

YAMHILL COUNTY PLANNING COMMISSION

Thursday, November 1, 2007 · 7:00 p.m.

Yamhill County Courthouse, Room 32

535 NE 5th St.

McMinnville, Oregon 97128

Roll Call: Matt Dunckel, Michael Sherwood, Daryl Garrettson, David Polite, John Abrams, Robert Smiley. Staff: Ken Friday,

Review of the **minutes** from the Planning Commission Hearing of October 4, 2007. Michael Sherwood moved to approve as submitted. Seconded by Daryl Garrettson. Passed unanimously.

QUASI-JUDICIAL PUBLIC HEARING:

DOCKET NO.: Z-06-07
REQUEST: Zone change from HI Heavy Industrial to LI Light Industrial.
APPLICANT: Catherine A. Wright representing Harold Washington
TAX LOT: 4430-2200, 2300 and 2400
LOCATION: 1720 SW Highway 18, McMinnville
PARCEL SIZE: Approximately 7.5 acres
CRITERIA: Sections 702, 703 and 1208.02 of the Yamhill County Zoning Ordinance; the Yamhill County Comprehensive Plan Goals and Policies.

Chair Smiley opened the public hearing.

Abstentions, Objections to Jurisdiction, Ex Parte Contact: Matt Dunckel knows Harold Washington and Catherine Wright. This will not affect his decision. Robert Smiley stated he also knows Harold Washington and it will not affect his decision.

Ken Friday read the “**raise it or waive it**” into record.

Staff & Committee Report: Ken Friday gave a brief review of the staff report. **Questions of Staff:** Daryl Garrettson: Concerning Goal 14, since we both plan designated and zoned that HI and that was acknowledged, why do we have to readdress Goal 14? Ken: When I wrote the staff report I expected a letter from the DLCD but haven’t received one yet. If you want to remove the limited use overlay I think you’re okay to do that but there could be a risk. I’d like Catherine Wright to address whether they want to do that or not. Robert Smiley: Is this in the UGB and have any comments been received from ODOT? Ken: The City of McMinnville found no conflicts with their interests and nothing has been received from ODOT.

Proponent’s Case: Catherine Wright, Attorney, P.O. Box 625, McMinnville, OR 97128: The list of permitted uses in the HI zone are much more restrictive than LI. An office needs to be on site which is not permitted in the HI zone. This property has sufficient on site water, a well, holding tank, and a septic system.. It’s compatible with the surrounding uses. The farm land to the east will be protected by setbacks and the highway is a buffer to the residential area across the highway. This property is planned for industrial use. ODOT has been involved concerning the access to the property. They asked Mr. Washington to clear out some brush near the highway to improve the visibility which he has done and when he landscapes the area they don’t want anything growing too close to the highway. Harold has looked for 4 years to find a place suitable for the company and there are very few properties available. As

to the limited use overlay, they are comfortable with the 35,000 square foot of building area per parcel.

Questions: Daryl Garrettson: If the Planning Commission was to convert this to a similar use determination and refund the difference in fees, would you be opposed to it? Catherine: I would be advised not to since it is much more restrictive. David Polite: Under LI are you allowed to sub divide this to a greater degree then you would under HI? Ken: The parcel sizes if allowed under the LI are smaller. The minimum parcel size is 20,000 square feet and HI is 2 acres.

Harold Washington, 19191 SW Peavine Rd., McMinnville, OR 97128 Mr. Washington has looked for property for 4 years and have talked to numerous people in the community and clients don't want to sell their property. Mr. Les Toth has a piece of property that is a high commercial property and he's said he's looking at a car dealership who can pay up to 3 ½ million dollars. Harold contacted Realtors in town who are knowledgeable and also went to the city numerous times for re-zoning with land he owns but he's in a neighborhood with houses on half of his property. ODOT is pleased they will be creating more of a driveway affect which creates more safety. ODOT is working with him in regards to putting up a new fence that will separate his property from the highway. He has also applied for a permit to landscape that area.

Public Agency Report: Ken Friday: The City of McMinnville has no conflicts and no other comments have been received to date.

Rebuttal: Catherine Wright stated the criteria has been met.

Staff Recommendation: Staff recommends approval of the request with a limited use overlay that has the 35,000 square foot limitation specifically for the parcel and every parcel created from the tax lot shall be limited to no more then 35,000 square foot of building area per parcel and that the property be limited to uses permitted in the Light Industrial zone with the exception of manufactured home construction.

Chair Smiley closed the public hearing.

Deliberation:

Daryl Garrettson: I'm in favor and see no use for a limited use overlay.

Matt Dunkel: I'm in favor of the application.

David Polite: I'm concerned with reduction of HI inventory. I will concur with staff recommendation.

Michael Sherwood: In favor of the application with or without the limited use overlay.

John Abrams: In favor of the application.

Robert Smiley: I concur with staff.

MOTION: Daryl Garrettson moved to approve docket Z-06-07. Seconded by Michael Sherwood. Passed unanimously.

New Business: No applications are scheduled at this point in time for a December Planning Commission hearing. Officers will be elected in January.

Adjourn: The meeting adjourned at 7:50 p.m.