

ORDINANCE NO. 4885

An Ordinance amending the comprehensive plan map from Residential to Commercial and rezoning certain property from an R-4 PD (Multi-Family Residential Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone on approximately 24.49 acres of land.

RECITALS

The Planning Commission received an application (CPA 4-07/ZC 12-07) from Trammell Crow Company, dated October 29, 2007, for an amendment to the comprehensive plan map from Residential to Commercial and rezoning certain property from an R-4 PD (Multi-Family Residential Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone on approximately 24.49 acres of land. The property is more specifically described as a portion Tax Lot 103, Section 29AC, T. 4 S., R. 4 W., W.M.

A public hearing was held on December 20, 2007, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on December 13, 2007, 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 requests, found that said changes conform to the 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 conclusory 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 the Council; and 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 Trammel Crow Company.

Section 2. That the comprehensive plan map designation for the property described in Exhibit "A", is hereby amended from Residential to Commercial.

Section 3. That the property described in Exhibit "A", is hereby rezoned from an R-4 PD (Multi-Family Residential Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone subject to the following condition:

1. That the zone change (ZC 12-07) shall not take effect until and unless CPA 4-07 is approved by the City Council.
2. That the applicable provisions of Ordinances 4672 and 4739 shall apply to the subject site, and as modified below:
 - a. That two free-standing signs no more than 30 feet in height and no more than 150 square feet per sign face (total of 300 square feet per sign) shall be permitted within the subject site. Sign height, size and placement shall be

determined by the Planning Commission as part of a master plan or site plan review prior to the issuance of construction permits.

- b. That the design and location of monument signs shall be as approved by the Planning Commission as part of the master plan or site plan review process. Monument signs shall be limited to no more than six-feet in height and shall be non-illuminated, indirectly illuminated, neon, or back-lit, providing that no plastic sign cabinets are allowed.
 - c. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than 12 inches from the building face. For building facades that face onto Booth Bend Road, the total area of building wall signage shall not exceed eight percent of the total area of the building face most closely oriented toward Booth Bend Road.
3. Prior to development of the subject property, the City and property owner shall enter into a developer agreement that ensures that the applicant shall be responsible for all costs associated with the construction of transportation-related improvements as identified in the *October 2007 Highway 99W/Booth Bend Road Property Comprehensive Plan Amendment and Zone Change Transportation Impact Analysis* prepared by Kittelson & Associates, Inc. as part of CPA 4-07/ZC 12-07, and that potential additional transportation improvement may be conditioned as part of the subsequent ODOT permit or site master planning requirements.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 22nd day of January 2008, by the following votes:

Ayes: Hill, May, Menke, Olson, Yoder

Nays: _____

Approved this 22nd day of January 2008.


MAYOR

Attest:


CITY RECORDER

Approved as to form:


CITY ATTORNEY

EXHIBIT "A"

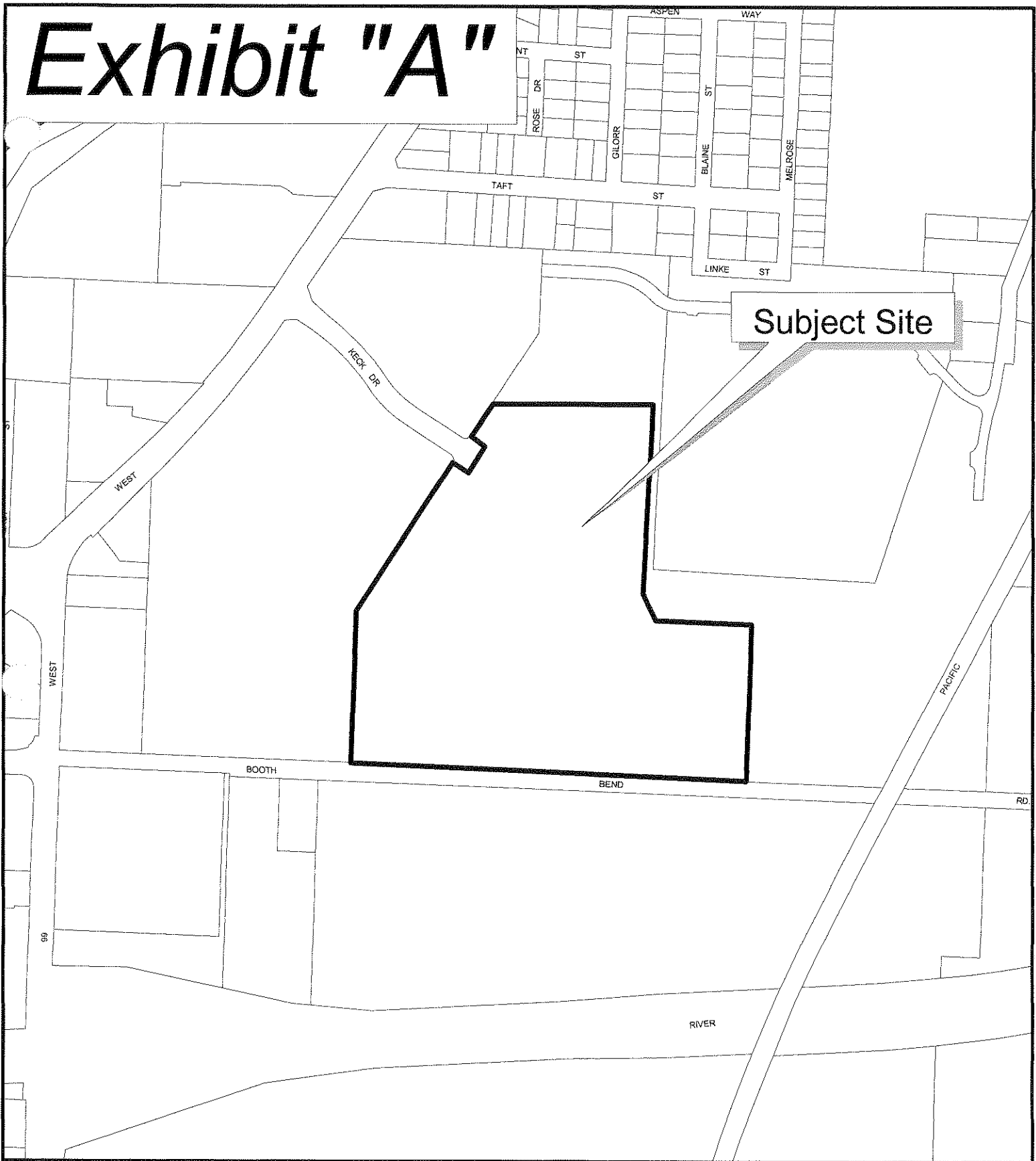
TRACT A: Part of Parcel 2 of Yamhill County Partition Plat 2004-21 in Sections 28 and 29, Township 4 South, Range 4 West, Yamhill County, Oregon, and being more particularly described as follows:

BEGINNING on the North margin of Booth Bend Road (30.00 feet from centerline) at a point that is South 87°46'08" East, 58.00 feet from the Southwest corner of said Parcel 2; thence South 87°46'08" East, 1218.28 feet along the South line of said Parcel 2; thence North 02°09'32" East, 440.09 feet; thence North 87°50'28" West, 300.80 feet; thence North 22°03'01" West, 94.07 feet; thence North 02°40'19" East, 590.59 feet; thence North 87°29'32" West, 493.02 feet; thence South 33°11'33" West, 122.78 feet; thence continuing South 33°11'33" West, 100.00 feet; thence continuing South 33°11'33" West, 534.83 feet; thence South 02°13'52" West, 468.75 feet to the POINT OF BEGINNING.


TRACT B: Part of Parcel 2 of Yamhill County Partition Plat 2004-21 in Sections 28 and 29, Township 4 South, Range 4 West, Yamhill County, Oregon, and being more particularly described as follows:

BEGINNING at the Southwest corner of said Parcel 2; thence North 02°13'52" East, 484.73 feet along the westerly line of said Parcel 2; thence North 33°11'33" East, 550.83 feet along said westerly line; thence South 56°48'27" East, 58.00 feet along said westerly line; thence south 33°11'33" West, 534.83 feet; thence South 02°13'52" West, 468.75 feet to the South line of said Parcel 2; thence North 87°46'08" West, 58.00 feet along said South line to the POINT OF BEGINNING.

Exhibit "A"





Subject Site



City of McMinnville
Planning Department
231 NE Fifth St
McMinnville, OR 97128
(503) 434-7311

Geographic Information System



300 0 300 Feet