

ORDINANCE NO. 4123

An Ordinance amending Ordinance 3807 pertaining to an M-1 planned unit development on Three Mile Lane (Farnham, McElmurry, and Upsher property).

RECITALS:

The applicants requested an amendment (ZC 18-80) to the existing light industrial planned development in order to allow the construction of a 12,800 square foot plant to house Imperial Distributing, and to allow the future construction of three additional industrial buildings; and

A public hearing was held on January 8, 1981 at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on December 29, 1980, and written notice had been mailed to property owners within 300 feet of the affected property; no testimony was received at that time and the matter was continued to the February 12, 1981 meeting at 7:00 p.m.; and

At said public hearing the testimony of the applicants and surrounding property owners was received and a staff report was presented; and

The Planning Commission having been informed and after considering the facts and evidence presented, approved said change and has recommended said change to the Council; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the requested plan change is hereby approved, subject to the following conditions:

- (a) That the development plan dated May 28, 1976 and on file with the Planning Department (which was adopted by Ordinance 3807) remain a part of the zone and binding on the owner and developer for the northern 3± acres of the site.

That the development plan (undated) which was submitted with application ZC 18-80 become a part of the zone and binding on the owner and developer of the southern 4± acres of the site.

The developer will be responsible for requesting permission of the Planning Commission for any major change of the details of the adopted site plans. Minor changes to the details of the adopted site plans 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.

- (b) That the uses to be placed in the structures marked "Future Construction" on the ZC 18-80 site plan must first be approved at a public meeting by the Planning Commission. Notification will be mailed to all property owners within 300 feet of the site informing them as to the date the Planning Commission will

be meeting on the proposed site use. The applicants shall supply the following information to the Planning Commission 21 days prior to the scheduled meeting at which the application will be considered:

- (1) A statement enumerating the type of use proposed, the number of employees expected, the expected working hours, any machinery expected to be used, and the expected traffic generation of the proposed use. If outside storage is expected, the types of materials to be stored will be listed.

It will be the Planning Commission's responsibility to determine that the proposed use will be compatible with existing uses on site and with surrounding uses. Uses involving heavy traffic generation may be excluded by the Commission.

- (c) That landscaping plans shall be submitted to and approved by the Landscape Review Committee prior to any building permits being issued.
- (d) A drainage plan must be submitted to and approved by the City Engineering Department prior to any building permits being issued.
- (e) Any freestanding signs must be nine square feet or less in size, and must be indirectly illuminated if lighted. Any signs placed flat against a building must also be indirectly illuminated.
- (f) Any outside lighting must be directed away from all residential areas.
- (g) Nothing in these conditions may be construed to require lesser standards than those required by laws, ordinances, and codes adopted by the City of McMinnville and the State of Oregon.
- (h) Access shall be limited to one point on Three Mile Lane as shown on the approved site plans. (Access shall come from the eastern 60 feet of frontage on Three Mile Lane.)
- (i) Provisions shall be made for frontage roads, acceleration-deceleration lanes and left-turn refuges where necessary if required by the City or State some time in the future.
- (j) That necessary access easements and maintenance agreements be prepared for the subject property, submitted to the City Attorney for approval, then duly recorded by the applicants.

Passed by the Council this 3 day of March, 1981, by the following votes:

Ayes: Gormley, Gale, Macv, Allen, Wilson

Nays: _____

Approved this 3 day of March, 1981.

Attest:

Marjorie K. Allen

E. Mark J. Jurgens
COUNCIL PRESIDENT