

MINUTES

Members Present: Commissioners Butler, Hillestad, Morgan, Pietz, Stassens, Thomas, and Tiedge

Members Absent: Commissioners Chroust-Masin and Hall

Staff Present: Mr. Montgomery, Mr. Pomeroy, and Ms. Lorenzen

1. Approval of Minutes: September 17, 2015

Chair Stassens called the meeting to order at 6:32 p.m. and requested action on the minutes of the September 17, 2015 Planning Commission Meeting. Commissioner Tiedge MOVED to APPROVE the minutes as presented; SECONDED by Commissioner Morgan. Motion PASSED unanimously.

2. Public Hearing (Quasi Judicial)

♦ **Docket CU 2-15 (Continuation of Hearing from September 17, 2015)**

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 reopened the public hearing at 6:33 p.m. She advised that this public hearing had been continued from the Commission's last meeting date of September 17, 2015. She asked Commissioners Pietz and Thomas whether they had listened to the audio recording and reviewed the written materials that had been provided. Both Commissioners acknowledged that they listened to the audio recording and the written materials Chair Stassens called for abstentions and there were none.

Chair Stassens called for objections to jurisdiction. There being none, she requested the staff report.

Mr. Pomeroy advised that additional submissions had been received from Amy McNeil and Kaye Sawyer. He noted that there had been a great deal of emotional testimony provided at the September 17, 2015 public hearing. The Commission was reminded that their focus should be on the criteria listed on Page 2 of the staff report and that staff's prior recommendation for approval with seven conditions remains.

Chair Stassens asked for Commission discussion.

Commissioner Morgan noted that while the request of the applicant must be carefully considered and weighed against the criteria, he believed the thoughts of the adjacent property owners should also be considered. He advised he could support the conditional use request if Condition No. 4 were modified to say that in the event three or more complaints regarding off-street parking, noise, property damage, or trespassing were to be received by the Police or Planning Departments or shelter operators within a six-month time period, the Conditional Use permit would be scheduled for review at the next available Planning Commission meeting. He believed that two months as outlined by staff, was too short of a time period. He also suggested that the Planning Commission request a summary report from the neighbors to be submitted to the Planning Department on a six-month basis.

Commissioner Pietz agreed with Commissioner Morgan's concern regarding Condition No. 4. She explained that she believed an adequate time frame for complaints would be somewhere between two and four months. She referenced the complaint list that had been provided by staff and noted that the complaints came in a fairly sporadic manner. She also noted that she hoped the community members would continue to work with the shelter.

Commissioner Tiedge felt as though the outpouring of public support was laudable, but was not part of the criteria to which the Commissioners were bound. He said that when he looked at the application and proposal and how it related to Condition No. 4, he felt the condition was headed in the wrong direction because it shifted the burden of monitoring from the applicant to the neighbor. If the application cannot be recommended for approval without post issuance conditions, then it should not be recommended for approval. He further explained that because of the density issue related to this application and that it is the second such application within the block, the burden on the neighborhood, and that Condition No. 4 puts the burden of reporting on the neighbors, he could not support the application moving forward.

Responding to Commission Butler's inquiry regarding the second property, Commissioner Tiedge explained that this application was on a separate parcel from the original Gospel Rescue Mission home.

Following discussion, Commissioner Butler stated that he remembered similar reporting requirements for another Conditional Use request from several years previous when Thugs Off Drugs had requested a conditional use permit to allow their facility to operate within an existing residence. He recalled that no complaints had been fielded during the reporting period. He inquired as to when the time clock would begin should this current application be approved. He also suggested a full-year reporting period beginning from the time of occupancy.

Commissioner Hillestad agreed with Commissioner Butler's one-year recommendation. He suggested that all complaints be fielded with the Police and Planning Departments, with reporting back to the Commissioners after one-year.

Following lengthy discussion, the Commission came to consensus to review the complaints annually.

Chair Stassens called for a motion.

Commissioner Pietz MOVED that the Planning Commission approve CU 2-15 subject to modifying Condition No. 4 to reflect that the Planning Commission review, on an annual basis, the impact of the shelter on the livability of abutting properties through the consideration of significant complaints logged with the McMinnville Police and/or Planning Departments to include, but not limited to, hours of operation, intake procedures, occupancy limits or off-street parking. The motion was SECONDED by Commissioner Hillestad.

Commissioner Pietz amended her motion to add clarification to Condition No. 7 that the structures shall be modular and built to applicable State of Oregon and City of McMinnville building codes. Commissioner Thomas SECONDED the motion.

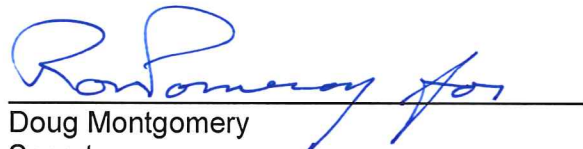
The motion was APPROVED by a majority vote. (NAY: Tiedge.)

3. Old/New Business

Principal Planner Pomeroy reviewed agenda items for the Planning Commission's November 19, 2016 meeting. He noted that there would be a public hearing relative to a vacation home rental application and also a public hearing to review a residential subdivision application. Planning Director Montgomery reminded the Commission that annual elections would also be held at the November 19 meeting.

4. Adjournment

Commission Hillestad MOVED to adjourn the meeting; SECONDED by Commissioner Butler. The motion PASSED unanimously. Chair Stassens ADJOURNED the meeting at 7:42 p.m.



Doug Montgomery
Secretary