

ORDINANCE NO. 4737

An Ordinance approving a comprehensive plan amendment from Industrial to Commercial on some six acres of land and rezoning said property from an M-1 PD (Light Industrial Planned Development) zone to C-3 PD (General Commercial Planned Development) zone. The property is generally located north of Highway 18 and southwest of the Yamhill ESD campus.

RECITALS

The Planning Commission received an application (CPA 1-00/ZC 3-00) from Yamhill ESD, dated June 28, 2000, for a comprehensive plan amendment from Industrial to Commercial on some six acres of land and rezoning said property from an M-1 PD (Light Industrial Planned Development) zone to C-3 PD (General Commercial Planned Development) zone. The property is generally located north of Highway 18 and southwest of the Yamhill ESD campus and is more specifically described as Tax Lots 1602 and 1700, Section 29, T. 4 S., R. 4 W., W.M.

A public hearing was held on August 17, 2000, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on August 12, 2000, 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 changes 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 comprehensive plan map amendment and zone change are consistent with the Comprehensive Plan; and

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

THE CITY OF McMINNIVILLE 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 Yamhill ESD.

Section 2. That the property described in Exhibit "A," is hereby amended from Industrial to Commercial on the City's comprehensive plan map, 1981.

Section 3. That the property described in Exhibit "A," is hereby rezoned from an M-1 PD zone to a C-3 PD zone subject to the following conditions:

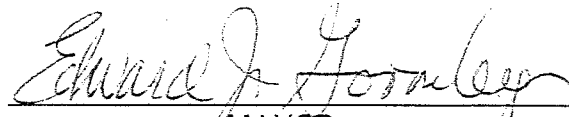
1. That the zone change request shall not take effect until and unless CPA 1-00 is approved by the City Council.
2. That the subject site shall be limited to use for classroom purposes consistent with the submitted site plan, as may be modified by these conditions.
3. That the applicant's submitted site plan for the subject site, as may be modified by conditions of this approval, 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 final development plans. 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 any one of the commissioners.
4. That existing trees greater than 9 inches in diameter at breast height (DBH) measured at 4.5 feet above ground shall not be removed without prior review and written approval of the Planning Director. In addition, all trees to remain within the subject site shall be protected during construction. The Director may permit a reduction or require an increase in normally required setbacks in order to avoid the removal of existing mature trees.
5. That McMinnville Planned Development Ordinance No. 4656 be repealed in its entirety.

Passed by the Council this 26th day of September, 2000, by the following votes:

Ayes: Aleman, Hughes, Olson, Payne, Rabe, Windle

Nays: _____

Approved this 26th day of September 2000.

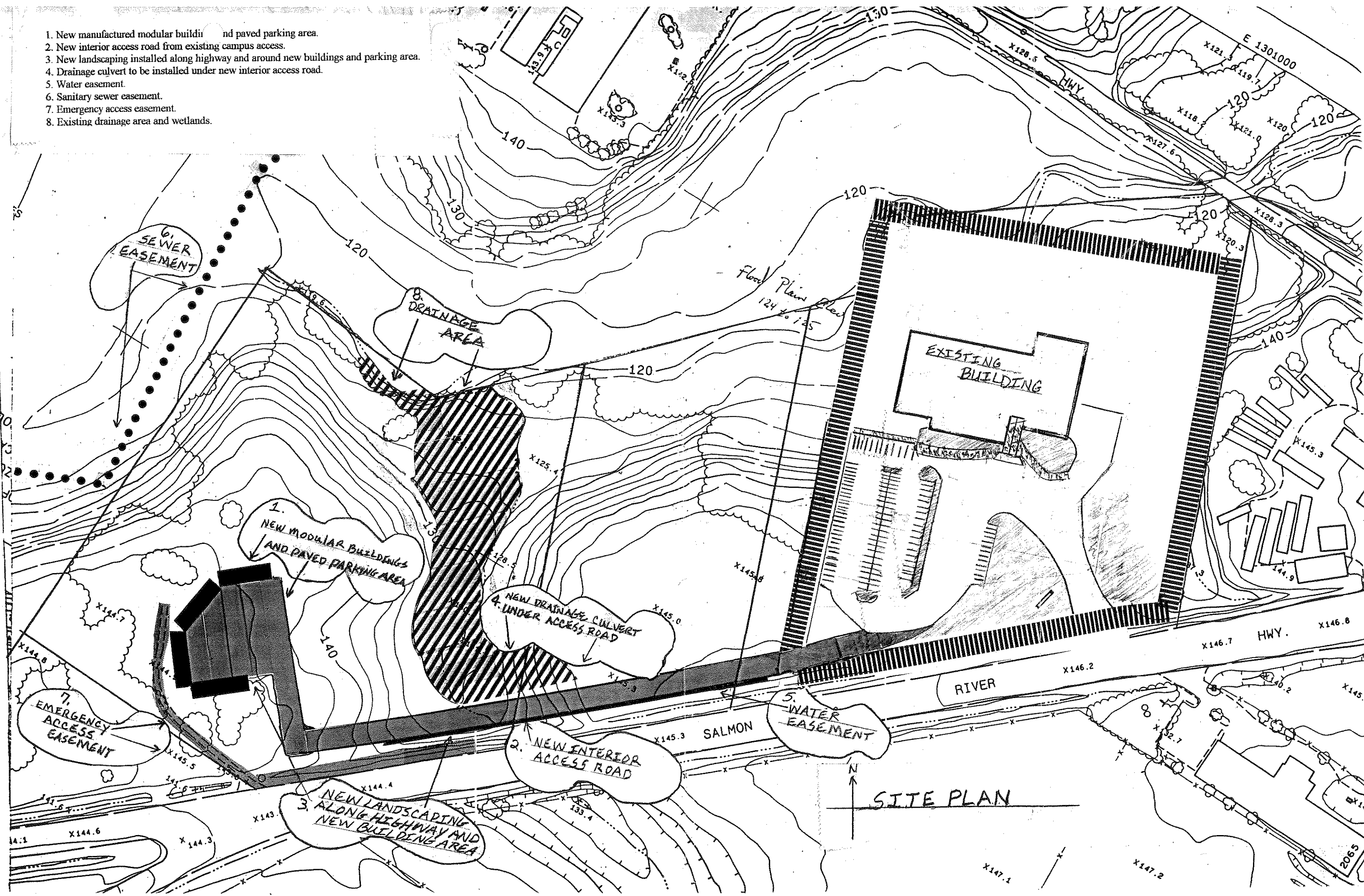

MAYOR

Approved as to Form:



CITY ATTORNEY

1. New manufactured modular buildings and paved parking area.
2. New interior access road from existing campus access.
3. New landscaping installed along highway and around new buildings and parking area.
4. Drainage culvert to be installed under new interior access road.
5. Water easement.
6. Sanitary sewer easement.
7. Emergency access easement.
8. Existing drainage area and wetlands.



SITE PLAN