

ORDINANCE NO. 4665

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-1 PD (Single-Family Residential Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone on some 1.4 acres of land; and rezoning an R-1 PD zone and a C-3 PD zone to an R-2 PD (Single-Family Residential Planned Development) zone on approximately 82.23 acres of land. The subject site is located west of Hill Road and south of West Second Street and is more specifically described as Tax Lots 2500, 2501, and 2502, Section 19, T. 4 S., R. 4 W., W.M.

RECITALS

The Planning Commission received an application (CPA 2-98 / ZC 2-98 / ZC 3-98) from CLM Development, LLC, dated December 16, 1997, for a comprehensive plan map amendment from a Residential designation to a Commercial designation, and a zone change from an R-1 PD (Single-Family Residential Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone on some 1.4 acres of land; and a zone change from an R-1 PD zone and a C-3 PD zone to an R-2 PD (Single-Family Residential Planned Development) zone on a parcel of land approximately 82.23 acres in size. The subject site is further described as Tax Lots 2500, 2501, and 2502, Section 19, T. 4 S., R. 4 W., W.M.

Public hearings were held on February 19, 1998 and March 19, 1998 at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on February 14, 1998, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearings, 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 changes are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan map amendment and zone changes and has recommended said change 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 CLM Development, LLC.

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-1 PD (Single-Family Residential Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone subject to the following conditions:

1. That this zone change shall not take effect until and unless CPA 2-98 is approved by the City Council.
2. That detailed plans for the proposed commercial development showing site layout, signage, building elevations, landscaping, parking, and lighting must be submitted to and approved by the Planning Commission prior to the issuance of any building permits for said development. Approval or denial of such plans shall be based on findings that, to the extent possible, building and site design is consistent with the scale and architectural detail of the Westvale Commercial Center, Westlake Shopping Center (as illustrated in the submitted photograph), or other similar neighborhood commercial centers. This would include color selection, height of buildings, planting design, window treatment, vertical and horizontal articulation, massing, voids to solids relationships, and other elements appropriate to ensure that the building and site design is compatible with the Hillcrest development and surrounding neighborhoods. In particular, development of the commercial site shall incorporate, to the extent possible, the following design principles:
 - a. The scale of buildings shall relate to the human form and surrounding buildings in terms of orientation, height, building length, massing, and ornamentation.
 - * Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Generally, the facade of a building shall be divided into distinct modules no longer than 80 feet.
 - * Buildings shall incorporate architectural styles, details, design themes, building materials, and colors used in surrounding buildings to the greatest extent possible.
 - * Buildings situated at the entrances to the commercial site shall utilize special architectural features to emphasize the importance of the location. Such features include corner towers, cupolas, balconies, colonnades, or other similar architectural feature.
 - * Roof lines are pitched or gabled.
 - b. Large expanses of off-street parking shall be avoided.
 - * Off-street parking areas shall be broken up with landscaped design features.
 - * Off-street parking areas shall be obscured from view from Hill Road and West Second Street through the use

of landscaping, placement of buildings, use of low walls or similar features.

- c. Building and site design should encourage pedestrian activity.
 - * Awnings, covered walkways, or similar weather protection should be provided to the greatest extent possible.

The applicant may appeal the decision of the Planning Commission to the City Council if notice of intent to appeal is filed in the Planning Department office within fifteen (15) days of the Commission's decision.

3. That landscape plans for the commercial site shall be submitted to the McMinnville Landscape Review Committee for review and approval prior to issuance of permits for any of the commercial buildings. At a minimum, 14 percent of the site shall be landscaped with emphasis placed along all street frontages, within the off-street parking lots, and building perimeters.
4. That the conditions of McMinnville Ordinance No. 4506 (Commercial Lands Planned Development Ordinance) shall apply to this proposed commercial development.
5. That buildings within the commercial site and adjacent church site shall be positioned in such a manner as to permit the sharing of off-street parking. In addition, large expanses of off-street parking, viewed from Hill Road or West Second Street, shall be minimized to achieve a neighborhood commercial scale.

Section 4. That the property described in Exhibit "B" is hereby rezoned from an R-1 PD zone and C-3 PD zone to an R-2 PD (Single-Family Residential Planned Development) zone, subject to the following conditions:

1. That this zone change shall not take effect until and unless CPA 2-98 is approved by the City Council.
2. That the density of the subject site zoned for residential use, consisting of approximately 80.83 acres (total area of the subject site, 85.83 acres, minus the 5.0 acre commercial site) and identified as Tax lots 2500, 2501, and 2502, Section 19, T. 4 S., R. 4 W., W.M., shall be limited to a total maximum residential density as prescribed in McMinnville comprehensive plan policy 71.01.
3. That the conceptual master plan for that portion of the applicant's property west of the Hillcrest subdivision shall in no way be binding on the City.
4. That site plans and building elevations for the proposed multi-family units must be submitted to and approved by the Planning Director prior to the issuance of any building permits for said units. The following criteria shall apply:

- A. The building layout must be nonlinear in design, even if to meet this goal the number of units has to be reduced.
 - B. The building roof lines and facades must be broken as shown on the submitted photographs.
 - C. The site shall be heavily landscaped with emphasis on those sides facing a public street and at entrances to the multi-family complex. Street side landscaping shall include berming and street trees, a minimum of two inch caliper at time of planting. In addition, parking lots shall be broken up by landscaping, and usable open space shall be provided within the development.
 - D. Signage shall be limited to a maximum of two free standing monument-type signs, each not more than four feet in height and not exceeding 36 square feet in area. The signs, if illuminated, must be indirectly illuminated and non flashing.
 - E. Horizontal lap siding or similar type siding must be used (no T-111 or similar), and architectural composition roofing or a similar or higher grade type of roofing must be applied.
 - F. Building facades facing onto a public street shall avoid monotonous, uninterrupted walls or roof planes.
5. That site plans, building elevations, and a revised subdivision plan for the proposed townhome complex must be submitted to and approved by the Planning Director prior to the issuance of any building permits for said units, or submittal of a final plat. The following criteria shall apply:
- A. The building roof lines and facades must be broken to provide visual interest and architectural relief.
 - B. A minimum of twenty-five (25) percent of the site shall be landscaped with emphasis on those sides facing a public street. Street trees, a minimum of two-inch caliper (measured 4.5 feet above grade), shall be planted within curbside planting strips along those public streets that front landscaping, and usable open space shall be provided within the development.
 - C. Horizontal lap siding or similar type siding must be used (no T-111 or similar), and architectural composition roofing or a similar or higher grade type of roofing must be applied.
 - D. The submitted site plan shall be revised to ensure that all units have relatively unobstructed views of the surrounding development.

- E. That lots 21 - 36 shall front on a public street or private drive, as may be permitted by the City Engineer. The public street or private drive shall be constructed by the applicant to City standards.
 - F. That small scale, off-street parking lots shall be dispersed throughout the complex. Larger parking areas shall be prohibited.
 - G. That the Planning Director is authorized to reduce the number of townhome units if necessary to achieve the above objectives and design requirements.
6. That final development plans as approved by the Planning Commission 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 approval of the Planning Commission for any major change in the details of the adopted site plan. Minor changes to the details of the adopted plan 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.

7. That the 3.9 acre lot situated at the northeast corner of the proposed intersection of Hillcrest Drive and West Hills Drive be limited to use as a private park. Plans for its development shall be submitted to the Planning Director for review and approval prior to its construction. The purpose of this review is to ensure consistency with applicable setbacks, street access, and off-street parking requirements. Landscape plans for the park shall be submitted to the McMinnville Landscape Review Committee for their review and approval prior to construction of improvements within the subject lot.
8. That the lot situated at the southeast corner of West Second Street and West Hills Drive is limited to church and ancillary uses. Development of this site is subject to approval of a conditional use permit, as required by the McMinnville Zoning Ordinance, and other applicable planned development ordinances.
9. That setbacks for the Hillcrest subdivision are as follows:

Townhome Lot -

- Front yard: 12 feet; 20 feet to the open side of a garage (facing onto a public street)
- Rear yard: 20 feet to a residence; 0 feet to a detached garage (facing onto a private drive)
- Side yard: 0 feet
- Exterior side yard: 15 feet

Multi-family Lot -

As required by the R-4 zone.

Single-family lot -

Front yard: 15 feet; 20 feet to the open side of a garage

Rear yard : 20 feet

Side yard: 7.5 feet

Exterior side yard: 15 feet

Commercial lot -

As required by C-3 zone.

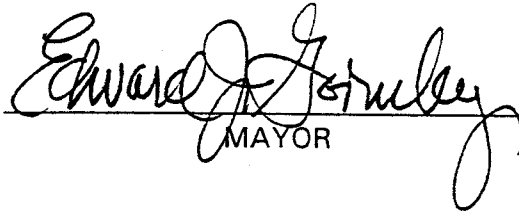
10. That the applicant submit a landscape plan for the southern portion of the West Second Street right-of-way (the strip of land between the south curb line and south right-of-way line) to the McMinnville Landscape Review Committee for review and approval. The plan shall provide for the planting of street trees, construction of a meandering sidewalk (if appropriate for the design), and planting of shrubs and groundcover as necessary to soften the negative visual effects of fencing along West Second Street.

Passed by the Council this 28th day of April 1998 by the following votes::

Ayes: HUGHES, KIRCHNER, MASSEY, PAYNE, WINDLE

Nays: _____

Approved this 28th day of April 1998.


MAYOR

Attest:


RECORDER