

ORDINANCE NO. 4968

An Ordinance amending the Comprehensive Plan Map designation from Residential to Commercial on two parcels of land totaling approximately 0.44 acres in size and rezoning said property from an R-4 (Multiple-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone.

RECITALS

The Planning Department received an application (CPA 1-13 / ZC 1-13) from Jim Doran requesting approval of a Comprehensive Plan Map amendment from Residential to Commercial, and a zone change from an R-4 (Multiple-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone. Approval of these requests would allow development of an automobile showroom and sales lot on two parcels of land totaling some 0.44 acres in size. The subject site is located at 304 NE Logan Street and 337 NE Macy Street, and more specifically described as Tax Lots 3100 and 3200 Section 21AC, T. 4 S., R. 4 W., W.M., respectively.

A public hearing was held on April 18, 2013, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on April 9, 2013, 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 conformed to the comprehensive plan amendment and zone change review criteria listed in Chapter 17.74.020 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 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 change 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 Jim Doran.

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 (Multiple-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone subject to the following conditions:

1. That the zone change request ZC 1-13 shall not take effect until and unless CPA 1-13 is approved by the City Council.
2. That use of the subject property is limited to professional office, and automobile, boat, trailer, or truck rental, sales, and/or service.

3. That all proposed exterior lighting shall have hoods or "shoebox" type fixtures that will direct light beams both downward and away from adjacent residential development.
4. That signage shall be consistent with the applicable standards of Zoning Ordinance Chapter 17.62 (signs).
5. That the proposed site plan provided by the applicant as part of this zone change 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 plan may be approved by the 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.
6. That prior to, or at the time of building permit application, the applicant shall submit a landscape plan for the site to the Planning Department for review and approval by the Landscape Review. The plan shall include, at a minimum, landscaping along the public street edges (minimum six-foot wide) and building foundation, parking lot landscape islands, a street tree planting plan, an irrigation plan, and detail for a six-foot-tall (6) sight-obscuring fence, wall and/or vegetative screen to be installed along the length of the site's north property line where the site abuts residentially zoned properties. This fence or wall shall also comply with clear vision area requirements stated in Section 17.54.080 (B). All required landscaping shall be installed prior to the release of final occupancy permits for the proposed auto showroom.
7. That access to the site will be limited to Logan and Macy Streets, and no direct access to 3rd Street will be allowed.
8. That, as part of the development of the subject site, the applicant will be required to upgrade and/or install sidewalks along the site frontages conforming to current Public Right-of-Way Accessibility Guidelines (PROWAG). Additionally, any site driveway(s) shall be constructed/reconstructed to meet the PROWAG standards.
9. That at the time of demolition of the existing residence and garage/carport on the 337 Macy Street property (Tax lot R4421AC 3200), the existing sewer lateral to the site will need to be abandoned and capped per City standards.
10. That at the time building permits for the proposed showroom/sales building are issued, the applicant will need to pay the appropriate sanitary sewer fees and transportation system development charges (SDC's) for the proposed use (which will be offset by the appropriate SDC credits associated with the prior/existing single-family residential uses of tax lots R4421AC 3100 and 3200).
11. That the applicant is responsible for contacting McMinnville Water and Light to determine if additional utility easements shall be required.
12. That the applicant shall contact McMinnville Water & Light concerning abandonment of both water and power to the two subject parcels. The applicant shall pay all costs of any such abandonment.

13. That the applicant shall contact McMinnville Water & Light regarding electrical voltage and loading requirements and applicable extension agreement(s).

Passed by the Council this 28th day of May, 2013, by the following votes:

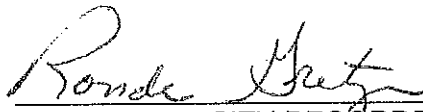
Ayes: Hill, Jeffries, May, Menke, Ruden, Yoder

Nays: _____

Approved this 28th day of May, 2013.


MAYOR

Attest:

 for Marcia Baragary
CITY RECORDER

Approved as to form:


CITY ATTORNEY

Exhibit "A"

