

ORDINANCE NO. 4545

An Ordinance amending the City of McMinnville Comprehensive Plan Map from an existing residential designation to a commercial designation and rezoning certain property from an R-4 (Multi-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone on three lots located north of 15th Street and east of Adams Street.

RECITALS:

The Planning Commission received an application from Les Schwab Tire Centers for a comprehensive plan map amendment and zone change (CPA 1-93/ZC 6-93), dated May 11, 1993, for the property described as Tax Lots 500, 600, 700, Section 17DD, T. 4 S., R. 4 W., W.M.

A public hearing was held on June 9, 1993, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on May 29, 1993, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said request, found that said change conformed to the review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change and has recommended said change to Council; now, therefore,

THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Les Schwab Tire Centers.

Section 2. That the Comprehensive Plan Map shall be amended from a residential designation to a commercial designation for the property described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

Section 3. That the property described in Exhibit "A" is hereby rezoned from an R-4 (Multi-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone, subject to the following conditions:

a. That all street-side perimeter fencing shall be placed at the back edge of the perimeter landscaping strip. Such fencing shall not exceed thirty inches in height.

b. That the proposed Adams Street driveway shall be a maximum of 24 feet in width.

c. That clear vision shall be maintained at all driveways and at the 15th and Adams Street intersection, in accordance with Section 17.54.120 and 17.54.130 of the McMinnville zoning ordinance.

d. That the applicant submit a landscape plan to the McMinnville Landscape Review Committee for review and approval prior to any construction activity on the subject site. At a minimum the submitted landscape plan shall include provisions for street tree planting along Adams Street and 15th Street, shrubs and/or berming along the west and south perimeter (design to provide screening to a height equal to the bumper of the parked vehicle), and retention of the existing birch trees or their replacement with trees of comparable value.

e. That the landscape strip parallel to Adams Street be a minimum of 12.5 feet in width.

f. That all proposed exterior lighting shall have hoods or "shoebox" type fixtures which will direct light beams both downward and away from residential areas.

g. That the applicant submit a detailed grading and drainage plan to the City Engineering Department prior to any construction activities on the subject site.

h. That the revised site plan be placed on file with the Planning Department and that it become a part of the zone and binding on the owner and developer.

The developer is responsible for requesting permission of the Planning Commission for any major change in the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the City Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by him may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of one of the Commissioners.

i. That this zone change approval does not take effect until and unless the Comprehensive Plan Map amendment is approved by the City Council.

j. That no openings in the west wall of the building shall be permitted.

k. That the applicant shall post signs within the parking lot prohibiting trucks from using the northern portion of the proposed lot.

First Reading - Read and passed by the Council this 27th day of July 1993 by the following votes:

Ayes: Kirchner, Massey, Olson, Windle

Nays: Payne

Second Reading - Read and passed by the Council this 10th day of August 1993 by the following votes:

Ayes: Aleman, Massey, Olson, Massey, Windle

Nays: Payne

Approved this 10th day of August 1993.

Richard D Windle  
COUNCIL PRESIDENT

Attest:

Carle M. Berditt  
RECORDER