

ORDINANCE NO. 4652

An Ordinance rezoning a parcel of land some 21,318 square feet in size from an O-R PD (Office-Residential Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone to allow for future commercial development. The site is located west of NE Evans Street and north of Baker Creek Road, and is further described as a portion of Tax Lot 3500, Section 16 BC, T. 4 S., R. 4 W., W.M.

RECITALS

The Planning Commission received an application (ZC 8-97) from Pat and Sarah West, dated August 20, 1997 requesting approval to rezone some 21,318 square feet of land from an O-R PD (Office-Residential Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone to allow for future development. The subject site is located west of NE Evans Street, north of Baker Creek Road, and is further described as a portion of Tax Lot 3500, Section 16 BC, T. 4 S., R. 4 W., W.M.

A public hearing was held on September 18, 1997, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on September 11, 1997, 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 on 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 the 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 Pat and Sarah West.

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 PD (Office Residential Planned Development) zone to a C-3 PD (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. The applicant shall be responsible for maintaining existing landscaping located within the public right-of-way immediately adjacent to the subject site.
2. Detailed plans showing building 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 commercial use shall normally occur between the hours of 12:30 a.m. and 6:00 a.m.
4. No building 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) and (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 displays shall be conducted wholly within an enclosed building except for off-street parking and loading.
8. That access to the subject site be limited to one driveway, as approved by the City Engineer.
9. That the off-street parking lot design indicated on the submitted site plan be amended to eliminate backing movement(s) onto Baker Creek Road. In addition, applicant shall reduce, to the extent possible, the width of the proposed driving aisle. In no case shall the width be reduced to less than required by the McMinnville Zoning Ordinance.

10. That a master plan which incorporates the requirements of this zone change approval shall be submitted to the Planning Director for review and approval prior to any development occurring on the site. Said master plan 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 master 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 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 October, 1997 by the following votes:

Ayes: Aleman, Hughes, Massey, Payne, Windle

Nays: _____

Approved this 14th day of October, 1997.

Richard P. Windle
MAYOR

Council President

Attest:

Carol M. Bodol
RECORDER