

ORDINANCE NO. 4621

An Ordinance rezoning approximately 5,933 square feet of land from an O-R (Office Residential) zone to a C-3 PD (General Commercial Planned Development) zone. The site is located at 525 N. Galloway Street and is described as Tax Lot 200, Section 21BC, T. 4 S., R. 4 W., W.M.

RECITALS

The Planning Commission received an application (ZC 2-96) from Yamhill County, dated March 12, 1996, for a zone change from an O-R (Office Residential) zone to a C-3 PD (General Commercial Planned Development) zone on approximately 5,933 square feet of land located at 525 N. Galloway Street and described as Tax Lot 200, Section 21BC, T. 4 S., R. 4 W., W.M.

A public hearing was held on April 11, 1996, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on April 6, 1996, 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 zone change 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 the City of McMinnville.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby rezoned from an O-R (Office Residential) zone to a C-3 PD (General Commercial Planned Development) zone, subject to the following conditions:

1. That the uses permitted on the subject site are as follows:
 - a. Permitted buildings and uses. The following uses and their accessory uses are permitted on the subject site:

- (1) All uses and functions of the County government including day care facilities and group care homes but not including a jail.
- (2) Private office: All professional, administrative, and business offices, provided that retail sales are not allowed except for those sales incidental to the principal occupation.

b. Conditional uses permitted. The following uses may be permitted subject to the provisions of Chapter 17.66 of McMinnville Zoning Ordinance No. 3880:

- (1) Jail

c. Site and building design

- (1) Site plans and exterior building elevations for the proposed correction work center facility shall be submitted to the Planning Director for review and approval prior to the issuance of any building permits for said facility. Approval or denial of these plans and elevations shall be based on a finding that, to the extent possible, the site and building incorporate design and architectural features, and other elements appropriate to ensure that the site and building design is compatible with other properties in the vicinity of the subject site. The applicant may appeal the decision of the Director to the Planning Commission if notice of intent to appeal is filed in the Planning Department office within ten (10) days of the Director's decision.
 - (2) That Landscape and irrigation plans be submitted to the McMinnville Landscape Review Committee for review and approval prior to the release of building permits for the proposed facility and adjacent parking areas.
 - (3) That parking lot design and specifications for the subject site shall be submitted to the Planning Department for review and approval prior to the issuance of any building permits for the corrections work center facility.
2. That final development plans as approved by the Planning Director shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer.

The developer will be responsible for requesting permission of the Planning Commission for any major change of the details of the adopted site plan. Minor changes to the details of the adopted site 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 any one of the commissioners.

Passed by the Council this 14th day of May 1996, by the following votes:

Ayes: Hughes, Kirchner, Massey, Tomcho, Windle

Abstention: Payne

Approved this 14th day of May, 1996.


MAYOR

Attest:


RECORDER