

ORDINANCE NO. 4637

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-2 (Single Family Residential) zone to a C-3PD (General Commercial Planned Development) zone on a parcel located north of the intersection of McDaniel Lane and East 27th Street and east of Leathers Lane.

RECITALS

The Planning Commission received an application (CPA 4-96/ZC 11-96) from Robert and Julianne Johnstone, dated October 15, 1996, for a Comprehensive Plan Map amendment from a residential designation to a commercial designation and for a zone change from an R-2 (Single Family Residential), zone to a C-3PD (General Commercial Planned Development) zone on approximately 27,201 square feet of land located north of the intersection of McDaniel Lane and East 27th Street and east of Leathers Lane, described as Tax Lot 2311, Section 09DD, T. 4 S., R. 4 W., W.M..

A public hearing was held on November 14, 1996, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on November 7, 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 plan amendment and zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan amendment and zone change and has recommended said changes 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 Robert and Julianne Johnstone.

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 incorporated herein by this reference.

Section 3. That the property described in Exhibit "A", is hereby rezoned from an R-2 (Single Family Residential), zone to a C-3PD (General Commercial Planned Development), zone, subject to the following conditions:

1. That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee. A minimum of 14 percent of the site must be landscaped with emphasis placed at the street frontage. An arborvitae hedge or some similar type of planted visual screen shall be required along the property lines adjacent to residentially zoned lands.
2. Detailed plans showing buildings elevations, site layout, signage, landscaping, parking, and lighting must be submitted to and approved by the McMinnville Planning Director before actual development may take place. To the extent possible, the site and building design should be compatible with surrounding development.
3. No use of any commercial use shall normally occur between the hours of 12:30 a.m. and 6:00 a.m.
4. No buildings shall exceed the height of 35 feet.
5. That if outside lighting is to be provided, it must be directed down and away from residential areas and public streets.
6. That signs located on the site shall be subject to the following limitations:
 - a) All signs must be flush against the building and not protrude more than 12 inches from the building face, except that up to two free standing monument-type signs not more than five feet in height and which meet the requirements of (b) or (c) below are allowed;
 - b) All signs, if illuminated, must be indirectly illuminated and nonflashing;
 - c) No individual sign exceeding thirty-two square feet in size shall be allowed.
7. All business, storage, or display shall be constructed wholly within an enclosed building except for off-street parking and loading.
8. That the subject site is limited to professional office use or medical office use.

Passed by the Council this 10th day of December 1996, by the following votes:

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

Nays: _____

Approved this 10th day of December, 1996.


MAYOR

Attest:

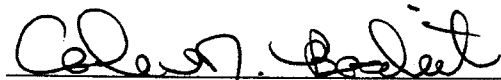

RECORDER

EXHIBIT "A"

A tract of land in the Southeast 1/4 of Section 9 and the Northeast 1/4 of Section 16, Township 4 South, Range 4 West, Willamette Meridian, City of McMinnville, Yamhill County, Oregon and being part of the James T. Hembree Donation Land Claim No. 46 and being more particularly described as follows;

Lot 19 of Elisabeth Addition to the City of McMinnville, Yamhill County, Oregon. Recorded December 29, 1995 in Volume 4, Page 203, Yamhill County Clerk's Office.