

ORDINANCE NO. 4655

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-2 (Single-Family Residential) zone to an O-R PD (Office-Residential Planned Development) zone on a 12,000 square foot parcel of land located at 1656 McDaniel Lane.

RECITALS

The Planning Commission received an application (CPA 1-97/ZC 9-97) from Mark Sherman, dated September 15, 1997, for a comprehensive plan map amendment from a residential designation to a commercial designation and zone change from an R-2 (Single-Family Residential) zone to an O-R PD (Office-Residential Planned Development) zone on a parcel of land approximately 12,000 square feet in size and described as Tax Lot 4800, Section 16AD, T. 4 S., R 4 W., W.M.

A public hearing was held on October 16, 1997, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on October 9, 1997, 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 request found that said change 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 the plan amendment and zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan map amendment and zone change and has recommended said change to Council; and

Subsequently, the City Council called for a public hearing. In accordance with City ordinances, the public hearing was scheduled for December 9, 1997 at 7:30 p.m. in the City Council Chambers. Notice of said hearing was given by written notice to affected property owners and to the general public by legal notice in the local newspaper; and

The McMinnville City Council conducted the scheduled hearing at the time and date specified above in accordance with the standards adopted in City of McMinnville Ordinance No. 3682. The testimony of the proponents and opponents was received and, in addition, the record generated by the McMinnville Planning Commission, supplemental staff reports, supplemental reports from other agencies and additional exhibits were duly incorporated in the record and were considered by the Council; and

The City Council, being fully informed about said request, found that said change, when an amendment is added further defining appropriate signage, 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 the plan amendment and zone change as amended are consistent with the Comprehensive Plan; 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 Mark Sherman.

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 incorporated herein by this reference.

Section 3. That the property described in Exhibit "A" is hereby rezoned from an R-2 (Single-Family Residential) zone to an O-R PD (Office-Residential Planned Development) zone, 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 and adjacent to the off-street parking lot. The owner is responsible for maintaining a sight obscuring screen along the north property line of the site (adjacent to residentially zoned lands).
2. Detailed plans showing site layout, signage, landscaping, parking, and lighting must be submitted to and approved by the McMinnville Planning Director before actual development may take place. To the extent possible, the site design should be compatible with surrounding development.
3. No commercial use shall normally occur between the hours of 8:00 p.m. and 7:00 a.m. that affects adjacent residential land.
4. No building shall exceed the height of 35 feet.
5. That if outside lighting is to be provided, it must be directed down and away from residential areas and public streets.
6. That one sign may be located on the site and shall be subject to the following limitations:
  - a) The sign must be flush against the building's west facade and not protrude more than 12 inches from the building face;

- b) The sign, if illuminated, must be indirectly illuminated and nonflashing;
  - c) The sign may not exceed eighteen square feet in size.
7. All business, storage, or displays shall be conducted wholly within an enclosed building except for off-street parking and loading.
8. That the subject site is limited to professional office use or single-family residential use.
9. That the applicant prepare a revised parking lot plan which includes, at a minimum; the following design elements:
- a) The existing curb cut should be relocated to the site's southwest corner.
  - b) The disabled parking space, which measures 19 feet deep by 17 feet wide (not 18 feet by 11 feet, as indicated by the applicant), may be located within the existing driveway and be turned parallel to McDaniel Lane. The existing paved area not needed to accommodate this parking space shall be removed and landscaped. Adequate aisle width shall be provided behind the disabled parking space.
  - c) The additional off-street parking spaces should be positioned along the northern edge of the proposed parking lot, in a north-south direction. Each of the spaces shall be a minimum of 19 feet deep by 8.5 feet in width. In addition, a driving aisle, a minimum of 26 feet in width, needs to be provided to allow for two-way travel and backing.
  - d) Drainage, as may be required by the City Engineer, shall be provided.

Said plan shall be submitted to the Planning Department for review and approval prior to issuance of any building permits for the subject site.

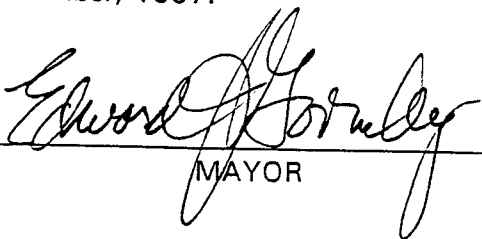
Passed by the Council this 9th day of December, 1997, by the following votes:

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

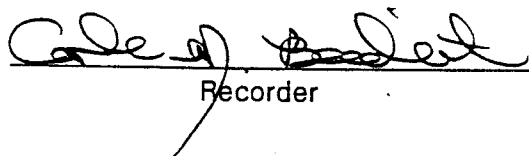
Nays: \_\_\_\_\_

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Approved this 9th day of December, 1997.

  
MAYOR

Attest

  
Recorder

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