directly related to some children having unstable or no home environments. Ms. Russell spoke of the livability component and noted that she could not think of a better way to enhance our community. Ms. Russell also shared a personal experience with homelessness.

Chair Stassens asked if there were any additional questions from the Commission and there were none. Commissioner Tiedge stated that he appreciated the stories told to support the expansion of the mission and that the expansion would be an enhancement to the community, however much of it is irrelevant to the application criteria. Chair Stassens clarified Commissioner Tiedge's comment to please not bring emotion into the testimony and to only provide testimony relevant to the criteria.

Mr. Haugeberg responded that he would be mindful of the criteria and asked Daniel Brown to testify.

Mr. Brown stated that he has been a lead volunteer for the faith based winter program at First Baptist church for the past four years. Mr. Brown stated that the church provides a warm place to sleep when temperatures drop below 36 degrees and that currently six local churches are participating in this type of shelter. Mr. Brown stated that the numbers have grown from an average of four to six individuals per night to over twenty per night this last year during cold nights. Mr. Brown stated that guests are able to be in the building from 8:00 p.m. to 8:00 a.m. and, as the church is very close to a neighborhood, he tries to keep the volume down and keep people from being disruptive to minimize the impact for the neighbors. Mr. Brown stated that has received no formal complaints about the church's shelter program, however, he stated that he has asked guests three to four times to not come in due to their behaviors. Most people that are denied entrance leave quietly, however, Mr. Brown stated that there have been a couple of times that he has requested police assistance. Mr.

Brown stated that most guests are out in the weather all day, that some may have mental illness and addiction conditions, and noted that most people are stressed and very tired when they come to the shelter. Food and warm drinks are provided and that most people are asleep by 9:30 p.m. Mr. Brown further stated that most individuals that utilize the church are just looking for a warm place to sleep and have had a minimal effect on the neighborhood.

Chair Stassens asked if there were any questions from the Commission.

Commissioner Tiedge asked if the church will participate in any way with the new facility at the mission and Mr. Brown responded that they would. Commissioner Tiedge asked Mr. Brown if he would be part of the administration at the mission and Mr. Brown replied that he would not.

Mr. Haugeberg asked Jerry Wilson from the Yamhill County Veterans Administration to speak. Mr. Wilson spoke of his experience working with veterans to help them with the resources they need and stated that he sees a need for housing for veterans in our community. Mr. Haugeberg asked if Mr. Wilson had experienced any veterans causing trouble in neighborhoods and he replied that he did not know of any. Mr. Wilson stated that he assists veterans in getting Section 8 housing and with finding jobs, and that there is a need in the community for housing until a permanent living arrangement can be found for them.

Chair Stassens asked if there were any additional questions from the Commission and there were none.

Mr. Haugeberg spoke of the conclusionary findings for approval; specifically in item "F" of the staff report. He stated that the applicant, Yamhill County Gospel Rescue Mission, has the financial and administrative capability to develop and use the site as proposed in this application and has no inappropriate purpose for submitting the proposal." Mr. Haugeberg stated that if the application was granted that it would be a successful program. He also spoke to the minimal impact on the neighborhood. Mr. Haugeberg clarified that he does not represent the mission in any capacity, but is here this evening because he is a concerned citizen and wants to make a difference. Mr. Haugeberg shared a story of his own experience of a homeless woman found deceased in another city due to exposure. Mr. Haugeberg expressed that he wanted to help raise the funds to make this project happen and discussed how to attain the necessary money to fund these changes.

Chair Stassens asked if there were any questions from the Commission.

Commissioner Morgan asked Mr. Haugeberg what he thought the timeline was for the opening of the shelter. Mr. Haugeberg responded that he wanted to see the shelter open by December 1, 2015.

Chair Stassens asked if there were any additional questions from the Commission and there were none.

Chair Stassens addressed Commissioner Tiedge's concerns about testimony keeping to the relevancy of the primary criteria of the ordinance and reminded the audience that we are here to review that criteria listed in 17.74.030, specifically, items B and C. Chair Stassens reminded the audience to please address these two items in their testimony as this is what the commissioners are basing their decision on.

Chair Stassens called for additional questions for the applicants and any others that wished to speak in favor of the proposal and there were none. Chair Stassens called for any persons that were opposed to speak.

Eric Meaders testified that he has contacted the police on many occasions for parking violations, people drinking and for people urinating in yards as well as people sitting on his car at early hours of the morning. Mr. Meaders testified that he doesn't feel safe leaving his wife and children at home alone with this type of population across the street and that sometimes there are as many as twenty cars blocking the driveway. Mr. Meaders further stated that he has had his vehicles hit several times without anyone notifying him, that he has found a syringe on his property, and that there has been damage to his property and to the property of his neighbors by people from the shelter. Mr. Meaders stated that he has seen people crawling in and out of windows at the shelter and that people have trespassed on other's properties in the neighborhood. Mr. Meaders reiterated that there are city ordinances being violated and has called the police many times.

Chair Stassens asked if there were any questions from the Commission.

Commissioner Morgan asked Mr. Meaders exactly where his property was located. Mr. Meaders stated that he lives directly across the street from the main entrance to the mission on Logan Street, that he has lived there five and a half years and has called the police over one hundred times.

Chair Stassens asked Mr. Meaders if he had spoken with the mission about his issues and Mr. Meaders replied that he had but that behavior escalated and he gave up.

Chair Stassens asked if there were any additional questions from the Commission and there were none.

Chair Stassens asked for any others who wished to speak in opposition.

Rick Draheim testified that his property adjoins Mr. Meaders' property and that people have been found sleeping near his porch and have also been found in his fenced back yard. Mr. Draheim stated that he removed sections of his fence so that the police can see if people are in his back yard when they are driving by. Mr. Draheim stated that he had installed motion sensor lights and has had nothing but problems since the mission has been there. Mr. Draheim asked what the City would do to protect neighbors from these types of behaviors. Chair Stassens responded that the previous conditional use permit has a clause that if the Planning Commission received more three or more complaints within any two months that the conditional use would be reviewed by the Planning Commission. Mr. Pomeroy noted that this conditional use application, if approved, would also have that same condition.

Chair Stassens asked if there were any other questions from the Commission for Mr. Draheim.

Commissioner Hillestad asked Mr. Draheim if any complaints were lodged through the Planning Department by any of the neighbors. Mr. Draheim responded that he was unaware that he was required to contact the Planning Department with complaints. Commissioner Morgan asked Mr. Draheim how many times he had contacted the police in the past six months and Mr. Draheim responded that he had given up contacting the police because he had been told that nothing could be done.

Chair Stassens asked Mr. Draheim if he had spoken with the mission, and he replied that he had not.

Commissioner Morgan asked Mr. Draheim where his property was located and Mr. Draheim replied that it was on the corner of Kirby and 14th Streets, one block away from the mission.

Chair Stassens asked if there were any additional questions from the Commission for Mr. Draheim and there were none. Chair Stassens then asked if there were any others who wished to speak in opposition.

Amy McNeill testified that she lived directly next door to the shelter at 1310 N.E. Logan Street and that she has lived there since February of 2012. Ms. McNeill stated that she doesn't own the house, that she rents, and that her landlord will be speaking this evening as well. Ms. McNeill stated that she likes the neighborhood and appreciates that Commissioner Tiedge recommended testimony be directed at the criteria and not to the emotional side. Ms. McNeill stated that she had concern with the possible traffic impact and does not agree that traffic will not be an issue. Ms. McNeill stated that people are not walking to the shelter on 14th Street, but rather they are coming from all directions and sometimes rely on others to get them there. Ms. McNeill stated that people are being dropped off to walk to the shelter because she assumes the drivers are people who are not allowed to be at the shelter. Ms. McNeill stated that these drop offs are often contentious and has called the police on numerous occasions. Ms. McNeill shared her observation of a particular drop off that was disruptive to the neighborhood. She also stated that the expansion of the shelter would have a greater traffic impact than the shelter can foresee. Ms. McNeill stated that she will have two sides of her yard exposed to the shelter. She shared another incident wherein she complained to the mission staff that garbage and belongings were left under her tree by one of the guests and expressed that the mission did not respond to her complaint appropriately. Ms. McNeill stated she did not feel that expansion of the facility at this time would have a positive impact on the neighborhood.

Chair Stassens asked if there were any questions from the Commission for Ms. McNeill. Chair Morgan asked Ms. McNeill how many times she had called police and she responded that she had called on five different occasions since 2012.

Chair Stassens asked if there were any additional questions from the Commission for Ms. McNeill and there were none. Chair Stassens asked for any others who wished to speak in opposition.

Bill Maas testified that he owns the duplex across the street from the mission at 1901 N.E. 19th Street. Mr. Maas stated that he spoke with a police representative and that there did not seem to be a major problem at the mission site, but rather there were some issues around the mission location. Mr. Maas suggested that the City Manager request that the police keep a better record of complaints lodged in the neighborhood. Mr. Maas also suggested that the mission itself keep a record of any complaints that neighbors have had and that the mission should be required to report any complaints to the Planning Department. Mr. Maas stated that he is quite concerned about expansion of the mission and began to share, as an example, about the impact of the expansion of the recycling center on Orchard Avenue. Chair Stassens interrupted Mr. Maas and stated that there did not appear to be any relevance of the recycling center's expansion to the mission expansion.

Chair Stassens asked if there were any questions from the Commission for Mr. Maas and there were none. Chair Stassens asked for any others who wished to speak in opposition.

Clifford Stirewalt testified that he was Ms. McNeill's landlord, that he previously lived at the address of 1310 N.E. Logan Street but now lived in Milwaukee. Mr. Stirewalt stated that when he lived at the Logan Street property that he had issues with shelter residents. Mr. Stirewalt stated that he built a fence between the properties and has dealt with trash issues and with traffic issues. Since Ms. McNeill has lived at this residence, he has complained several times to the mission because of cars blocking the street. Mr. Stirewalt stated that the impact of expansion will have a bad effect on neighborhood.

Chair Stassens asked if there were any additional questions from the Commission for Mr. Stirewalt and there were none. Chair Stassens asked for any others who wished to speak in opposition and there were none.

Chair Stassens asked the Planning Department staff if there were any comments from public agencies and Mr. Pomeroy stated that all comments from public agencies were in the staff report.

Chair Stassens asked the applicants if they wished to address any of the opposition testimony provided this evening.

Ms. Sawyer addressed the loitering issue, stating that prior to the mission being in operation, that the area already had a high incidence of calls based on her experience as an emergency dispatcher. Ms. Sawyer stated that the doors of the mission are locked at 10:00 p.m. and that nobody is allowed to leave the building after this time. Ms. Sawyer stated that the improvements that will be done to the modulars will include an alarm system and emergency exit doors to monitor people should they leave the building when they are not supposed to. Also, that they currently have hourly "fire" walks around the building to monitor activity. Ms. Sawyer stated that she is unaware of incidents mentioned by the opposition and that when she retired at the end of June as a dispatcher, she had checked on the number of complaints called in and there were fewer than ten in the last several years combined. Ms. Sawyer stated that she had spoken with Ms. McNeill about her concerns for the current play area and of having children kept away from the smoking area in the expansion plans. Ms. Sawyer agrees that the way the mission is currently set up is not a good design, but that this is one of the purposes of the expansion. Ms. Sawyer stated that the mission requires a urinalysis and/or a breath test for guests that are suspected of being under the influence and that people with positive results are not allowed to stay. Smoking cessation classes are offered at the mission. Ms. Sawyer stated that the landscaping design would create a buffer zone to keep people within the confines of the property so that they would not overflow onto neighbor's properties. Ms. Sawyer further stated that the mission utilizes background checks to try to ensure that they do not admit any unsafe people to the shelter.

Mr. Haugeberg interjected that the neighborhood is in decline and disrepair, that there were vacant houses and that the landscaping and the proposed facility expansion design would significantly upgrade the neighborhood. Mr. Haugeberg further stated that the parking on the street is public and anyone can park there and noted that the mission does all that they can to be good neighbors.

Chair Stassens asked if there were any questions from the Commission.

Commissioner Butler asked the applicant how often the overflow parking at the vacant lot near Lewis Furniture was utilized. Ms. Sawyer stated that it does not get used often due to its distance from the shelter. Ms. Sawyer stated that it has only been used a couple of times over the years.

Chair Stassens asked if there were any additional questions from the Commission.

Commissioner Morgan asked the applicant if there was a contact person at the mission for the neighbors should they have any complaints. Ms. Sawyer stated that she has spoken with many neighbors, has given them her contact information and stated that she is always available. Commissioner Morgan asked if staff were available at the facility 24 hours per day and Ms. Sawyer replied that there were.

Chair Stassens asked the applicant what the process was for people that are asked to leave. Ms. Sawyer stated that they are first asked to get a ride and if one could not be found that they could be given a ride by staff. Chair Stassens inquired if the applicant was aware of any of the stories shared by the opposition tonight and Ms. Sawyer stated that she was aware of a few of them. Ms. Sawyer addressed Mr. Meanders' testimony of finding a syringe and assured staff that this was not left by someone that was staying at the mission. Ms. Sawyer reiterated that staff does security checks during the night by walking around the mission. Chair Stassens asked the applicant if a neighbor had a problem how it was handled. Ms. Sawyer stated that staff would go over and talk to the neighbor to determine if it was someone from the mission and if was, then staff would handle the situation. Ms. Sawyer stated that the mission asks that people not allowed to stay at the mission not loiter in the neighborhood. Ms. Sawyer stated that they keep a log of each person that comes in, and track history of stays and any behavior issues with any guests.

Commissioner Hillestad asked the applicant how and where background checks were done. Ms. Sawyer responded that guests fill out an intake form, the mission then sends their information via email to the police department and a background check is then done. Commissioner Hillestad confirmed with Ms. Sawyer that background checks were only done by the police and Ms. Sawyer stated that in addition to the background check done by the police, that she also checks the sex offender registration.

Commissioner Morgan asked the applicant how long the background checks took to process and Ms. Sawyer responded that the checks were only done during business hours.

Chair Stassens asked if there were any further questions for the applicant from the Commission and there were none.

Chair Stassens asked for any additional testimony.

Ms. McNeill came forward again stating that she had a question about the background check time frame and safety. She asked if people were allowed to stay if the background checks couldn't be done in time. Ms. Sawyer responded that guests have to apply in advance before they can stay unless the police bring them, at which time they have already been screened. Ms. McNeill expressed concern about the lapse of time for checks. Ms. McNeill further stated that she did not agree with Mr. Haugeberg that there were a lot of vacant houses in the neighborhood or that the neighborhood is run down.

Commissioner Hillestad asked the applicant if identification was required to stay at the mission. Ms. Sawyer responded that it was required. Commissioner Hillestad asked what percentage of guests did not have identification and Ms. Sawyer responded that it was a small percentage.

Chair Stassens asked the applicant to clarify if someone was available 24 hours per day and Ms. Sawyer confirmed that there were volunteer and staff members at the mission 24 hours per day, seven days per week.

Chair Stassens asked for any additional testimony.

Jeff Clabaugh testified that his concern centers on the livability of the community as a whole and McMinnville's lack of a city wide strategic plan to handle the homeless population. Mr. Clabaugh stated that he supports the mission expansion and felt that the City should not rely on this mission as being enough to solve McMinnville's homeless situation. He stated McMinnville need to have other plans available to address the homeless issue. Mr. Clabaugh further stated that he felt that the

homeless population that was not allowed to stay at the shelter has a greater impact to the community than those who use the shelter.

Chair Stassens asked for any questions from the Commission and there were none. Chair Stassens asked for any additional testimony.

John Anderson testified that he owns Anderson's upholstery on 12th and Kirby Streets, about two blocks from the mission. Mr. Anderson stated that he has worked at that location since 1996. Mr. Anderson stated that in the time that the mission has been there he had not noted any change in the negative activity in the neighborhood since the mission began operations. Mr. Anderson noted that he has seen a lot of gang activity and theft in the neighborhood but that was occurring before the mission was there and does not agree that those issues are a result of the mission.

Chair Stassens asked for any questions from the Commission and there were none. Chair Stassens asked by a show of hands how many others wished to testify (there were two). The Commissioners discussed whether the hearing should be continued and then called for a five minute break to discuss how the meeting should proceed this evening.

The meeting was resumed at 8:54 p.m.

Chair Stassens stated that the Commission would hear the two additional requests for testimony.

Sonja O'Neil testified that she recently started working with the mission and she spoke of her experience as an intern with the mission prior to her being hiring. Ms. O'Neil stated that the mission is held accountable not only to the community but to colleges and other institutions that provide interns.

Chair Stassens asked for any questions from the Commission and there were none.

Chair Stassens asked for any further testimony.

Laurie Muller, the Development Director for McMinnville Cooperative Ministries, testified that the mission has helped some of their followers and that on several occasions there have been times when people could not stay at the mission due to the lack of space.

Chair Stassens asked the applicant if she would like to respond and she did not. Chair Stassens asked for additional testimony and there was none. Chair Stassens asked if there was any that would like the record held open for an additional seven days to receive additional written testimony. Mr. Meader and Ms. McNeill replied in the affirmative. Following discussion with the Planning Director and City Attorney, the Commissioners agreed to hold the record open for submittal of additional written testimony until 5:00 p.m., September 25th, and for written rebuttal testimony until 5:00 p.m., October 2nd, 2015. The matter is continued to the next Planning Commission Meeting scheduled for October 15, 2015, at 6:30 p.m. in the Civic Hall. Chair Stassens closed the hearing 9:00 p.m.

3. Ms. Haines was presented with flowers and a card by the Commission for her upcoming retirement and thanked for her years of service and support.

4. **Old/New Business**

- There was no old business to discuss.
- On September 29, 2015 an open forum will be held for the Alpine Avenue Improvement project and the committee members were invited to attend.

5. Adjournment

Commissioner Butler MOVED to adjourn the meeting; SECONDED by Commissioner Hillestad. Motion PASSED unanimously. Chair Stassens ADJOURNED the meeting at 9:12 p.m.

Doug Montgomery
Secretary