

A G E N D A 1-16

1. **Approval of Minutes:** [November 19, 2015](#) & [December 17, 2015](#)

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

♦ [Docket VHR 12-15](#)

Request: Approval to allow for the operation of a vacation home rental establishment within an existing residence.

Location: 3489 NE Joel Street and is more specifically described as Tax Lot 9200, Section 09CA, T.4 S., R. 4 W., W.M.

Applicant: Nathan Ruden

3. **Old/New Business**

4. **Adjournment**

MINUTES

Members Present: Commissioners Stassens, Butler, Chroust Masin, Hall, Pietz, Morgan, Tiedge, and Hillestad

Members Absent: Thomas

Staff Present: Mr. Montgomery and Ms. Lorenzen

1. Approval of Minutes: October 16, 2015

Chair Stassens called the meeting to order at 6:31 p.m., and noted that the Planning Commission Minutes from the October 16, 2015 Planning Commission Meeting were not available for action.

2. Docket ZC 3-15 / S 3-15

Request: Approval of a major change to the details of a previously approved Planned Development Ordinance (No. 4867) to permit certain exceptions to the City's street standards and lot depth to width ratio. Concurrently, the applicant seeks approval of a 29-lot single family residential tentative subdivision plan for the subject site.

Location: North of Cumulus Avenue, between the River Park subdivision to the west, and the Craftsman Landing subdivision to the east, and is more specifically described as Tax Lot 300, Section 22DD, T. 4 S., R. 4 W., W.M..

Applicant: Yamhill Community Development Corporation

Chair Stassens called the public hearing to order at 6:34 p.m. and called for abstentions, objections to jurisdiction, and disclosures. Three Planning Commissioners disclosed that they had visited the subject site. There being no abstentions or objections to jurisdiction, she requested the staff report. Planning Director Montgomery referred to his staff report and the application. For historical purposes, Mr. Montgomery reminded the Commission that in 2007, this same property was before the Planning Commission, at which time a zone change and 40-lot, tentative subdivision was approved for the property that is the subject of tonight's hearing. Subsequently, due to economic conditions, it failed to move past the tentative stage and was voided. He advised that this evening's proposal is different in that the number of lots has been reduced from 40 to 29; the streets are off-set; and the applicant proposes some bioswale storm water retention. Additionally, the streetscape will be less linear in terms of housing placement. In staff's opinion, this is a superior plan to the one previously approved for the property. He noted that the application meets all the criteria required for approval and that both the planned development amendment and tentative subdivision proposal are recommended for approval subject to the conditions noted in the staff report.

There was brief discussion about the application, and Chair Stassens called for the applicant's testimony.

Derrick Price, 521 Ferry Street, Dayton, stated that he was the Executive Director of the Yamhill Community Development Commission (YCDC). The Commission would like to create a first-rate subdivision called Whispering Meadows. He stated that his organization was very much in favor of the conditions listed in the staff response and he respectfully asked that the Commission adopt the application as presented.

Responding to Commissioner's inquiries, Mr. Price advised that the YCDC planned to develop the homes over a two and one-half year period. The conceptual mock-up shows that the homes will stagger back some five feet from one home to the next in order to add aesthetic appeal to the subdivision. He noted that at this point, the decision had not been made relative to which floor plan would be on which lot. The homes will primarily be two-story in order to encompass the needed square footage (1400 to 1600 square feet per home). He explained that the façade would be a craftsman style with nice front porches. And, further, as each home is built, it would be customized with shingles, gables, board and bat, and different porch stylings. The intention is to break up the façade of each home with architectural features. The garages will be placed in the front of the homes because of the relative narrowness of each lot. Due to their width, however, the garages on Lots 2 and 3 may be placed somewhat differently. The setbacks adhere to the R-4 zoning requirements of 20 feet in the front yard, with six-foot side yard setbacks. The rear yards will be quite deep – 40 to 60 feet.

Mr. Price explained how the YCDC's program works. He stated that the YCDC asks clients to become involved in the work. YCDC selects the floor plan, packages the loan, and involves the clients in the process. There will be four house plans from which to choose with different color palates. The homes will most likely be built in groups of ten at a time. The YCDC works with the clients to establish a homeowner's association and to make sure that the clients understand their responsibilities as it relates to maintenance of the parking strip and other common areas.

In response to the suggestion that perhaps the clients would not maintain the common areas, Mr. Montgomery interjected that before staff signs the final plat, staff would need to see the private covenants. It will not go forward if the maintenance issue is not addressed, as this is a condition for approval.

Larry Anderson, Larry Anderson Engineering, Inc., advised that he was the civil engineer who was working on the project. He said that although that it might seem odd that the project comes before the Planning Commission proposing to do more than is asked; however, this is a community-designed neighborhood group.

Commissioner Chroust Masin asked whether the Fire Department had commented on the length of the street. Mr. Montgomery responded that the Fire Department was comfortable with the length of the street as it is proposed.

A gentleman from the audience asked about school capacity and the capacity of Cumulus Avenue. Mr. Montgomery responded that the school district is routinely notified and they offered no comments. As it relates to Cumulus Avenue vehicular capacity, Mr. Montgomery noted that there were no plans to change Cumulus. In the near term, the street has more than enough capacity to incorporate the vehicles associated with the proposed subdivision, as well as other vacant lands in the vicinity. The long term plan for Cumulus Avenue upgrades will be

dependent on financing, street capacity, and load. He reiterated that at this point, there was no reason to extend Cumulus Avenue as a condition of this subdivision's approval.

Mr. Montgomery said that all public agency testimony had been included in the staff report, and those that warranted it had been converted into conditions of approval.

Mr. Price waived the seven-day time period to submit final written arguments in support of the application, and Chair Stassens closed the public hearing at 7:04 p.m.

Following a brief discussion, Commissioner Morgan MOVED, based on the application materials, the testimony received, the findings of fact, and the staff report to recommend the City Council APPROVE ZC 3/15 subject to the conditions as recommended by staff; SECONDED by Commissioner Tiedge. Motion PASSED unanimously.

Commissioner Morgan MOVED, based on the application materials, the testimony received, the findings of fact, and the staff report and recommendations, to APPROVE S 3-15, subject to the conditions of approval as noted in the staff report; SECONDED by Commissioner Butler. Motion PASSED unanimously.

3. Election of Officers

- ♦ Chair
- ♦ Vice Chair
- ♦ Secretary

Chair Stassens opened the floor to nominations for the position of Chair. Commissioner Morgan nominated Chair Stassens as Chair and Commissioner Tiedge as Vice Chair and Planning Director Montgomery for the position of Secretary. Commissioner Butler MOVED to close the floor to further nominations, and to elect the slate of officers as presented; SECONDED by Commissioner Hall. Motion PASSED unanimously.

4. Old / New Business

Planning Director Montgomery advised that staff was attempting to arrange a joint meeting of the Planning Commission and City Council to review and take testimony related to recently passed statewide marijuana legislation. In advance of that meeting, staff will use the December Planning Commission meeting as a work session to share the same information that the City Council has been given to date. This topic involves regulations surrounding the sale, wholesaling, producing and processing of recreational and medical marijuana.

5. Adjournment

Commissioner Tiedge MOVED to adjourn the meeting; SECONDED by Commissioner Butler. Motion PASSED unanimously and Chair Stassens adjourned the meeting at 7:19 p.m.



Doug Montgomery
Secretary

City of McMinnville
Planning Commission
Work Session

December 17, 2015
6:30 p.m., McMinnville Civic Hall
McMinnville, Oregon

MINUTES

Members Present: Chair Stassens; Commissioners, Hillestad, Chroust-Masin, Pietz, Morgan, and Hall

Members Absent: Mr. Butler, Mr. Tiedge, and Ms. Thomas

Staff Present: Mr. Montgomery, Mr. Pomeroy, Ms. Sullivan

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

1. Work Session (no public testimony taken)

- ◆ For the purpose of reviewing State adopted legislation related to marijuana activities, and draft zoning ordinance amendments to regulate such activities in McMinnville.

Chair Stassens stated that the meeting was a public work session with no public testimony being received and that there would be a joint public hearing on this same topic with the City Council on December 22, 2015. Chair Stassens then asked Mr. Montgomery to provide a summary of the packet material provided to them by staff.

Mr. Montgomery introduced the purpose of the work session and the draft amendments designed to regulate marijuana activities in McMinnville. He stated that the City Council has met on several occasions, and that staff wanted the commission aware of the information and proposed draft amendments prior to the joint public hearing. He stated that in September the City Council had taken action, based on Senate House Bill 460, allowing the early sale of recreational marijuana in established dispensaries, of which there are currently two in operation in McMinnville. In November the City Council voted to not ban any of the marijuana activities legal in Oregon. The draft ordinance, if adopted, will establish, time, place, manner, regulations for the selling, wholesaling, producing, and processing of recreational and medical marijuana.

Mr. Montgomery informed the commissioners that the information provided to them includes a one page summary for each of these activities, including corresponding maps. He also noted the material provided by Sean O'Day from the League of Oregon Cities, which provides an overview of the bills and measures passed.

Mr. Montgomery then explained the last part of the packet material, which includes the draft amendments to the McMinnville Zoning Ordinance. The amendments would include a "Definitions" section, a small change to the Home Occupation chapter

prohibiting marijuana businesses in residential areas of the city, and a new chapter titled Marijuana Related Activities. He said there would be six sections within the new chapter regulating the various uses, including a proposed 1000 foot buffer around the Linfield Campus that would prohibit medical or recreational marijuana sales within that area.

Mr. Montgomery then handed out the material provided for the joint City Council and Planning Commission meeting scheduled for Tuesday, December 22, 2016. He explained the process and setup of the meeting, with Mayor Olson opening the public hearing, then Chair Stassens opening the Planning Commission public hearing. Mr. Montgomery stated that this would be a legislative hearing, which allows for public testimony. He explained that at the end of the hearing, the Planning Commission would make a recommendation to the City Council, who would then consider the Commission's recommendation, deliberate, and take action.

Mr. Montgomery expressed the urgency of having regulations established prior to January 4, 2016. He stated that on that date, the Planning Department could start receiving Land Use Compatibility statements from the Oregon Liquor Control Commission (OLCC), which then requires they be completed within 21 days. The Planning Department would like to have an established ordinance stating the allowed uses and activities prior to receiving these forms.

Mr. Montgomery turned the discussion back to the Commissioners.

Chair Stassens then asked the Commissioners if they had any questions for staff. Commissioner Pietz asked for some more background information regarding Linfield and if the Chemeketa Community College had expressed any concerns.

Mr. Montgomery stated that a Linfield representative, either Dr. Hellie or John McKeegan, would be present at the joint public hearing, and would be better to answer that question. He said they had previously voiced some concerns regarding the entrance to the campus and also the amount of activities on campus involving minors. Mr. Montgomery said Chemeketa representatives have had conversations with the City Manager, and that they have no interest or desire for such a buffer.

Discussion and other questions ensued regarding schools and what would happen if a school were established closer than 1000 feet of a dispensary.

Commissioner Hillestad asked about disclosure requirements and when an appropriate time would be to disclose that a client of his asked about renting a farm as a grower.

Mr. Montgomery suggested that he speak with the City's contract attorney, Walt Gowell.

Additional questions were asked regarding how other cities/counties were regulating marijuana use, how the 1000 foot buffer was determined, and whether or not any communities were opting out. Mr. Montgomery explained the buffer came from rules

regulating medical marijuana and that most counties east of the cascades were able to opt out of allowing marijuana use.

Commissioner Stassens asked if there were any other questions, and there were none.

Mr. Montgomery invited the Commission to join the Council at the regularly scheduled dinner meeting on December 22, 2016 at 6:00 p.m.

2. Old/New Business

Chair Stassens asked if there were any items to address.

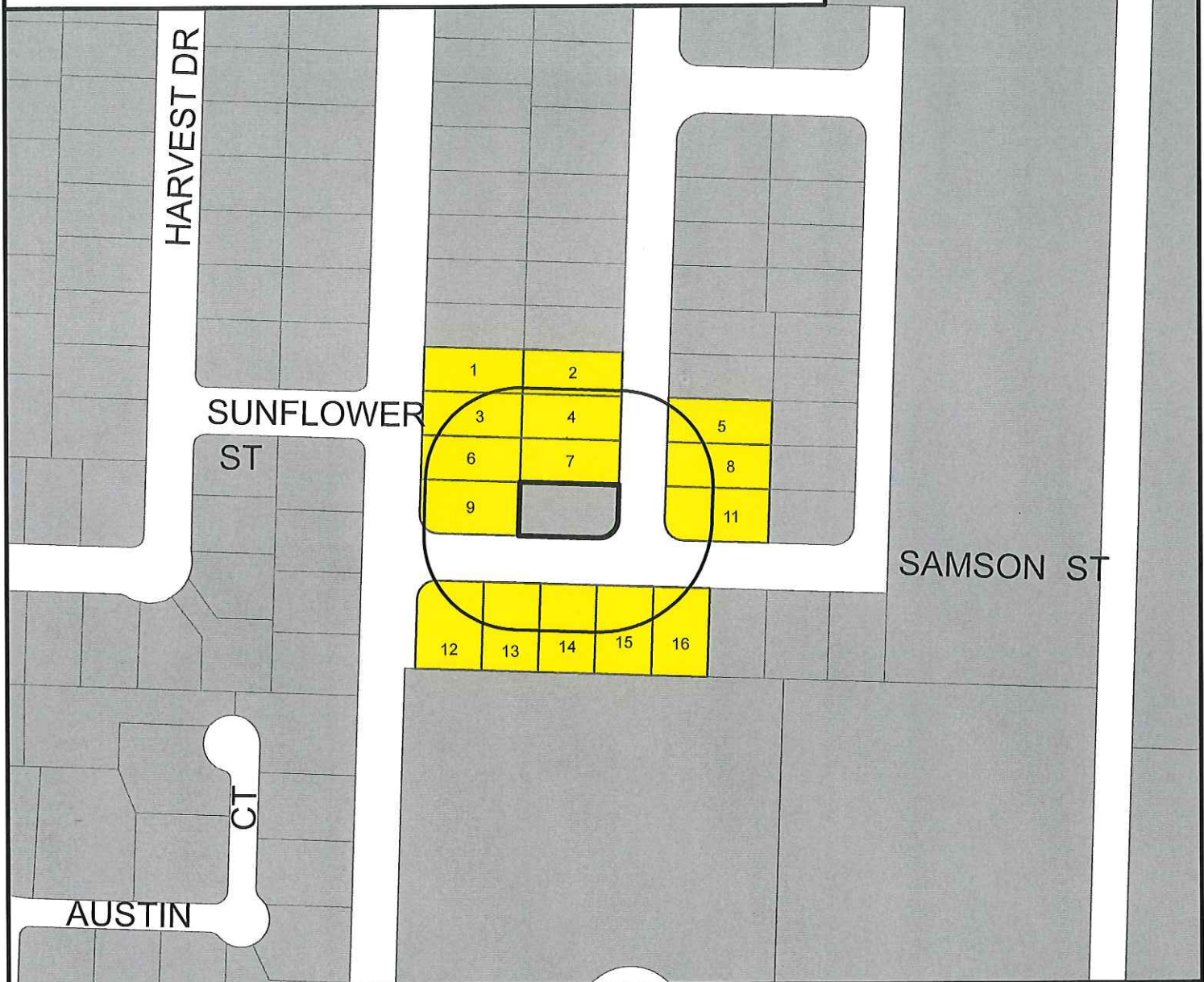
Mr. Montgomery informed the Commission that an ad for an At-Large Planning Commission vacancy was being published in the Friday, December 18, 2015 "News Register", and that interviews were being scheduled for the January 26, 2016 City Council meeting.

3. Adjournment

Commissioner Chroust-Masin MOVED to adjourn the meeting; SECONDED by Commissioner Morgan. The motion PASSED unanimously. Chair Stassens ADJOURNED the meeting at 7:04 p.m.


Secretary

Notification Map



VHR 12-15

Nathan Ruden is requesting approval to allow for the operation of a vacation home rental establishment within an existing residence.

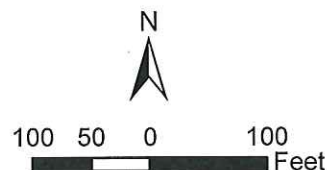
Recorded Owner:

Nathan Ruden
1212 S 1800 E
Salt Lake City, UT 84108



APPROVED BY: PLANNING COMMISSION
CITY COUNCIL

ATTESTED TO BY: _____



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



DATE: January 21, 2016
TO: Planning Commission Members
FROM: Ron Pomeroy, Principal Planner *RP*
SUBJECT: Vacation Home Rental VHR 12-15

Request: Approval of a Vacation Home Rental (VHR) application.

Background: An application for approval of a VHR was submitted to the McMinnville Planning Department on September 22, 2015, by Nathan Ruden for property located at 3489 NE Joel Street, McMinnville, and more specifically identified as Tax Lot 9200, Section 9CA, T.4 S., R. 4 W., W. M. The subject site is zoned R-4 PD (Multiple-Family Residential Planned Development). By way of further background, the applicant has provided copies of the site and building plans, as well as photographs of the subject property and residence. A copy of the submitted VHR application is also attached for the Commission's reference.

In summary, the applicant wishes to use this two-bedroom residence for six months each year for vacation rental purposes for up to four individuals at any one time. Parking for the guests would be provided in a 20 foot by 20 foot detached garage. As required by the McMinnville zoning ordinance for such use, smoke detectors would be installed in each bedroom and outside each bedroom door and in the loft. The applicant has also provided the name, address and phone number of a local resident to respond to emergency or complaints that may arise.

The Commission is aware that a vacation home rental is listed as a permitted use in the R-4 zone subject to the Planning Director's review. As part of that review process, notice of the pending application is provided to property owners within 100 feet of the subject site and allowing them 14 days in which to offer comment and/or request the matter be referred to a public hearing before the Planning Commission. Such a request for Commission review was received by the Planning Department from Kathie Schumacher on October 6, 2015, thus the reason for this hearing.

Public Comment: Public comment received by the Planning Department regarding this application is as follows:

1. Letter from Marilyn and Tami Tigner received September 29, 2015
2. Email string from Pattie and Larry Holder dated September 28 thru September 29, 2015

Page 2

3. Letter from William Whiteman received October 2, 2015
4. Email string from Kathie Schumacher dated October 2 thru October 6, 2015
5. Email from Paul and Linette Studebaker dated October 6, 2015
6. Email from Paul Studebaker dated October 6, 2015
7. Email from Shelly Stein dated October 6, 2015
8. Email from Ken & Virginia Galt dated October 6, 2015
9. Email from Tricia Morris dated October 7, 2015
10. Email string from Nathan Ruden dated October 7 thru October 27, 2015

Requirements and Findings: Planning staff has studied carefully the material submitted to date by the applicant and opponents to this matter. Based upon our review of the applicable portions of the McMinnville Zoning Ordinance we offer the following analysis of the pertinent criteria and standards for a vacation home rental use. Please note that whether reviewed by the Planning Director or the Planning Commission, the same standards of Section 17.12.010(O) apply to this request. Those standards, and staff's findings, are presented below. Our recommendation is offered further on in the report.

Section 17.21.010(T) (R-4 Zone Permitted Uses) states:

"Vacation home rental, subject to the provisions of Section 17.12.010 (O)."

Section 17.12.010(O) (R-1 Zone Permitted Uses) states:

"Vacation home rental, subject to the provisions of Section 17.72.110 and the following standards:"

Section 17.12.010(O)

1. **Standard:** "That the structure be designed for and occupied as a single-family residence. The structure shall retain the characteristics of a single-family residence."

Finding: This criterion is satisfied in that the building in question is a single-family residence, and is located in a development that is zoned for such use. There is no information in the record indicating the applicant intends to modify the external characteristics of the residence in any manner. Additionally, occupancy of a single-family residence is limited to a maximum of five (5) unrelated people and a vacation home rental is subject to this same standard. The applicant's submitted material indicates that the use would be limited to four individuals at any one time.

2. **Standard:** "That a minimum of one off-street parking space be provided for each guest room."

Finding: This criterion is satisfied in that this is a two-bedroom residence and two on-site parking spaces are provided within the two-car garage.

Page 3

3. **Standard:** "That signage is limited to only one non-illuminated or incidentally illuminated wooden sign not to exceed three (3) square feet of face area."

Finding: This criterion is satisfied. No signage is proposed.

4. **Standard:** "That the duration of each guest's stay at the residence be limited to less than 21 (twenty-one) consecutive days."

Finding: This criterion is satisfied. There is no evidence to suggest a violation of this standard will occur. Further, should such a violation of this requirement occur, there are provisions in the ordinance to correct the situation, up to and including the revocation of the permit that allows use of this property for vacation home rental purposes.

5. **Standard:** "That smoke detectors be provided as per the requirements for "lodging houses" in Ordinance No. 3997."

Finding: This criterion is satisfied. Section 2(d) of ORD No. 3997 states:

"Lodging House. It shall be the responsibility of the owner of those occupancies defined in Section 1(f) (i.e., Lodging House) to provide smoke detectors in all corridors or areas giving access to rooms used for sleeping purposes, and in all sleeping rooms. Where sleeping rooms are on an upper level, an additional detector shall be placed at the center of the ceiling directly above the stairway."

According to the McMinnville Building Department, the number and placement of smoke detectors installed in this residence complies with Section 2(d) of ORD No. 3997. The applicant's submitted material confirms this.

6. **Standard:** "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."

Finding: This criterion is satisfied. The local contact person identified on the application form is Allison Larsen. Ms. Larson resides at 848 NE Samson Street which is located across Samson Street from the subject site; a distance of some 50-feet from the proposed VHR.

7. **Standard:** "Permits may be renewed for one-year periods upon payment of the appropriate fee prior to its expiration date, provided that the permit has not been terminated under the provisions of Section 17.12.010(O)(8) below."

Finding: This criterion is not applicable as review criteria as permit renewal may only occur after approval of the subject VHR request.

8. **Standard:** "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 [Authorization to Grant or Deny Conditional Use] and 17.74.040 [Placing Conditions on a Conditional Use Permit] of the zoning ordinance. If the

Page 4

vacation home rental is found to be in violation of the criteria, the Planning Commission may terminate the use.”

Finding: This criterion is not applicable in that potential Planning Commission actions may only occur after approval of the subject VHR request.

Recommendation: The Planning Department finds that this proposal meets all of the criteria required for approval and therefore recommends that this request be approved subject to the following conditions, which are typically applied to all similarly approved vacation home rentals in McMinnville:

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, as this use is required to be occupied as a single-family residence, occupancy of the vacation home rental shall be limited at all times to no more than five unrelated persons, or one or more individuals related by blood, marriage, adoption, or legal guardianship, or other duly authorized custodial relationship.
3. That all other requirements of Section 17.12.010(O) of the McMinnville Zoning Ordinance referencing vacation home rental use shall be complied with through the time this property is used for such purpose.

Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVES VHR 12-15 SUBJECT TO THE CONDITIONS RECOMMENDED BY STAFF.



Planning Department

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

Office Use Only:

File No. VHR 12-15

Date Received 9-22-15

Fee 145.00

Receipt No. 15M0116

Received by SD

Vacation Home Rental Application

Applicant Information

Applicant is: ☒ Property Owner ☐ Contract Buyer ☐ Option Holder ☐ Agent ☐ Other _____

Applicant Name NATHAN RUDEN Phone 801-448-2094

Contact Name _____ Phone _____
(If different than above)

Address 3489 NE JOEL ST

City, State, Zip McMINNVILLE, OR 97128

Contact Email nateruden@gmail.com

Property Owner Information

Property Owner Name Same as above Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

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

Property Address 3489 NE JOEL STREET

Assessor Map No. R4 09 -CA - 09200 Total Site Area 5900 sq'

Subdivision The Bungalows @ Chequyn Village Block _____ Lot 10

Comprehensive Plan Designation Res1 Zoning Designation R-4PD

1. Please describe the residence and its proposed use. single family home
mainly 1st single story with a small loft.
Nathan lives in home about 10 months of the year. He would
like to use the months that it is vacant as a vacation rental.
2. How many guest rooms will be provided? 2
What is the maximum number of guests that can be accommodated? 4
3. How many off-street parking spaces are available? 2
Are the parking spaces paved? Yes ☒ No ☐
4. Are there smoke detectors in the residence? Yes ☒ No ☐
If so, where are they located? one in each bedroom & outside each
bedroom door, plus one in the loft.
5. Does the property owner live within the city limits of McMinnville? Yes ☐ No ☒
If no, please 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:
Contact Name Allison Larsen Phone 503.896.8128
Address 848 NE Samson St. Phone _____
City, State, Zip McMinnville, OR 97128
Contact Email allylarsen@hotmail.com
6. Has the applicant registered as a Transient Lodging Provider in order to collect, and pay, the Transient Lodging Tax imposed by the City of McMinnville on the rent charged to an occupant who occupies a provider's lodging for 30 successive days or less? Yes ☐ No ☒

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

- ☐ A site plan (drawn to scale, a north arrow, legible, and of a reproducible size), clearly showing the location of the residence; and existing and proposed features within and adjacent to the subject site, such as: lot and street lines with dimensions; driveway(s); parking; distances from property lines to structures; improvements; and significant features.
- ☐ Digital photographs of the subject residence's exterior.
- ☐ Floor plan showing the size, function, and arrangement of interior rooms.
- ☐ Other information deemed necessary by the Planning Director to allow review of the applicant's proposal.
- ☐ Payment of the applicable review fee, which can be found on the Planning Department web page.

I hereby certify that the statements contained herein are in all respects true and correct to the best of my knowledge and belief.

Nathan Ruben

Applicant's Signature

9/14/15

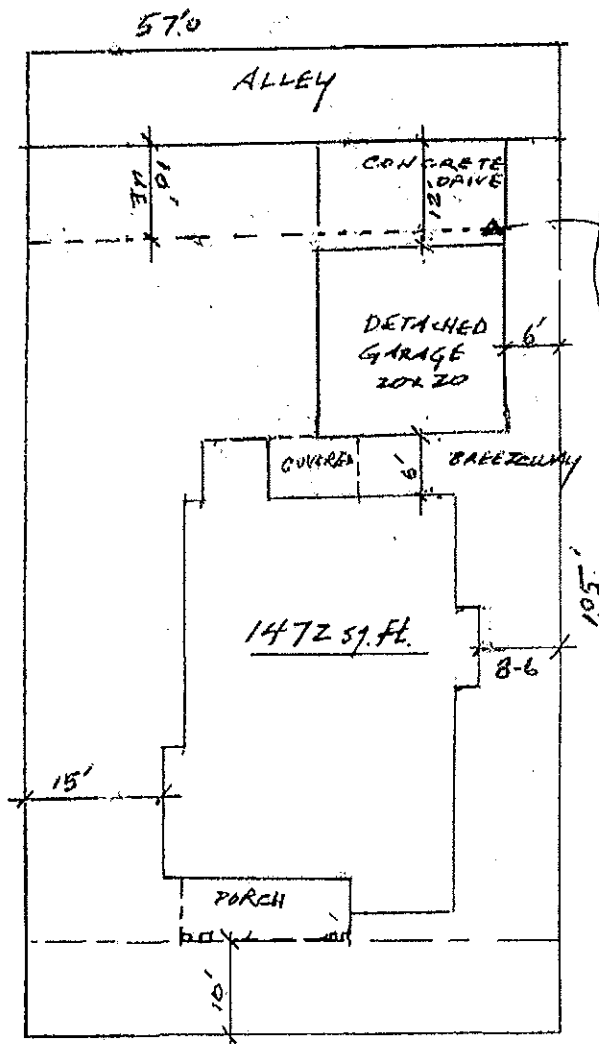
Date

Nathan Ruben

Property Owner's Signature

9/14/15

Date



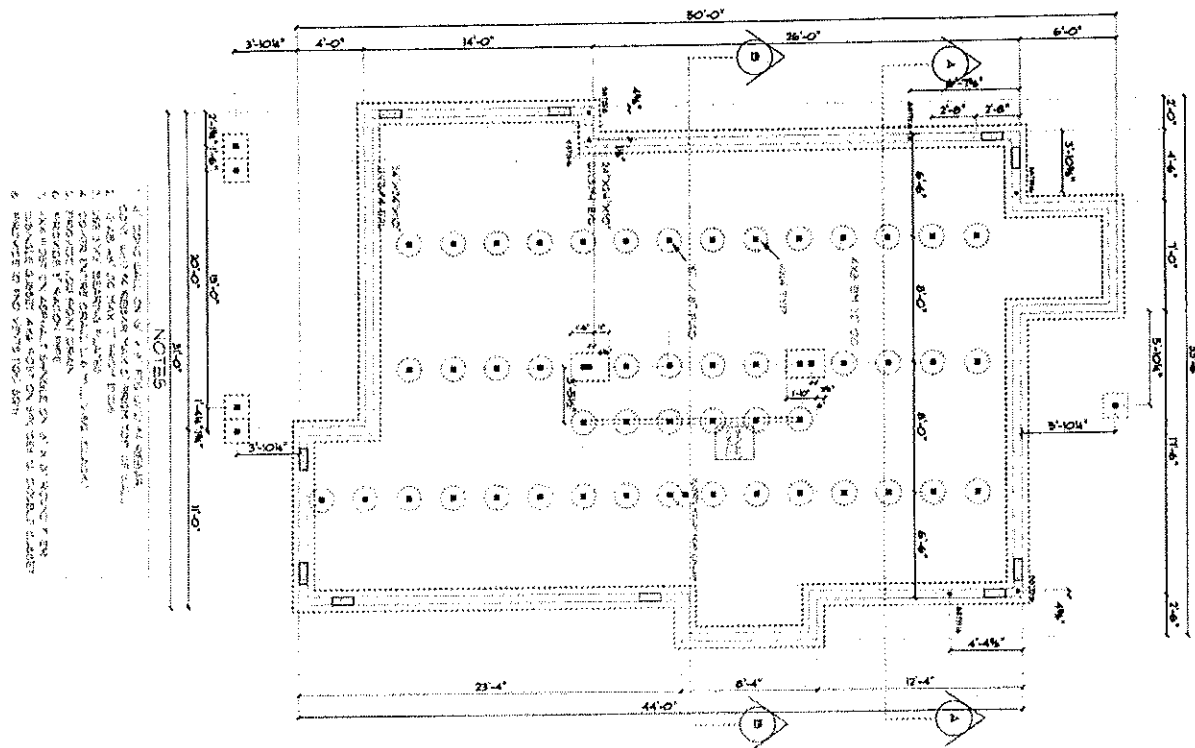
LOT 10
BUNGALOWS AT
CHEGWYN VILLAGE

→ NORTH

SCALE
1" = 20'

3489 NE JOEL STREET

CONTACT:
ALAN RUDEN CONST.
P.O. BOX 570
MCMINNVILLE, OR 97128
503-435-9109



- NOTES**
- 1. FOUNDATION SHALL BE CONCRETE ON 4" FILL OVER 12" GRAVEL.
 - 2. 12" DIA. CIRCULAR FOOTINGS SHALL BE 12" DEEP.
 - 3. 12" DIA. CIRCULAR FOOTINGS SHALL BE 12" DEEP.
 - 4. 12" DIA. CIRCULAR FOOTINGS SHALL BE 12" DEEP.
 - 5. 12" DIA. CIRCULAR FOOTINGS SHALL BE 12" DEEP.
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 - 7. 12" DIA. CIRCULAR FOOTINGS SHALL BE 12" DEEP.
 - 8. 12" DIA. CIRCULAR FOOTINGS SHALL BE 12" DEEP.

FOUNDATION / MAIN FLOOR

PROJECT

2

BUNGALOW #1472

ALAN RUDEN CONSTRUCTION

503.434.2412

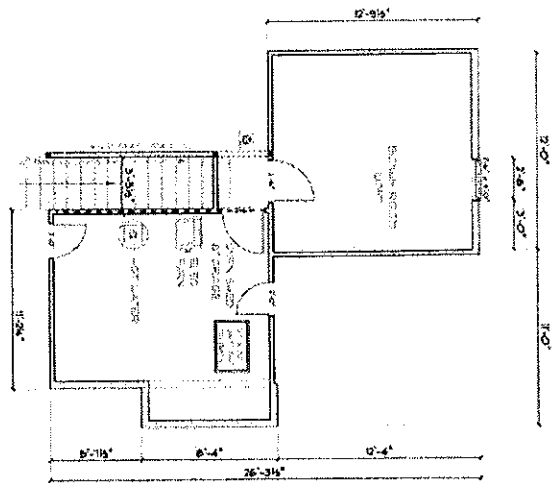
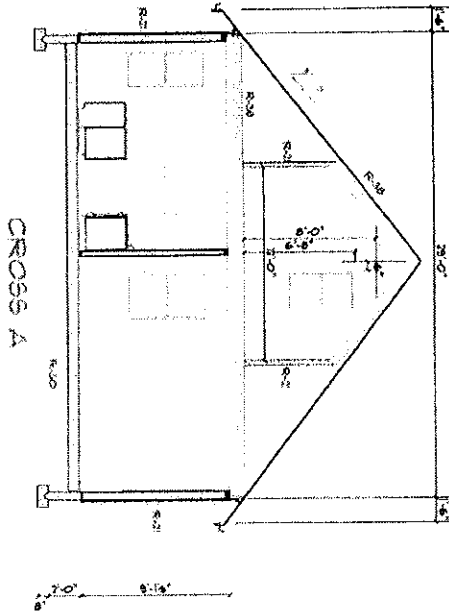
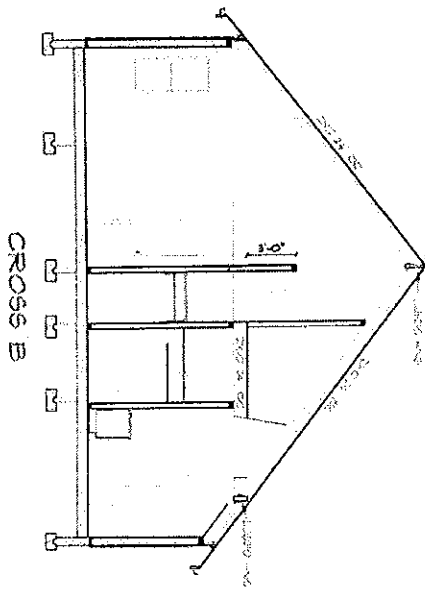
These drawings are prepared for the project and are not to be used for any other project. The drawings are prepared for the project and are not to be used for any other project. The drawings are prepared for the project and are not to be used for any other project.

RMiDeSIGN

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NOTES
1. SEE ELEVATIONS FOR FINISHES
2. SEE ELEVATIONS FOR FINISHES
3. SEE ELEVATIONS FOR FINISHES
4. SEE ELEVATIONS FOR FINISHES

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ALAN RUDEN CONSTRUCTION
503.434.2412
Rev. 01/20/2020

BUNGALOW #1472
PORTLAND, OR 97208

PROJECT

3



September 28, 2015

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

RECEIVED

SEP 29 2015

COMMUNITY DEVELOPMENT
CENTER

DOCKET NUMBER: VHR12-15 – Nathan Ruden, 3489 NE Joel Street, McMinnville, OR 97128

Dear Mr. Montgomery:

We own property near the proposed Vacation Rental site and we have serious concerns about its presence in our neighborhood. These concerns include safety, fear of a decrease in property values and the transient population.

1. Our neighborhood is a mixture of older residents, singles and families with small children with a lovely park (Chegwyn Farm Park) nearby. The presence of "vacationers" using these facilities may discourage local people and children from going to the park to play and walk. What screening process will be in place to ensure the safety of our neighborhood elderly, single owners and families with children when they move about our neighborhood and park?
2. As you know, we have limited parking (1-1/2 car garage, no parking in alley, and single car in front of home). Criteria #2 for Vacation Properties, as I understand it, requires parking for (1) vehicle per guest room. I believe that house has 3 bedrooms. What DOCKET NUMBER: VHR12-15 proposes will take away parking space from home owners. Also there is no place for parking recreation vehicles.
3. Criteria #6 states that there will be someone who responds to emergent needs at the property. I understand that Nathan Ruden will be in another state for long periods of time. Currently, there are issues with delayed response by Ruden Construction regarding problems on our new homes. Our concern is that the same thing will happen with the vacation property.
4. We paid good money for our home and were given guidelines to follow. What will ensure that the transient population who rent this vacation home will not do damage to the facilities that would result in a negative effect on our property values or destroy the reputation of the neighborhood.

My daughter and I paid market value for our home and do not wish to see our home or anyone else devalued because of this vacation rental home. This is not an appropriate neighborhood for a vacation rental home.

Thank you,

Marilyn Tigner and Tami Tigner
3494 NE Hembree St., McMinnville, Or 97128

Ron Pomeroy

From: Pattie [pattieholder@msn.com]
Sent: September 29, 2015 12:12 PM
To: Ron Pomeroy
Subject: RE: Docket VHR 12-15

Hello Ron,
Thank you for this information.

We would like to have this email in the file for the consideration by Doug Montgomery in his review. A neighbor of ours has also been asking questions, and has told us that an off street parking space is required for each guest room available in order for approval to take place. This property does not have that. As I mention in the previous email, this subdivision has a unique lay out and narrow streets that already makes parking an issue. The people whose garages open into the alley need to cooperate in sharing this space. I would hope that this will be taken into account for the livability of our neighborhood.

Thanks very much for your time,
Pattie & Larry Holder

From: Ron.Pomeroy@ci.mcminnville.or.us
To: pattieholder@msn.com
Subject: RE: Docket VHR 12-15
Date: Mon, 28 Sep 2015 23:59:37 +0000

Patty and Larry Holder,

Thank you for your email. In answer to your questions, this vacation home rental application, if approved, would only apply to this one property owned by Nathan Ruden.

The maximum number of person that can stay in a vacation home rental at any one time is five (5).

Also, about the "next step" in the process, this application is currently under review and will be evaluated for approval or denial by the Planning Director, Doug Montgomery, within 30 days after October 7th (November 5th). If you would like a copy of your email, or any other information, placed in the file for Doug to review prior to making a decision on this application, please let me know.

You have until 5:00 p.m., Wednesday, October 7th to submit any information you would like to this office with a request that it be placed in the file for Doug's consideration. If you request that your comments be included as part of that file, you will receive a copy of the decision. Following that, there will also be an appeal period after the decision where you can file an appeal for this request and the Planning Director's decision to be reviewed by the McMinnville Planning Commission at a public hearing.

Since you received a notice of this potential vacation home rental, you actually have the option now to call for a public hearing on this matter by the Planning Commission. Doing this would not change in the review criteria however as the Planning Commission would be required to use the exact same criteria to evaluate the application as does the Planning Director.

If you would like to discuss any of this further contact me, or Doug Montgomery. Also, please let me know if there is information that you would like placed in Nathan Ruden's VHR 12-15 file for consideration.

Best regards,

Ron Pomeroy

Ron Pomeroy, AICP
Principal Planner
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128
503.434.7311
503.474.4955 fax
ron.pomeroy@ci.mcminnville.or.us

From: Pattie [<mailto:pattieholder@msn.com>]
Sent: September 28, 2015 3:54 PM
To: Ron Pomeroy
Subject: Docket VHR 12-15

Hello Ron,

We own the home directly across Samson Street from the home that Nathan Ruden is requesting a zoning change to operate a vacation home rental. It is unclear if this change would be for the entire neighborhood or this property only.

One concern we have is about occupancy limits, and if there are any? This house and yard are quite small. If you are familiar with our neighborhood, the streets are narrow and the houses have very close proximity. Parking is already a bit of a problem. The potential for conflict with vacation renters for parking space is real and unwelcome. There have already been a number of different families staying at this home, not sure what the situation is exactly, but the potential for disruption in our neighborhood has already been realized by whatever it is they are doing.

Most of us who purchased homes here did so with the vision pitched by the Rudens for Chegwyn Village. Vacation rentals were not part of the vision they presented. We have felt fortunate thus far to have neighbors who share this vision, not renters just here for a visit who don't have a connection to the neighborhood. We also worry that with houses still being developed this might be the start of something more? Please keep us advised of the next step in this process so we can be sure our concerns are heard.

Thank you for your time,
Pattie and Larry Holder

RECEIVED

OCT 02 2015

COMMUNITY DEVELOPMENT
CENTER

October 2, 2015

3480 NE Hembree St.
McMinnville, Or. 97128

McMinnville Planning Department RE; Docket Number VHR 12-15
Attn: Doug Montgomery
231 NE Fifth Street
McMinnville, OR 97128

Dear Sir,

My wife, Gail Holte, is the owner of the real estate at the above address. As her husband, and a resident of that property, I am writing to object to the application of the owner of 3489 NE Joel St for a vacation home rental on her behalf as well as mine.

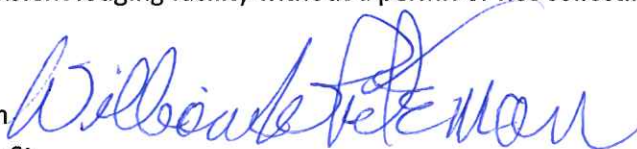
The criteria that was provided to me include conditions on parking for each guest room. Although not stated I have to assume that a guest room is any and all bedrooms not being occupied by the owner, should they be present. This application states that there are two guest rooms, but, since the owner is not in residence I believe the home should speak for itself. I believe records will show this to be a three bedroom home. That being the case, the criteria states that an off street parking place be provided for each guest room. The only off street parking for this address, as well as many other addresses in this development, is one. I say this after talking to your building official that told me a normal two car garage is 24' X 20'. These garages are 20' X 20'. Using other jurisdictions criteria, car space is 8'6" to 9' X 20' and an aisle of 24" is standard. (I realize the City of McMinnville does not include aisle criteria in their planning) This being a standard, and suggesting that McMinnville is not sub-standard, I have to believe that a parking garage 20' X 20' is in fact suitable for a single car. Not only do I believe that to be so, but if you check this neighborhood, you will find that most people with two cars do not park the second car in these garages. In fact persons renting this property up to know, as a vacation resident, even though a permit has not been obtained, do often park a car in the street.

For the above findings I believe you should deny the request for a vacation home permit or be forwarded to the Planning Commission for final consideration.

It may seem to the department that the above reasoning is pretty nit-picky. So it should be, as each of us were sold a life style, as well as a bungalow, in what was to be a community of small lots, it is a planned unit development by the way, and opportunity to develop a "look out for your neighbor atmosphere". This takes away from that intent by putting transient persons into the neighborhood that no one knows what they are doing here. At the very least the applicant should be cited for using the residence as a transient lodging facility without a permit or not collecting transient tax as stated in the application.

Sincerely,

William Whiteman
3480 NE Hembree St.



Ron Pomeroy

From: Kathie Schumacher [kathie@shermlaw.com]
Sent: October 06, 2015 4:53 PM
To: Ron Pomeroy
Cc: kathieschumacher@yahoo.com
Subject: FW: Docket Numner VHR 12-15 Tax Lot 9200, Section 09CA

I would like to request a public hearing regarding this mater. As I see it Nathan Ruden is in violation of requirement #2. as stated below. There is only space for one car in the garage, even though it looks like a two car garage. Also, the driveway is much too short to hold a second car unless it hangs out into the alleyway; where we are NOT allowed to park. It appears he is in violation of the parking matter in addition to already using it as a vacation rental without proper approval.

Can you direct me to the correct person regarding the fact that Mr. Ruden is already using the home as a vacation rental....I would be interested in knowing if he is paying hotel/vacation rental tax for the income he has received thus far.

Thank you.

Kathie A. Schumacher
Office Administrator



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From: Ron Pomeroy [mailto:Ron.Pomeroy@ci.mcminnville.or.us]
Sent: Friday, October 02, 2015 12:09 PM
To: Kathie Schumacher
Subject: RE: Docket Numner VHR 12-15 Tax Lot 9200, Section 09CA

Ms. Schumacher,

Thank you for your email and questions. I will do my best to provide you answers.

In 2008, the McMinnville City Council adopted rules allowing Vacation Home Rentals in McMinnville. That ordinance has been amended since that time to currently allow Vacation Home Rentals (VHRs) in residential neighborhoods upon approval by the Planning Director. There are certain requirements for operation of a VHR in McMinnville. Those requirements are:

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. 3997.
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 payment of the appropriate fee prior to its expiration date, provided that the permit has not been terminated under the provisions of Section 17.12.010(O)(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.

As noted in item number 2 above, there must be one off-street parking space for each bedroom in the VHR. Those spaces are typically those located in the garage and/or driveway. The street in front of your residence is a public street. The public street is available for anyone to park along so long as they are not parked in an identified "no parking" zone.

As to your yard being used as a playground, your property is private property and owned by you. Generally, anyone entering onto your property without your permission is trespassing and that would include uninvited children playing in your yard. Approval of a VHR does not give anyone the right to use anyone else's property unless they are invited. If children are using your property now without your permission, you may want to consider asking others to help you with this problem (friends, neighbors, for example), contacting the parent(s) of those children, or perhaps contacting the McMinnville Police Department at 503-434-7307 to see what they might be able to do to help you.

Regarding your question concerning the value of your home, I do not have any information for you on this. Just as an idea, you may want to contact someone in the real estate profession to pose that question to.

I hope this information has been helpful. Thank you again for your email.

Best regards,

Ron Pomeroy

Ron Pomeroy, AICP

Principal Planner

City of McMinnville

231 NE Fifth Street

McMinnville, OR 97128

503.434.7311

503.474.4955 fax

ron.pomeroy@ci.mcminnville.or.us

From: Kathie Schumacher [<mailto:kathie@shermmlaw.com>]
Sent: October 02, 2015 11:12 AM
To: Ron Pomeroy
Subject: FW: Docket Numner VHR 12-15 Tax Lot 9200, Section 09CA

Dear Mr. Pomeroy,

I have grave concerns regarding Nathan Ruden wanting to turn his home into a vacation rental. I live right next door! I would like to know what the new zoning rules mean? Will it decrease the value of my home? Will there be a plethora of cars parking on the already narrow streets? What rules would be in place for people using my yard as a playground? You see this is already taking place on several occasions, AND I have had a light fixture broken as well as potted flowers. I have a real issue with people not invested in our community living right next door to me. Vacation Rentals are a wonderful thing BUT NOT in a neighborhood especially one so close to a school!

I welcome any feedback you might be able to provide.

Kathie A. Schumacher
3497 NE Joel Street
McMinnville, OR 97128

From: PAUL LINETTE STUDEBAKER [mailto:plstudeb@msn.com]

Sent: October 05, 2015 5:43 PM

To: Ron Pomeroy

Cc: shellysmaill@gmail.com

Subject: Ruden's Request for Vacation Rental

October 6, 2015

Dear Planning Department via Ron Pomeroy,

We live across the street from the house Nathan Ruden is requesting approval to operate a vacation home rental, (3489 NE Joel Str.). We would like to raise an objection to this request. According to McMinnville Ordinance No. 3380 section 17.21, there needs to be one off street parking space for each bedroom. Since this is a three bedroom home, three off street spaces are required. However, there are maybe one or two parking spaces in the garage, plus no 12 foot driveway, and no parking allowed in the alley. Thus, the off street parking would be inadequate.

It is debatable whether there is one or two spaces in the garage. We have a garage with the exact same dimensions and found it impractical to park two cars in it. If two cars are squeezed in facing the same direction, the driver's side door cannot be used on one of the cars because of the narrow width of the garage. Thus, conveniently using two cars in the garage is virtually impossible. I know of no one who, having this size garage, actually parks two cars there.

We realize that our comments need to address compliance with the ordinances. However, we would like to add one other comment. We bought into this neighborhood with the understanding that it was to be a "village-like" atmosphere where people would get to know each other. We read the articles that came out in the News Register about the welcoming front porches, the narrow streets, and the garages in the back alley allowing people easy access for interacting with each other. Having a vacation rental in the neighborhood with strangers coming and going on short term stays would run contrary to the whole concept of this development.

It would be our wish to request that the Planning Commission not approve this proposal based on the lack of off street parking. But we also hope Commissioners would understand the breach of understanding that this proposal represents. And we request that there would be a hearing date set to review these concerns.

Thank you for your consideration.

Sincerely,

Paul and Linette Studebaker
3494 NE Joel Str.
McMinnville, Oregon, 97128

Ron Pomeroy

From: PAUL LINETTE STUDEBAKER [plstudeb@msn.com]
Sent: October 06, 2015 1:42 PM
To: Ron Pomeroy
Subject: Re: Ruden's Request for Vacation Rental

Dear Ron,

I think I misunderstood the process. I am not requesting to bypass the Planning Director step. Please follow normal procedures. I am not requesting a hearing at this time.

Thank you,

Paul Studebaker

----- Original Message -----

From: Ron Pomeroy
To: PAUL LINETTE STUDEBAKER
Sent: Tuesday, October 06, 2015 9:30 AM
Subject: RE: Ruden's Request for Vacation Rental

Good morning,

Thank you for your email regarding the proposed vacation home rental (VHR) application VHR 12-15. A copy of your correspondence will be placed in the land use file for this request.

Toward the end of your email you state a "request that there would be a hearing date set to review these concerns." For clarity, are you requesting that this application not be reviewed by the Planning Director, as typically occurs, but rather that this application be scheduled for a public hearing before the McMinnville Planning Commission?

Chapter 17.72.110 of the McMinnville zoning ordinance places review of VHRs under the authority of the Planning Director. This is typically how reviews of this type of application occur. However, this section also states "During the 14 (fourteen) day comment period, a person who has received notice may request a public hearing following the procedure as outlined in Section 17.72.120 [Public Hearings]."

Is it your request that VHR 12-15 be scheduled for review by the Planning Commission? Scheduling this application for public hearing review would move the decision date back to November 19, 2015. Additionally, the decision making criteria remains the same for either type of review.

Please confirm your intention regarding a Planning Commission hearing as soon as you are able.

Thank you for your time and interest.

Best regards,

Ron Pomeroy

Ron Pomeroy, AICP
Principal Planner
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128
503.434.7311
503.474.4955 fax
ron.pomeroy@ci.mcminnville.or.us

Ron Pomeroy

From: Shelly Stein [shellysmaill@gmail.com]
Sent: October 06, 2015 10:38 PM
To: Ron Pomeroy
Subject: Nate Ruden's Request for Vacation Rental

Ron,

As the first resident on Joel Street I've witnessed quite a bit of change all around me.

Please add me to the list of those in my neighborhood who think the plan to grant Vacation Rental status to Nate Ruden's property isn't such a good idea. While the parking spots available in the garage can legally be called two, Nate himself only ever parked one of his cars in the garage when he was living here. (I manage to fit two but it takes practice that people on vacation just won't have any interest in mastering -- the idea of being on vacation after all is to vacate your normal life and oftentimes common sense is not included when packing for a trip.) The streets in our neighborhood already create congestion due to their limited width.

I think the plan for this neighborhood really hinged on the hope that people would use their garages for parking their cars but the garages are about two feet too narrow to allow normal garage storage and room to easily enter and exit the vehicles. Due to this oversight we are left with more cars parked on the roadside. In addition, Nate's property is on the corner which means there is no street parking allowed right in front. (Yellow zone.) The vacation renters who are currently residing in Nate's property have a large pickup truck which does not even fit into the garage.

What is happening here is an auto-dominated, unsafe situation for residents, especially the little ones. It's just a matter of time as more cars and kids arrive on the scene before someone is going to get hurt. I encourage your team to rethink the minimum width for garages built in the future.

The other concern I have is for the upkeep of the property in question. Even when the owner is here, the attention to weed control goes unnoticed. Sometimes I wonder if these youngsters know the difference between weeds and landscape plantings! It just seems like common knowledge that weeds growing out over the sidewalk might not be part of the plan of the landscaper...

I understand we may have an appeal meeting in the works. I hope this does actually find a date and time. We are aware of Alan Ruden's stature in the community and hope this doesn't sway your good planning decisions. I've noticed some of the commission's plans are not being adhered to. Come on by and take a look sometime when everyone is home. You will find two residences across the street from each other here on Joel St. who both park three cars on the street and zero in the garage.

Kind regards,

Michelle Stein
3505 NE Joel St.
McMinnville, OR 97128
503 857 0128

Ron Pomeroy

From: Ken Galt [nektlag@gmail.com]
Sent: October 07, 2015 6:59 AM
To: Ron Pomeroy
Subject: Docket Number VHR12-15

Ken & Virginia Galt
3508 NE Joel St.
McMinnville, OR 97128

October 6, 2015

Ron Pomeroy
Principal Planner
McMinnville Planning Department
231 NE Fifth St
McMinnville, OR 97128

Dear Mr. Pomeroy

We are writing in response to an application for a vacation home rental across the street from our home. In short, from our view as property owners and residents of this new neighborhood, a vacation rental would be an unwelcome neighbor. This new neighborhood has a very unique character, as we are sure was the intention of the Planning Commission in approving this new development originally. Those of us who live here enjoy the family atmosphere and close knit community the design of this neighborhood affords. To drop a non-stop parade of unknown people into and out of the neighborhood would be disruptive and inconsistent with such a family friendly environment. These are our general feelings about such a proposal.

However we realize that we are required to address specific concerns vis a vis the Comprehensive Plan and Ordinance No 3380. Since we received our notice somewhat late as it was addressed to the previous owner of our home, we did not have time to review the Comprehensive Plan. But, that said, one of our major concerns are traffic, parking noise and neighborhood security.

The house in question, 3489 NE Joel, has no parking in front of the home due to the entire length of the property facing the street is marked with a yellow curb and posted with a No Parking sign. Thus, nobody occupying that home can park in front of that house, so they will park in front of other homes instead, which generally have room for two cars. Vacation homes, in our experience are often rented by "groups" of people (families gathering for example) which bring them together in several vehicles, most of which will end up on the street. Often, even more people and traffic ensues due to "extra" guests and visitors. Also a look on the darker side of such properties, vacationers tend to be louder and celebrate more than those of us living here. Further, since we have no way of knowing who these people are in the middle of our neighborhood, our overall feeling of security is diminished. No rental agency can screen out renters who are inconsiderate of the neighborhood.

We would like to ensure that such a nuisance is not allowed to be permitted. It is our opinion that our property values would be negatively effected by the close vicinity of a vacation home. We strongly urge that VHR 12-15 NOT be granted to preserve our neighborhood community and our property values.

Thank you for your careful consideration of our concerns regarding this matter

Respectfully,

Ken & Virginia Galt

Ron Pomeroy

From: Patricia [trishmorris@comcast.net]
Sent: October 07, 2015 2:34 PM
To: Ron Pomeroy
Subject: Docket Number VHR 12-15
Attachments: Notice VHR 12-15.docx

Mr. Pomeroy,

Attached please find a letter expressing my strong objection to the application for a vacation home permit at 3489 NE Joel Street.

I would have responded sooner, but I never received a copy of this notice from the city. I found out about it from another neighbor. I live at 3516 NE Joel Street and definitely should have been notified.

Tricia Morris

Mr. Pomeroy,

The purpose of this letter is to express my opposition to Docket Number VHR 12-15 which is a request by Nathan Ruden for approval to allow for the operation of a vacation home located at 3489 NE Joel Street.

This home is zoned as R-4 Multiple Family Residential Zone. I have read the requirements of McMinnville Ordinance No. 3380, particularly Chapter 17.21. In reading the permitted use section, I am referred to the provisions of Section 17.12.010(O). Portions of this section read as follows:

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.
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.

This home is designed as a single-family residence, however, I am unsure what is meant by the statement "retain the characteristics of...". Does this mean that the home cannot be rented to multiple families at one time? I am concerned that, by nature, a vacation home may be rented by large groups of people at any given time, thus destroying the single-family nature of our neighborhood.

I believe the home in question is a two bedroom structure. While the home does have what is called a two-car garage, it is my belief that this is an untrue statement. The garage is a 1 ½ car garage at best. This neighborhood has very limited parking. The homes have been designed in what has been call a bungalow style. The majority of the homes have very small, detached garages with extremely short driveways. The driveways are designed such that they cannot be considered off-street parking. Where this home is located (on the corner of Samson and Joel), the curb next to both sides of the house is yellow. There is no convenient parking for guests other than the garage which I contend cannot accommodate two vehicles. I do not believe this home meets the minimum parking requirements as set forth in the City Ordinance.

The owner of this property is Nathan Ruden. Nathan does not live in McMinnville. He does not in fact even live in Oregon. I am curious as to who the contact person for the rental will be. I suspect it is either his sister, Alison Larson, or his father, Alan Ruden. I question whether either of these individuals will meet the requirement of being available to respond immediately to any emergency or complaint. I have lived in this neighborhood for two years now and have, on many occasion, needed to contact Alan Ruden (the developer of the homes). I have found him very unresponsive to my requests.

When I purchased my home two years ago, Alan Ruden stressed the close-knit, quiet, friendly aspects of this community (The Chegwyn Bungalows). I am very disappointed that it is his very son who has the nerve to attempt to destroy the dream which I bought into.

I would also like to point out that I did not receive a copy of the Notice which, per Section 17.72, must be mailed to all those in the neighborhood. I was told about this by another neighbor. I live on Joel Street – only three houses away from the subject property – and definitely should have been notified.

Additionally, Nathan Ruden has already been renting this property as a vacation home without obtaining the required permits. Does this not already put the homeowner in violation of the City's policies? I sincerely hope some action will be taken against them for this violation.

As a member of this community, I respectfully ask that you deny this vacation home application.

Thank you,

Tricia Morris

Sarah Sullivan

From: Doug Montgomery
Sent: Tuesday, October 27, 2015 4:32 PM
To: Nate Ruden
Subject: RE: Vacation Home Rental Application

Nate,

That works for us. We will then move the hearing to the Planning Commission's January 21, 2016 meeting. The meeting begins at 6:30pm and will be held in the Civic Hall hearing room, 200 NE Second Street. Notice of the hearing, and a staff report, will be provided to you in advance of the hearing.

Doug

Doug Montgomery, AICP

Planning Director
City of McMinnville
231 NE 5th Street | McMinnville, OR 97128
(503) 434-7311 | montgod@ci.mcminnville.or.us

From: Nate Ruden [<mailto:nateruden@gmail.com>]
Sent: Tuesday, October 27, 2015 3:36 PM
To: Doug Montgomery
Subject: Re: Vacation Home Rental Application

Sorry for the delayed response Doug.

I wonder if it would be OK to postpone until January? The reason is that we will be moving back to McMinnville around the new year, and wouldn't require the expense of a separate trip just for the meeting. We will be living in the house at that point, but anticipate that we will at some point use it as a vacation rental.

Also, I would like to waive the 120-day requirement.

Thanks,
Nate

Sent from my phone

On Oct 27, 2015, at 15:37, Doug Montgomery <Doug.Montgomery@ci.mcminnville.or.us> wrote:

Good afternoon, Nate,

I am following up from an email sent you last week letting you know that we have revised the hearing date for the vacation home rental request to December 17, 2015. We will be providing the required notice for this hearing in the next few days and would appreciate your confirmation that the date fits your schedule. Also, that you are willing to waive the 120 day requirement described in the email below.

On a related note, this past week our staff received information from a nearby resident to your property in McMinnville alleging that it is currently being used as a vacation home rental. His allegation is based upon conversations he has had with some recent guests of your home. Please let me know if there is any substance to this allegation. If so, I would ask that you cease such use of the home until we can take final action on your pending vacation home rental application.

If I can be of any assistance, please feel free to call or email me.

Sincerely,

Doug Montgomery, AICP

Planning Director

City of McMinnville

231 NE 5th Street | McMinnville, OR 97128

(503) 434-7311 | montgod@ci.mcminnville.or.us

From: Doug Montgomery

Sent: Wednesday, October 21, 2015 8:58 AM

To: 'Nate Ruden'

Subject: RE: Vacation Home Rental Application

Good morning, Nate,

Given the circumstances you describe, and the fact that we have yet to advertise this item for the November Planning Commission hearing, we have some ability to move this hearing date. As the Commission meets on the third Thursday of each month, the hearing for this item would therefore need to be moved to 6:30pm, December 17, 2015. Would you, or your representative, be available on that date?

On a related note, by law we are required to issue a final decision on land use applications such as this within 120 days of being accepted as complete by the City. As this change in hearing dates may push that envelope, I am therefore requesting that you waive this requirement, thereby allowing us to consider and move forward with this proposed extended hearing schedule. If this acceptable to you, please indicate your approval of this waiver in an email or letter to this office.

If there is any further assistance you may need regarding this matter, please call or email me.

Sincerely,

Doug Montgomery, AICP

Planning Director

City of McMinnville

231 NE 5th Street | McMinnville, OR 97128

(503) 434-7311 | montgod@ci.mcminnville.or.us

From: Nate Ruden [<mailto:nateruden@gmail.com>]

Sent: Tuesday, October 20, 2015 9:58 PM

To: Doug Montgomery

Subject: Re: Vacation Home Rental Application

Hi Doug -

I wasn't able to find somebody to represent me at the meeting scheduled for the 19th, and had planned on flying in myself to attend. However, since the time I committed to attend, it has become necessary for my wife to schedule a surgery for that very date, making it impossible for me to travel. I sincerely apologize for the inconvenience this may cause you. Are there other dates that would be available for a hearing?

Thanks,
Nate

Sent from my phone

On Oct 7, 2015, at 17:55, Doug Montgomery <Doug.Montgomery@ci.mcminnville.or.us> wrote:

Nate,

As it is imperative that you have a representative attend and speak on your behalf at this hearing, I would appreciate a follow-up email or call to let us know if you have been successful in finding someone to attend.

Thank you.

Doug

Doug Montgomery, AICP

Planning Director

City of McMinnville

231 NE 5th Street | McMinnville, OR 97128

(503) 434-7311 | montgod@ci.mcminnville.or.us

From: Nate Ruden [<mailto:nateruden@gmail.com>]

Sent: Wednesday, October 07, 2015 4:47 PM

To: Doug Montgomery

Cc: Allison Larsen

Subject: Re: Vacation Home Rental Application

Thank you, Doug. I will see if my sister, Allison, who lives across the street from the house, or my father, who lives in town, would be able to attend in our place.

Sincerely,
Nate Ruden

Sent from my phone

On Oct 7, 2015, at 17:37, Doug Montgomery
<Doug.Montgomery@ci.mcminnville.or.us> wrote:

Thanks for the quick response, Nate. Specifically to your question, the Planning Commission would be reviewing this application using the very same criteria that we would be held to in an administrative review, and that you have, in our opinion, adequately addressed. The Commission should, in their review at the public hearing, discard as irrelevant any testimony – oral or written -- that doesn't speak to those criteria.

As to your comment that you would be unable to attend, do you have someone that can be at the hearing to represent your application and respond to questions of the Commission?

Doug

Doug Montgomery, AICP

Planning Director

City of McMinnville

231 NE 5th Street | McMinnville, OR 97128

(503) 434-7311 | montgod@ci.mcminnville.or.us

From: Nate Ruden [<mailto:nateruden@gmail.com>]
Sent: Wednesday, October 07, 2015 4:20 PM
To: Doug Montgomery
Subject: Re: Vacation Home Rental Application

Thank you, Doug. While we obviously we prefer that this would have gone forward administratively we respect the process and will of course cooperate.

As I am out of town I will unfortunately not be able to attend. The only question I really have is how much influence neighbors will be able to have on the process, as long as we meet the requirements outlined in the application. I can understand why they would not readily accept change, and would express disappointment.

Thank you,
Nate Ruden

Sent from my phone

On Oct 7, 2015, at 17:06, Doug Montgomery
<Doug.Montgomery@ci.mcminnville.or.us> wrote:

Good afternoon, Nathan,

I am writing to let you know that, in response to the notice provided to the surrounding property owners regarding your application seeking approval to operate a vacation home rental from your property at 3489 NE Joel Street, we have received numerous written responses opposing this request. One of those property owners has requested this matter be referred to a public hearing before the McMinnville Planning Commission at their next available date, as they are allowed to do by the process outlined in the McMinnville zoning ordinance. As such, this matter has been tentatively scheduled for a hearing before the Planning Commission on November 19, 2015.

I am anticipating that you may have questions concerning the responses received to your application, and the upcoming hearing. If that is the case, please feel free to call or email Ron Pomeroy, our Principal Planner, or me.

Sincerely,

Doug Montgomery, AICP

Planning Director

City of McMinnville

231 NE 5th Street | McMinnville, OR 97128

(503) 434-7311 | montgod@ci.mcminnville.or.us

NOTICE

NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 21st day of January, 2016, 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

VHR 12-15 Nathan Ruden is requesting approval to allow for the operation of a vacation home rental establishment within an existing residence. The subject site is located at 3489 NE Joel Street and is more specifically described as Tax Lot 9200, Section 09CA, 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 17.21 (R-4 Multiple-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.

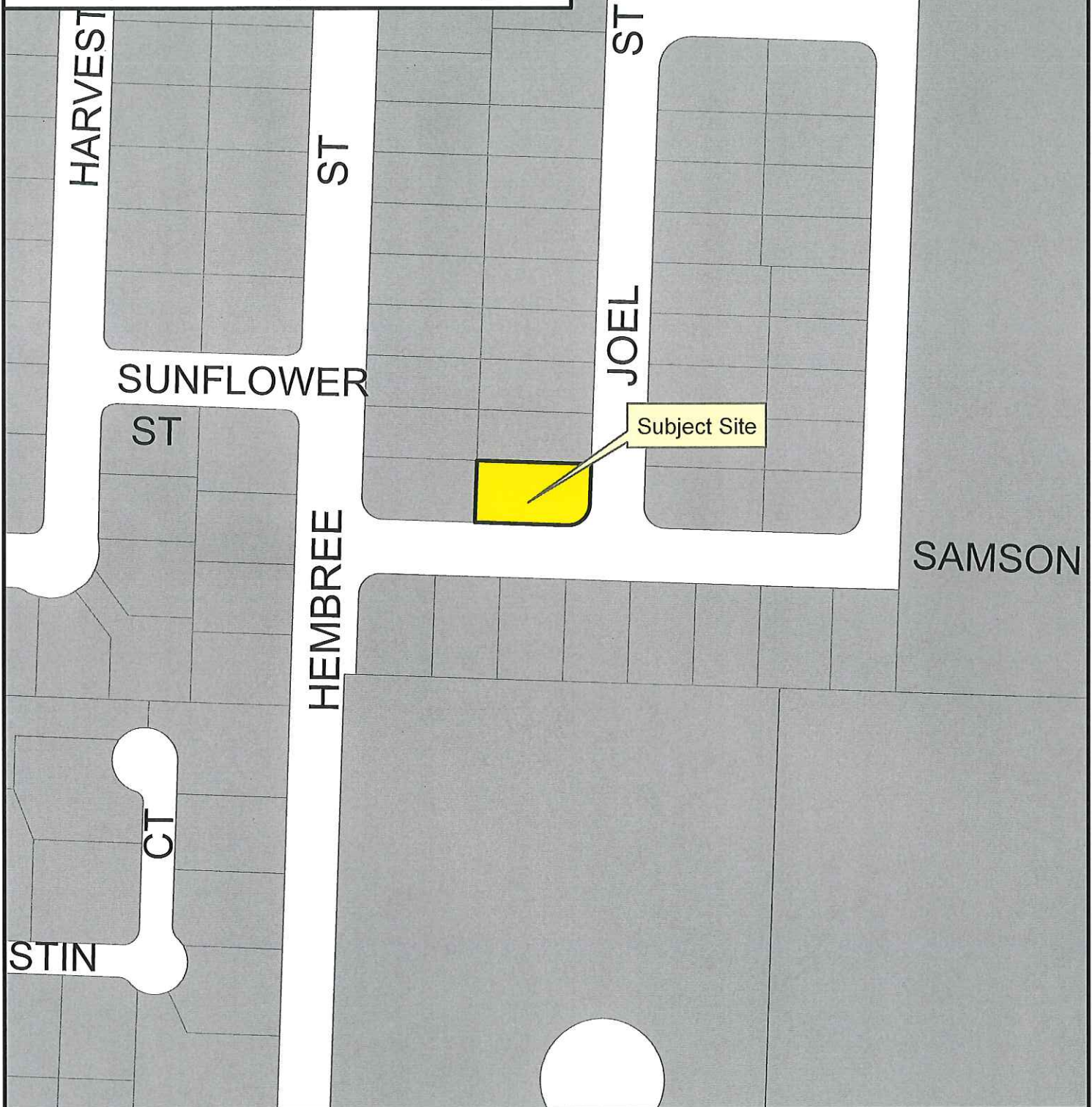
For additional information contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.

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



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

VHR 12-15

Map No.	Tax Lot	Site Address	Owner	Attn:	Mailing Address	City State	Zip
1	R4409CA09800	3514 NE HEMBREE ST	BAUER SCOTT	BAUER SIERRA	3514 NE HEMBREE ST	MCMINNIVILLE OR	97128
2	R4409CA09500	3511 NE JOEL ST	VANDEGRIFT INGRID	VANDEGRIFT INGRID	3511 NE JOEL ST	MCMINNIVILLE OR	97128
3	R4409CA09900	3500 NE HEMBREE ST	LINK ROBERT	LINK TARA	3500 NE HEMBREE ST	MCMINNIVILLE OR	97128
4	R4409CA09400	3505 NE JOEL ST	STEIN MICHELLE	STEIN MICHELLE	3505 NE JOEL ST	MCMINNIVILLE OR	97128
5	R4409CA08900	3508 NE JOEL ST	GALT KENNETH	GALT VIRGINIA	3508 NE JOEL ST	MCMINNIVILLE OR	97128
6	R4409CA10000	3494 NE HEMBREE ST	TIGNER MARILYN	TIGNER TAMI WROS	3494 NE HEMBREE ST	MCMINNIVILLE OR	97128
7	R4409CA09300	3497 NE JOEL ST	SCHUMACHER KATHIE	SCHUMACHER KATHIE A	3497 NE JOEL ST	MCMINNIVILLE OR	97128
8	R4409CA09000	3498 NE JOEL ST	HARRIS JOSHUA	HARRIS JOSHUA	3498 NE JOEL ST	MCMINNIVILLE OR	97128
9	R4409CA10100	3480 NE HEMBREE ST	HOLTE GAIL	HOLTE GAIL A	3480 NE HEMBREE ST	MCMINNIVILLE OR	97128
11	R4409CA09100	3494 NE JOEL ST	STUDEBAKER PAUL	STUDEBAKER LINETTE	437 NW MEADOWS DR	MCMINNIVILLE OR	97128
12	R4409CA10200	832 NE SAMSON ST	VARGO BRIAN	VARGO ANNIEKA M	832 NE SAMSON ST	MCMINNIVILLE OR	97128
13	R4409CA10300	848 NE SAMSON ST	LARSEN BRIAN	LARSEN ALLISON	848 NE SAMSON ST	MCMINNIVILLE OR	97128
14	R4409CA10400	880 NE SAMSON ST	HOLDER LAWRENCE	HOLDER PATRICIA	880 NE SAMSON ST	MCMINNIVILLE OR	97128
15	R4409CA10500	900 NE SAMSON ST	DAISY DEBORAH	DAISY DEBORAH A	900 NE SAMSON ST	MCMINNIVILLE OR	97128
16	R4409CA10600	914 NE SAMSON ST	CARLSON KENNETH	CARLSON NANCY S	914 NE SAMSON ST	MCMINNIVILLE OR	97128
Owner	R4409CA09200	3489 NE JOEL ST	RUDEN NATHAN	RUDEN CAMIE F	1212 S 1800 E	SALT LAKE CITY UT	84108

Date Sent 12/30/15

Sent By 

NOTICE

NOTICE IS HEREBY GIVEN that an application for a vacation home rental has been submitted to the McMinnville Planning Department. The purpose of this notice is to provide an opportunity for affected property owners to submit comment regarding this application prior to a decision by the Planning Director.

DOCKET NUMBER

VHR 12-15 Nathan Ruden is requesting approval to allow for the operation of a vacation home rental establishment within an existing residence. The subject site is located at 3489 NE Joel Street and is more specifically described as Tax Lot 9200, Section 09CA, T.4 S., R. 4 W., W.M.

Persons are invited to register any statements in person, by attorney, or by mail to the McMinnville Planning Department no later than October 7, 2015, to assist the Planning Director in making a decision on this application.

Testimony and evidence submitted 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 (the Zoning Ordinance) with particular emphasis on Chapter 17.21 (R-4 Multiple-Family Residential Zone), Chapter 17.72.110 (Applications – Director's Review with Notification), and Section 17.74.090 (Review Criteria).

Should you wish to submit comments or testimony on this application, please call the Planning Department office at (503) 434-7311, or forward them by mail to 231 NE Fifth Street, McMinnville, OR 97128, or by email to ron.pomeroy@ci.mcminnville.or.us

Failure to raise an issue in person or by letter prior to October 7, 2015, precludes appeal to the Planning Commission on that issue.

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.

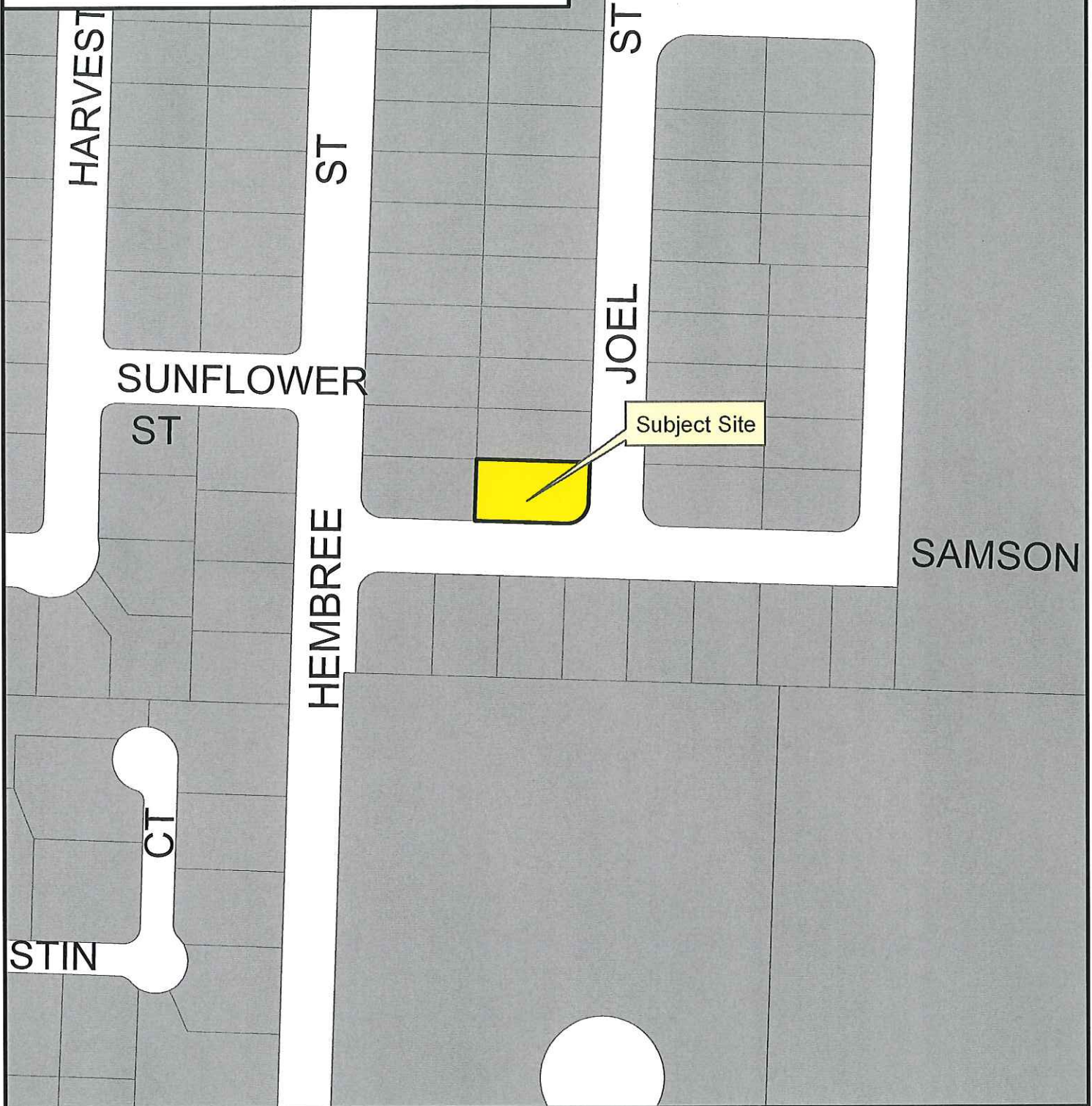
For additional information, please contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.



Doug Montgomery
Planning Director

(Map of area on back)

Vicinity Map



VHR 12-15

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5	R4409CA08900	3508 NE JOEL ST	SANTOS JOSEPH	GUMMERSON-SANTOS LIVING TRUST	3508 NE JOEL ST	MCMINNVILLE OR	97128
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7	R4409CA09300	3497 NE JOEL ST	SCHUMACHER KATHIE	SCHUMACHER KATHIE A	3497 NE JOEL ST	MCMINNVILLE OR	97128
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