

ORDINANCE NO. 4604

An Ordinance amending Section 2 of McMinnville Planned Development Overlay Ordinance No. 4093 to expand the commercial uses allowed to include those listed in McMinnville Planned Development Ordinance 4045, as amended, on property located at 1788 E. 18th Street.

RECITALS

The Planning Commission received an application from Harold Washington for an amendment to Planned Development Overlay Ordinance No. 4093 which would amend Section 2 to expand the commercial uses allowed to include those listed in McMinnville Planned Development Ordinance 4045, as amended. The subject site is located at 1788 E. 18th Street.

A public hearing was held on December 14, 1995, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on December 9, 1995, 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 planned development review criteria listed in Chapter 17.51 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 planned development amendment is consistent with the Comprehensive Plan; and

The Planning Commission approved said planned development amendment 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 Harold Washington.

Section 2. That Ordinance 4093 be amended by supplanting the terms and provisions of Section 2 with the following:

“Section 2. That the use of the property described in “Exhibit A” which is attached hereto and by this reference incorporated herein shall be limited to those commercial uses enumerated herein, with the following conditions:

a. Commercial use of the subject site shall be limited to the following:

1. Club, lodge, hall, or fraternal organization
2. Public utility building and facility
3. Multiple-family dwelling subject to the provisions of the R-4 zone
4. Printing and publishing plant
5. Public transportation passenger terminal
6. Sign painting shop
7. Bank or similar financial institution
8. Bicycle sales or repair shop
9. Book or stationery store, retail
10. Clothing store, retail
11. Custom manufacturing of goods only for retail sale on the premises
12. Dressmaking, millinery, or tailor shop
13. Dry goods or notions store, retail
14. Floor covering sales and service
15. Frozen food locker, retail
16. Furniture store, retail
17. Garden supply store, nursery, or greenhouse, retail
18. Hardware and paint store, retail
19. Household, business, or recreational equipment sales or rental
20. Ice dispenser, retail
21. Interior decorating shop
22. Jewelry store, retail
23. Laundry or cleaning establishment
24. Locksmith
25. Medical or dental laboratory
26. Monument sales, retail
27. Music or musical instrument store, retail
28. Office
29. Paint or glass store, retail
30. Photographic shop, blueprinting, Photostatting, or other reproduction process
31. Plumbing and heating store, retail
32. Scientific or professional instrument sales or service
33. Shoe store, retail
34. Storage garage
35. Taxidermy shop
36. Toy or hobby store, retail
37. Upholstery or furniture repair shop
38. Variety store, retail
39. Veterinary office or animal hospital, retail pet store, provided there are no outside runs or pens and no noise is audible beyond the property line
40. Gift shop
41. Wholesale office or showroom with merchandise on the premises limited to small parts and samples
42. Boarding, lodging, rooming, or tourist home
43. Barber or beauty shop
44. Bakery
45. Confectionery or candy store


46. Florist
 47. Wholesale distribution operation
 48. Plastic extrusion and post forming
 49. Roofing store, contractor, warehouse, provided that the use generates no asphalt or tar odors which are measurable beyond the property lines of the subject site.
- b. That no noise, light, or traffic from the allowed use(s) shall normally occur between the hours of 10:00 p.m. and 6:00 a.m.
 - c. That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee prior to use of the site. A minimum of seven percent of the site must be landscaped with emphasis placed at the street frontage. A sight obscuring fence (slatted chain link fence), masonry wall, or arborvitae hedge or similar type of planted visual screen shall be required along the west property line where adjacent to residentially zoned lands.
 - d. That a detailed plan showing parking, signing, and lighting must be submitted to and approved by the Planning Director prior to use of the site.
 - e. That if outside lighting is to be provided, it must be directed away from residential areas and be of a "shoe-box" design.
 - f. That all required parking areas shall be paved in accordance with City standards prior to occupancy of the building.
 - g. That signs located within the planned development site shall be subject to the following limitations:
 1. All signs must be flush against the building and not protrude more than 12 inches from the building face, except that one monument-type sign not more than six feet in height and which meets the requirements of (2) and (3) below are allowed.
 2. All signs, if illuminated, must be indirectly illuminated and nonflashing.
 3. No individual sign exceeding thirty-six (36) square feet in size shall be allowed on the 18th Street side of the building.
 - h. All business associated with the allowed use(s) shall be conducted wholly within an enclosed building except for off-street parking and loading.

Passed by the Council this 9th day of January 1996 by the following votes:

Ayes: Hughes, Kirchner, Massey, Payne, Tomcho, Windle

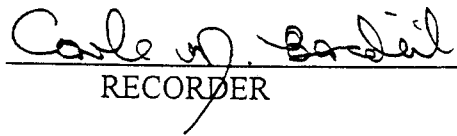
Nays: _____

Approved this 9th day of January 1996.



MAYOR

Attest:



RECORDER