

ORDINANCE NO. 4340

An Ordinance enacting conditions for development of the commercially designated acreage in the Westvale Planned Development and amending Ordinance No. 4040 by supplanting the provisions of Section 2(c) so that development of said commercially designated acreage may take place.

RECITALS:

The Planning Commission received an application for a zone change (ZC 9-85) dated June 10, 1985, from Jack Leonard for an amendment to an existing planned development (Ordinance No. 4040) which, if approved, would remove the requirement that the commercially designed property located in the Westvale Planned Development not be developed until after the entire Phase 2 of the development is submitted for approval. Also requested was approval of a development plan for the above mentioned commercially designated property which is located at the southeast corner of West Second Street and Hill Road and is described as a portion of Tax Lot 100, Section 19DB, T. 4 S., R. 4 W., W.M.

A public hearing was held on July 11, 1985, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on July 1, 1985, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received and the application materials and a staff report were presented; and

The Planning Commission being fully informed about said amendment to the existing planned development, and based on the observations, the findings of fact, and the conclusionary findings for approval, has approved said amendment 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 Jack Leonard.

Section 2. That Ordinance No. 4040, Section 2(c) be amended to read as follows:

"(c) Plot plans and elevations for the apartment complexes and the commercial structures must be submitted to and approved by the Commission. All uses proposed for the commercial area must be approved by the Commission and must be of a type that would not overburden the sanitary sewer system (as determined by the City Engineer)."

Section 3. That the following conditions shall apply to development of the commercial acreage in the Westvale Planned Development:

(a) That the plan submitted with the application be approved in concept. Detailed plans showing elevations, site layout, signing, landscaping, parking, and lighting must be submitted to and approved by the Planning Commission before actual development may take place. The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance may be used to place conditions on any development.

- (b) That all uses to be located in the center must be approved by the Planning Commission. The provision of Chapter 17.51 of the McMinnville Zoning Ordinance will be used to assure that approved uses are appropriate for the area.
- (c) That the mini-mart store is approved 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.
 - (2) That the hours of operation for the mini-mart be limited to from 6:00 a.m. to 10:30 p.m.
 - (3) That if outside lighting is to be provided, it must be directed away from residential areas.
 - (4) That signs located on the mini-mart site 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 one free standing sign not more than six feet in height and which meets the requirements of (2) and (3) below is allowed;
 - b. All signs, if illuminated, must be indirectly illuminated and nonflashing;
 - c. No signs exceeding thirty-six (36) square feet in size shall be allowed.
 - (5) That the architectural scheme proposed for the mini-mart in Docket ZC 1-85 is binding on this approval.

Passed by the City Council on this 6 day of August, 1985
by the following votes:

Ayes: Bernt Hansen, Johnstone, Wertz, Blanchard, Wilson & Carole Hanson

Nays: _____

Approved this 6 day of August, 1985.

Edward J. Gornley
MAYOR

Attest:

Marjorie E. Keren
RECORDER