

ORDINANCE NO. 4688

An Ordinance rezoning certain property from a County N-C (Neighborhood Commercial) zone to a City C-3 PD (General Commercial Planned Development) zone to permit the development of a commercial shopping complex on 21.26 acres of land located north of Oregon State Highway 18 (Salmon River Highway), west of Oregon State Highway 99W, east of the Highway 18/99 Connector, and south of the Vineyard and Paragon motels.

RECITALS

The Planning Commission received an application (ZC 15-98) from Alan M. Roodhouse of Farallon Development Corporation dated September 15, 1998, requesting approval to rezone some 21.26 acres of land from a County N-C (Neighborhood Commercial) zone to a City C-3 PD (General Commercial Planned Development) zone to permit the development of a commercial shopping complex. The subject site is located north of Oregon State Highway 18 (Salmon River Highway), west of Oregon State Highway 99W, east of the Highway 18/99 Connector, and south of the Vineyard and Paragon motels, and is more specifically identified as Tax Lots 1500, 1800, 1801, and 1900, Section 29, T. 4 S., R. 4 W., W.M.

A public hearing was held on November 19, 1998, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on November 14, 1998, 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 zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on 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 zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change 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 Farallon Development Corporation.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference is hereby rezoned from a County N-C (Neighborhood Commercial) zone to a City C-3 PD (General Commercial Planned Development) zone subject to the following conditions:

1. That detailed plans for the proposed commercial development showing site layout, proposed circulation pattern, signage, building elevations, landscaping, parking, and lighting must be submitted to and approved by the Community Development Department 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, the building and site design employs principles that will ensure compatibility with adjacent development, and provide an architectural style appropriate to a "gateway" or entrance to the City of McMinnville. In addition, approval or denial of the exterior building design shall be based on a finding that, to the extent possible, the building design incorporates design and architectural features that would serve to break up the building's horizontal plan and provide visual interest. This may include, but is not limited to, the use of vertical columns, gables, variety of compatible and complimentary building materials, providing openings in the building facade, and landscaping at the building perimeter. Submitted plans should include detail as regard building colors and materials (provide texture and visual relief), building height, 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 complies with the objectives and requirements of this planned development approval. The applicant may appeal the decision of the Community Development Department to the Planning Commission if notice of intent to appeal is filed in the Planning Department office within fifteen (15) days of the Community Development Department's decision.
2. 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, 15 percent of the site shall be landscaped with emphasis placed along all street frontages, at major entrances to the commercial complex, within off-street parking lots, and at building perimeters. Final site and landscape plans should incorporate extensive streetside landscaping areas which facilitate meandering sidewalk(s) and street tree planting along both highway frontages (Highway 99W and the Highway 99W/Highway 18 Connector). A continuous evergreen screen shall be planted along the southern boundary of the site.

3. That signs located on the commercially zoned land shall be subject to review by the Planning Department as to their location and design, and to the following limitations:
 - a. That site signage located on the Highway 99W frontage is limited to a single monument sign a maximum of six (6) feet in height and fifteen (15) feet in width, situated at the major entrance as may be approved by ODOT. Site signage located on the Highway 99/18 Connector frontage shall be limited to a single pole-mount sign no more than twenty (20) feet in height and twelve (12) feet in width, situated at the major entrance as may be approved by ODOT. Monument signs shall be non-illuminated, indirectly illuminated, neon, or may have individually back-lit letters, providing that no plastic or plexi-glass type cabinet or faces be allowed. In addition, no signs, including wall-mount, shall be allowed on the southern facade of those buildings adjacent to Highway 18, and no roof-mount signs of any type shall be permitted within the subject site.
 - b. That an easement for maintenance, access and placement be granted to the City of McMinnville sufficient to accommodate a "Welcome to McMinnville" sign at the far southwest corner of the subject site.
 - c. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than twelve inches from the building face. There is no limit on the number or size of signs attached to the building faces.
4. That the submitted master plan and development plans, as approved by the Community Development Department, 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 is responsible for requesting permission of the Planning Commission for any major change of the details of the adopted plans. Minor changes to the details of the adopted 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.
5. That the applicant obtain required access permits from the Oregon Department of Transportation for use of the existing or proposed access drives prior to issuance of any development permits for the site.

6. That the State Highway 99W, State Highway 18, and the Highway 18/99W Connector frontages adjacent to the subject site shall be improved by the applicant to standards as required by the Oregon Department of Transportation (ODOT).
7. That the developer enter into a construction permit agreement with the City Engineering Department for all public improvements and gain a fill and grading permit for lot fill and grading from the City Building Division.
8. That the applicant provide utility and access easements across the subject site as required. Costs associated with the provision of the required utilities shall be borne by the developer.
9. That the applicant submit to the City Engineer and ODOT for review and approval a design for the Highway 99W and Highway 18/99W Connector intersections and associated improvements. All costs associated with the construction of all site accesses, to include the signalization of both intersections, and other improvements as stipulated in existing agreements between the applicant and City and ODOT, and as may be additionally required by the City and ODOT, shall be borne by the applicant. All required improvements and right-of-way dedications shall be completed prior to occupancy of any buildings within the subject site.
10. That 10-foot utility easements be provided along both sides of all rights-of-way. Additional utility easements as required by the Water and Light Department for transformer and vault locations and for the servicing with utilities shall also be provided.
11. That storm water drainage plans shall be submitted to the Community Development Department and ODOT for review and approval. All required improvements shall be installed prior to issuance of occupancy permits.
12. That fire hydrants as required by the Uniform Fire Code shall be installed by the applicant.
13. That within the commercially zoned land, all business, storage, or displays shall be conducted wholly within an enclosed building except for off-street parking and loading. Incidental exterior display and outdoor dining areas may be allowed if incorporated into future building design, are operated by the owner of a business located on the subject site, and are approved for such use by the Planning Director. Temporary seasonal activities, such as Christmas tree sales and fireworks sales, shall be permitted.

14. That utilities shall be extended to the property boundaries by the applicant, as may be required by the City Engineer or McMinnville Water and Light.
15. That the conceptual land use plan submitted by the applicant as part of this land use request shall in no way be binding on the City, particularly as regard proposed vehicular access.
16. That off-street parking at the rate of four and one-half (4.5) spaces per 1,000 square feet of gross floor area may be permitted provided a minimum of fifteen percent (15%) of the subject site be landscaped as approved by the McMinnville Landscape Review Committee.

Passed by the Council this 26th day of January 1999, by the following votes:

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

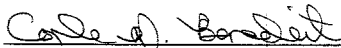
Nays: _____

Approved this 26th day of January 1999.



MAYOR

Attest:



RECORDER

PAD A - PERMISSIBLE BUILDING AREA

PAD A - 7,000 SQ FT SQUARE MASSIVE BUILDING

PAD B - 8,000 SQ FT SQUARE MASSIVE BUILDING

THE MASSIVE AGGREGATE TOTAL FOR PAD A AND PAD B IS 15,000 SQUARE FEET OF BUILDING UNLESS PAD B IS A SHOP FACILITY IN WHICH CASE THE AGGREGATE TOTAL FOR PAD A AND PAD B WILL BE 11,000 SQUARE FEET OF BUILDING PROVIDED THAT THERE IS A SIXTY FOOT VIEW CORRIDOR BETWEEN THE BUILDINGS ON PAD A AND BUILDING ON PAD B

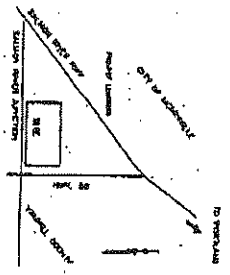
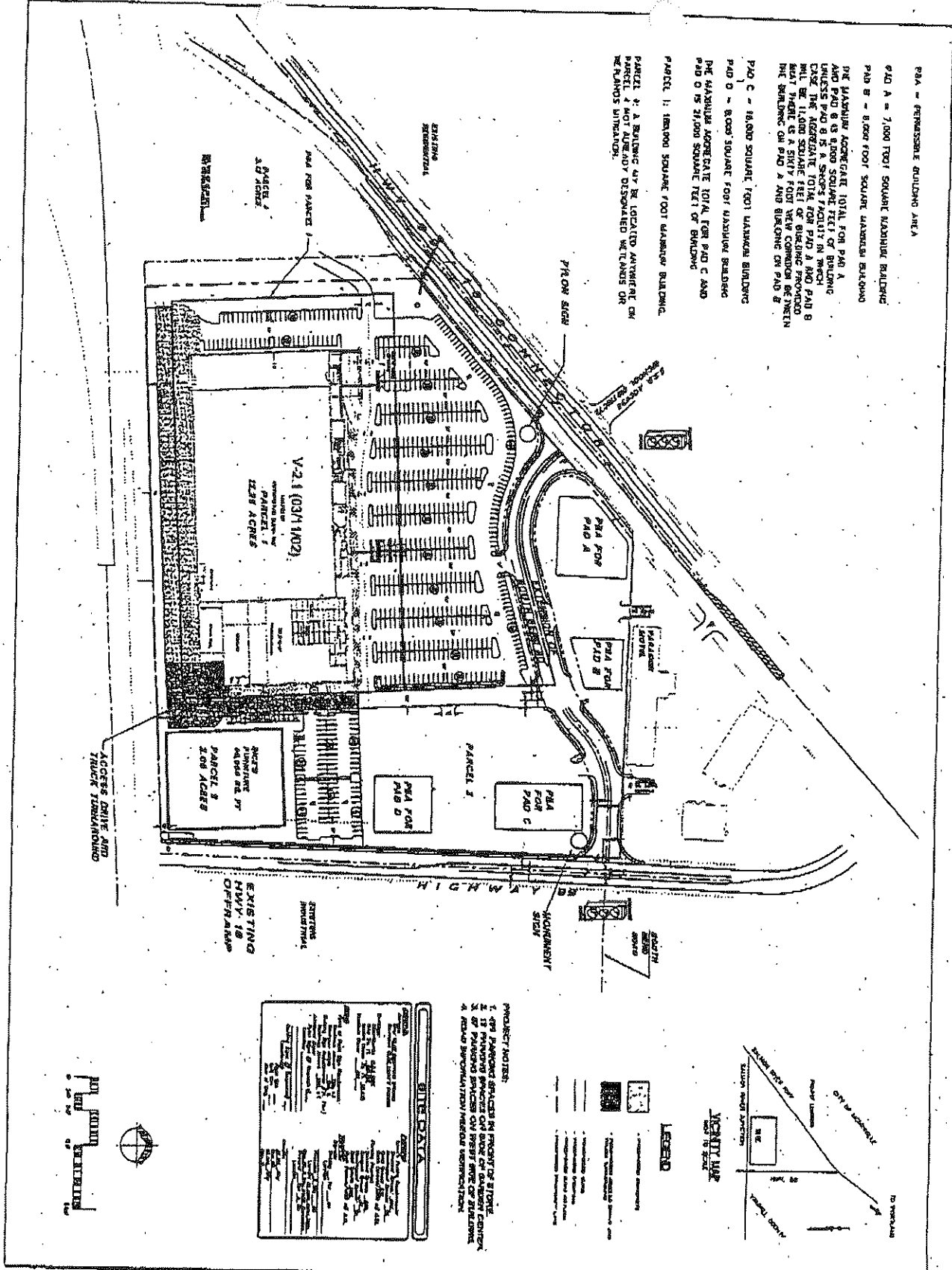
PAD C - 16,000 SQUARE FOOT MASSIVE BUILDING

PAD D - 8,000 SQUARE FOOT MASSIVE BUILDING

THE MASSIVE AGGREGATE TOTAL FOR PAD C AND PAD D IS 14,000 SQUARE FEET OF BUILDING

PARCEL 1: 16,000 SQUARE FOOT MASSIVE BUILDING

PARCEL 2: 2 BUILDINGS TO BE LOCATED ANYWHERE ON PARCEL 2 AND TO BE DISPOSED OF WETLANDS OR WETLANDS UTILIZATION



LEGEND

[Symbol]	Proposed Building
[Symbol]	Proposed Parking
[Symbol]	Proposed Access Drive
[Symbol]	Proposed Sign
[Symbol]	Proposed Wetland
[Symbol]	Proposed Utility
[Symbol]	Proposed Monument Sign
[Symbol]	Proposed Access Drive
[Symbol]	Proposed Sign
[Symbol]	Proposed Wetland
[Symbol]	Proposed Utility

- PROJECT NOTES:**
1. ALL PARKING SPACES IN PROJECT TO BE STONE
 2. ALL PARKING SPACES TO BE PAVED WITH ASPHALT
 3. ALL PARKING SPACES TO BE PAVED WITH ASPHALT
 4. ROAD SIGNIFICATION NEARBY INTERSECTION

PROPERTY

OWNER	LOWE'S OF McMinnville
PROJECT NO.	SD-1
DATE	03/1/02
SCALE	AS SHOWN
PROJECT LOCATION	1800 SW 18th Ave, McMinnville, OR
PROJECT DESCRIPTION	RETAIL DEVELOPMENT
PROJECT AREA	1.5 ACRES
PROJECT ZONING	V-21
PROJECT PERMIT NO.	
PROJECT PERMIT DATE	
PROJECT PERMIT EXPIRES	
PROJECT PERMIT STATUS	
PROJECT PERMIT TYPE	
PROJECT PERMIT FEE	
PROJECT PERMIT COST	
PROJECT PERMIT TOTAL	

PRELIMINARY SITE PLAN

LOWE'S OF McMinnville
McMinnville, OREGON

LOWE'S
Construction

1400 SW 18th Ave, McMinnville, OR 97148
Phone: 503-835-1100
Fax: 503-835-1100

SD-1

39/43