



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

MINUTES

August 18, 2022
Planning Commission
Regular Meeting

6:30 pm
Hybrid Meeting
McMinnville, Oregon

Members Present: Brian Randall, Beth Rankin, Sidonie Winfield, Sylla McClellan, Dan Tucholsky, Matt Deppe, Gary Langenwalter, and Lori Schanche

Members Absent:

Staff Present: Tom Schauer – Senior Planner and Adam Tate – Associate Planner

1. Call to Order

Chair Winfield called the meeting to order at 6:30 p.m. She noted Commissioner Banagay had resigned from the Commission.

2. Citizen Comments

None

3. Minutes

None

4. Public Hearing:

A. Quasi-Judicial Hearing: Variance (VR 1-22)

Request: An application for variance to the setback standards of the R1 Zone in Chapter 17.12.030 of the McMinnville Zoning Ordinance in order to build a garage in their back yard for the storage of lawn equipment and vehicles.

Location: 935 NW 19th Street, Tax Lot R4417DB 06600.

Applicant: Mike and Kim Morris

Disclosures: Chair Winfield opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application.

Commissioner Langenwalter said he was friends with Mr. Morris, but could still be objective.

Chair Winfield asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing.

Commissioners McClellan, Tucholsky, Rankin, and Schanche visited the site.

Staff Presentation: Associate Planner Tate presented the staff report. He described the subject site. The applicant was requesting a variance to the rear and side yard setbacks, changing the rear setback from 20 feet to 10 feet and the side setback from 10 feet to 3 feet. This was to add an accessory structure to the backyard to function as a garage. He showed the site plan and construction drawings. He then discussed the applicable review criteria. Two comments had been received from McMinnville Water & Light and the Engineering Department. No public testimony had been received. He reviewed the recommended conditions. Staff recommended approval with conditions.

Commission Questions: Commissioner Langenwalter clarified Condition #1, a building permit was required before any work began.

Commissioner Randall asked if there were other variances in the area. Associate Planner Tate did not know, but he thought it was likely.

Applicant's Testimony: Mike Morris, applicant, explained the need for more storage on the property and the options they had explored. He thought the variance would be more aesthetically pleasing for the neighbors. He had spoken to his neighbors about it, and they had no concerns. He explained how the garage would be a low structure with minimum impact.

Commissioner Rankin asked about drainage and the tree by the driveway. Mr. Morris explained the stormwater drainage which would remain the same, repaving of the driveway, and preserving the tree.

Commissioner Schanche asked about the elevations of the existing house and new garage. Mr. Morris explained the beginning finished floor elevation of the garage floor would be approximately the same height as the current finished floor elevation of the existing garage.

There was no public testimony.

Chair Winfield closed the public hearing.

The applicant waived the 7 day period for submitting final written arguments in support of the application.

Deliberation: Commissioner Deppe questioned whether this was a unique circumstance to grant the variance. He also wondered if there should be a code change to allow structures to be closer to the edges of property lines. Senior Planner Schauer said this was a land use application for a variance before them, not a code change. Different zones were trying to achieve certain things with the setbacks to allow different opportunities and environments. One of the requirements for a variance was to make findings that there was something unique about the property. There were provisions for encroachment for accessory structures, but the size and shape of the lot did not work for what was typically allowed on other properties. The standard setbacks for R-1 were 20 feet for the front and back, and 10 feet for the sides.

Chair Winfield thought this was a unique situation and met the criteria.

Commissioner Langenwalter said they did not get variance requests very often.

Commissioner Deppe asked about the cost of the variance application. Associate Planner Tate explained the cost.

Commissioner Tucholsky thought the cost was high.

Based on the findings of fact, conclusionary findings for approval, materials submitted by the applicant, and evidence in the record, Commissioner McClellan MOVED to RECOMMEND the City Council APPROVE VR 1-22 subject to the conditions of approval; SECONDED by Commissioner Langenwalter. The motion PASSED 6-2 with Commissioners Randall and Deppe opposed.

B. Quasi-Judicial Hearing: Planning Development (PD 1-22) and Subdivision Tentative Plan (S 1-22)

Request: An application for a Planned Development (PD 1-22) to redesignate the property from R-to R-3 PD (R-3 with a Planned Development Overlay) including requested modifications to certain lot layout and development standards, and an application for a Subdivision Tentative Plan (S 1-22) to allow a 16-lot subdivision for a property of approximately 2.93 acres.

Location: NE Newby Street (south of NE Buell Dr. and west of NE Hoffman Dr.), Tax Lot R4409DC 01100

Applicant: Monika Development LLC c/o Lori Zumwalt

This application had been withdrawn by the applicant.

5. Action Items

None

6. Commissioner Comments

Commissioner Deppe discussed parking enforcement downtown.

Chair Winfield said OPB was doing a series of podcasts on Oregon's land use laws.

Commissioner Schanche attended a tour of area parks.

7. Staff Comments

Senior Planner Schauer discussed upcoming meetings and how the fees were determined for cost recovery.

8. Adjournment

Chair Winfield adjourned the meeting at 7:20 p.m.