

ORDINANCE NO. 4606

An Ordinance amending the City of McMinnville Comprehensive Plan Map from an existing residential designation to a commercial designation and rezoning certain property from an R-4 (Multiple-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone on property located at the northwest corner of 6th and Galloway Streets.

RECITALS:

The Planning Commission received an application from Yamhill County for a comprehensive plan map amendment and zone change (CPA 3-95/ZC 18-95), dated December 14, 1995, for the property described as Tax Lots 15900 and 16001, Section 21BB, T. 4 S., R. 4 W., W.M.

A public hearing was held on January 11, 1996, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on January 6, 1996, 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 review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based upon 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 plan map amendment and the zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan map amendment and zone change and has recommended said changes to 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 Yamhill County.

Section 2. That the Comprehensive Plan Map shall be amended from a residential designation to a commercial designation for the property described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

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

1. That the uses permitted on the subject site are as follows:

a. Permitted buildings and uses. The following uses and their accessory uses are permitted on the subject site:

- (1) All uses and functions of the County government including day care facilities and group care homes but not including a jail.
- (2) Private office: All professional, administrative, and business offices, provided that retail sales are not allowed except for those sales incidental to the principal occupation.

b. Conditional uses permitted. The following uses may be permitted subject to the provisions of Chapter 17.66 of McMinnville Zoning Ordinance No. 3880:

- (1) Jail

c. Site and building design

- (1) Site plans and exterior building elevations for the proposed ABACUS facility shall be submitted to the Planning Director for review and approval prior to the issuance of any building permits for said facility. Approval or denial of these plans and elevations shall be based on a finding that, to the extent possible, the site and building incorporate design and architectural features typically found on single-family residences located in the immediate neighborhood. These would include color selection, foundation height, setback distance, planting design, window treatment, vertical and horizontal articulation, building materials, and other elements appropriate to ensure that the site and building design is compatible with other properties in the vicinity of the subject site. The applicant may appeal the decision of the Director to the Planning Commission if notice of intent to appeal is filed in the Planning Department office within ten (10) days of the Director's decision.
- (2) That Landscape and irrigation plans be submitted to the McMinnville Landscape Review Committee for review and approval prior to the release of building permits for the ABACUS facility. The two existing fir trees shall be included in the plan, if at all feasible.
- (3) That parking lot design and specifications for those portions of the subject site outside of the area marked for future development be submitted to the Planning Department for review and approval prior to the issuance of any building permits for the ABACUS facility.

Passed by the Council this 13<sup>th</sup> day of February 1996 by the following votes:

Ayes: Hughes, Kirchner, Massey, Payne, Tomcho, Windle

Nays: \_\_\_\_\_

Approved this 13th day of February 1996.

  
\_\_\_\_\_  
MAYOR

Attest:

  
\_\_\_\_\_  
RECORDER

**EXHIBIT "A"**

A tract of land in the Northwest 1/4 of Section 21, Township 4 South, Range 4 West, Willamette meridian, City of McMinnville, Yamhill County , Oregon and being part of the W. T. Newby Donation Land Claim No. 53 and being more particularly described as follows;

**PARCEL NO. 1**

The South half of Lots 1 and 2 in Block 26, OAK PARK ADDITION to the City of McMinnville, County of Yamhill and State of Oregon.

**PARCEL NO. 2**

The North half of Lots 1 and 2 and all of Lot 3 EXCEPT the West 2.6 feet thereof in Block 26, OAK PARK ADDITION to the City of McMinnville, County of Yamhill and State of Oregon.