

ORDINANCE NO. 4695

An Ordinance amending the City of McMinnville Comprehensive Plan Map from an existing Residential designation to a Commercial designation and a zone change from an R-4 (Multi-Family Residential) zone to an O-R PD (Office-Residential Planned Development) on two parcels of land totaling approximately .30 acres in size located at 809 and 825 NE Evans Street.

RECITALS

The Planning Commission received an application (CPA 2-99 / ZC 3-99) from Coran & Kinney, LLP dated January 15, 1999, requesting a comprehensive plan map amendment from an existing Residential designation to a Commercial designation and a zone change from an R-4 (Multi-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone on approximately .30 acres of land. The subject sites are located at 809 and 825 NE Evans Street, and are more specifically identified as Tax Lots 9600 and 10100, Section 21BB, T. 4S., R. 4 W., W.M.

A public hearing was held on February 18, 1999, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on February 13, 1999, 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 changes 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 the 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 comprehensive plan map amendment and zone change and has recommended said changes to the Council; and

Subsequently, the City Council called for a public hearing. In accordance with City ordinances, the public hearing was scheduled for April 13, 1999 at 7:30 p.m. in the McMinnville School District Board Room. 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 dates 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 into the record and were considered by 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 Coran & Kinney, LLP.

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-4 (Multi-Family Residential) zone to an O-R PD (Office-Residential Planned Development) zone subject to the following conditions:

1. That signage proposed for the existing single-family residence located at 825 NE Evans Street be consistent with the requirements of Section 1;7.24.050 of the McMinnville Ordinance. The sign, if illuminated, must be indirectly illuminated and non-flashing. Further, that any proposal to alter the existing signage at 809 NE Evans Street shall follow these same restrictions.
2. That prior to the issuance of any building permits, the applicant, through continued coordination with the Planning Department and representatives of Sunrise Church, shall develop and draft a final parking agreement of sufficient scope to satisfy the off-street parking requirement of seven spaces.
3. That prior to the issuance of any building permits, the applicant shall submit a final site plan which illustrates placement of a van-accessible disabled person parking space, access aisle, sign, and direct access within the existing driveway. In addition, said plan shall illustrate the placement of one bicycle parking space.
4. That the conditions of CU 4-95 shall remain in full force and effect.

5. That the applicant install either a vegetative screen or fence along the northern property line in order to provide screening between the proposed commercial use of 825 NE Evans Street and the existing single-family residence to the north. Landscaping or fencing used for screening must maintain a clear vision area at the driveway exit. Within the clear vision area (measured at ten feet along the street right-of-way and the edge of the driveway) the maximum height of plantings or a fence equals 30 inches. Beyond the clear vision area, a maximum height of seven feet is allowed.

Passed by the Council this 13th day of April 1999, by the following votes:

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

Nays: _____

Approved this 13th day of April 1999.



MAYOR

Attest:



RECORDER PRO TEM